

U Thant as report on Rivonia

SAPA-REUTER

THE chairman of the United Nations Special Committee on Apartheid interrupted a meeting of the committee yesterday to declare that the world body could not ignore the challenge of South Africa's resumption of the Rivonia sabotage trial. He asked the Secretary-General, U Thant, to report urgently on the matter.

Mr. Telli, of Guinea said the moral authority of the United Nations had been called into question by South Africa's decision to go ahead with the trial.

The General Assembly on October 11, by a vote of 106 to one, called for the abandonment of the trial and the release of all political prisoners unconditionally.

Mr. Diallo asked that the Secretary-General, U Thant, report urgently on the effect of the resolution, as previously requested by the Assembly.

"It is clear to the whole world that the South African Government has chosen again to cast an unequivocal and brazen challenge to the United Nations," Mr. Diallo declared.

Pickets demanding the release of the 11 prisoners in the trial paraded outside the South African Consulate in New York yesterday.

An organiser of the American Committee on Africa estimated that about 200 people took part in the two-hour demonstration.

He said that about a third of the demonstrators were Negroes. They included Africans from a number of missions to the United Nations.

Unemotional

In the Trusteeship Committee yesterday Japan sounded a note of caution on members' approach to the South West Africa issue.

Mr. Koh Chiba, the Japanese delegate, urged the committee to seek practical measures to try to solve what was agreed was a very dangerous situation.

But members must avoid being swept away by their emotions. They should avoid any action which might prejudice the decision of the World Court.

Ceylon joined the list of nations advocating Security Council action on political aspects of the question of South West.

Mr. E. R. Coomaraswamy, the Ceylon delegate, told the committee it was inopportune for the United Nations to revoke South Africa's mandate over the territory while the international court was considering it.

Frustrated

But a United Nations presence must be established.

The main reason why the General Assembly had been frustrated in its attempts to have its resolutions implemented and respected by South Africa was the co-operation and encouragement given to her by certain great

Powers.

The South African view that the matter was *sub judice* was "untenable."

"We have learnt to respect the legal acumen of South African lawyers and judges, whatever else we do not respect them for," he said.

"My delegation, therefore, is compelled to view with serious doubts the sincerity of purpose with which such untenable arguments are put forward."

'Challenge' in Rivonia trial

NEW YORK, Wednesday.—Mr. Diallo Telli, Guinean chairman of the U.N. special committee on apartheid, said yesterday the moral authority of the U.N. had been called into question by South Africa's decision to go ahead with the trial of 11 men charged with sabotage.

The General Assembly on October 11, by a vote of 106 to one, called on the South African authorities to abandon the trial and to release all political prisoners unconditionally.

Mr. Diallo interrupted yesterday's meeting of the special committee to ask that the Secretary-General report urgently on the effect of the resolution, as previously requested by the Assembly.

After reading a Press report on the resumption of the trial Mr. Diallo recalled that the South African Cabinet had met after the adoption of the Assembly's resolution and had rejected its appeal as an unwarranted interference in South Africa's internal affairs.

"It is clear to the whole world that the South African Government has chosen again to cast an unequivocal and brazen challenge to the U.N.," Mr. Diallo declared.

—Sapa Reuter.

Defence objections upheld by judge

STAR 30/10/63

THE INDICTMENT in the Rivonia sabotage trial has been quashed. The Judge-President, Mr. Justice de Wet, made this order in the Pretoria Supreme Court at 3.30 p.m. today.

This means that the State will have to redraft the indictment, present it to the accused, give them sufficient time to study the charges and to request further particulars and give them time to study those further particulars.

The case, therefore, cannot almost certainly be heard this year.

Mr. Justice de Wet, after Dr. Yutar had ended his argument on the defence application to quash said it was most improper when accused people ask for particulars to say to them that this was a matter they knew all about.

"That presupposes they are guilty."

"I am satisfied the information they asked for should be given and the indictment cannot stand in the absence of that information."

"It is not the function of the Court to draw an indictment for the State."

The judge said it was possible, if the application for quashing was not acceded to, the ridiculous position would be reached of the defence having to ask for an adjournment after each State witness had given evidence to study that evidence.

"The accused should be able to prepare for trial before the trial begins."

90 days

The 10 accused — Hepple was discharged earlier today — will revert to the 90-day detainee status they lost earlier this month when they were served with the indictment.

Instead of being awaiting-trial prisoners with access to legal representation they will now again be without contact with the outside world until the State has redrafted the indictment and served the new ones upon them.

Not parallel

Dr. Yutar criticized the authorities the defence had relied on in their application to quash the indictment.

The treason trial was not a fair parallel because in that case the State relied on 5,000 documents and hundreds of speeches.

In this case there will be 250 documents — and no speeches — used as evidence.

Dr. Yutar referred to the defence argument that 156 acts of sabotage took place while Mandela was in jail.

Evidence will be led that Mandela was overseas prior to July 1. He came back and prepared documents showing how the battle was to be waged.

"Then unfortunately he was arrested. Now it is said he was not responsible for what took place afterwards."

"While he was in jail a number of lawyers (Slovo, Nokwe, among others) visited him."

Plan of jail

A plan was drawn of the jail so that there would be an attempt for him to escape.

"How dare my learned friends argue that he was not responsible

for the acts while he was in jail. If I plan a murder with someone, then get arrested, and my friend then carries out the murder, am I not responsible too? Dr. Yutar asked.

Dr. Yutar said he would produce evidence of donations from 25c to R240,000 from African states.

He would, with the permission of the court, produce a document in Mandela's handwriting about his visits to African states.

The judge: Documents you allege to be in the handwriting of the accused.

Dr. Yutar: Documents that will be proved to be in the handwriting of the accused.

The judge: No. Documents you allege, at this stage, to be in the handwriting of the accused.

Summary

Dr. Yutar: I feel the force of your lordship's suggestion. Am I required to summarize all or some of the documents and summarize the evidence I shall lead?

The judge: The authorities say you should give very full particulars. You have not done so.

Dr. Yutar: Then I am prepared to go back and make a summary of the documents and the evidence. I am prepared to submit to an order to deliver further particulars.

The judge: I don't think I or the defence will be satisfied with that.

The Judge: How long will it take you to draft those particulars? — I want to be as accurate as possible. If the Court will grant me a postponement for a fortnight I will do the best I can.

After the judge had said the session was a busy one, Dr. Yutar said he would summarize the State's case — "present it to them on a plate" — within a week.

"I crave of your lordship not to quash the indictment but to order me to furnish these details."

The judge said it was probable that the trial would not be resumed until next year. The vacation was not far off.

Dr. Yutar said he wanted to avoid that if possible.

The judge said it seemed a delay was unavoidable because the accused would have to have time to study the summarized evidence.

At the start of the day's proceedings, Dr. G. Lowen (for Kantor) said he took exception to the indictment because it failed to tell a reasonable man the case he had to meet.

The accused are: Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mahlaba (the alleged National High Command), James Kantor, Elias Matsoaledi, Andrew Mlangeni and Bob Alexander Hepple.

With them are two organizations, the firm of James Kantor and Partners, and the National High

Command, also referred to in the indictment as the National Liberation Movement and its national executive committee, and Umkonto

we Sizwe (Spear of the Nation).

During Dr. Lowen's argument Kantor — himself a lawyer — frequently nodded his head and smiled as a telling point was made.

Dr. Lowen said indictments were framed not for counsel or attorneys but for the accused, who must know the case he had to meet.

"Kantor, who is an attorney, does not know the Suppression of Communism Act.

"He had no legal library at his disposal while he was a 90-day detainee. As an awaiting-trial prisoner he has no legal library.

"To tell him, in reply to a question, that the count is to be read in conjunction with Section 12 does not inform him what case he has to meet.

"Kantor's sister loved Wolpe. Wolpe was a Communist. Wolpe could not make a living at the bar, so Kantor good-heartedly took him in.

"Is Kantor his own police dog to run around his offices to see who visits Wolpe?"

"But even if Mandela visits Wolpe on purely legal business, does that make Kantor a Communist?" asked Dr. Lowen.

At the end of his argument Dr. Lowen apologized to the court for being "too emotional" at certain stages during his address.

After him Mr. A. Fischer, Q.C., who represents all the other accused except Hepple, resumed his argument for quashing of the charges against them.

Reading from a judgment by Mr. Justice Greenberg, using the words of the judge, he said: "I suggest there is very little lard in the haunch of venison of this indictment."

Mr. Fischer said that the acts of sabotage set out in the indictment may have been committed by some organization and not the accused.

Unless the State says who carried out these acts, how is the defence to meet the charges?

"Either the State knows who committed the acts or it does not know. If it doesn't know, then it doesn't know that the acts were committed by any of the accused," Mr. Fischer said.

LINK NECESSARY

He could not see how, if the accused were members of a banned organization, this could lead to them committing various acts, such as putting lighted matches in a letter box. Some link must be furnished by the State.

Mr. Fischer spoke of the "conflict" in the State's replies to the defence request for further particulars. Kantor had been given fuller answers in some cases than the other accused.

He then handed to the judge another set of heads of argument, which he said would show that the indictment was "fatally defective."

He could not understand why the State had included acts of sabotage which had occurred before the period covered by the indictment.

Dr. P. Yutar, Deputy Attorney-General, with him Mr. J. M. Naude, Senior Public Prosecutor of Pretoria, and Mr. T. B. Vorster, of the office of the Senior Public Prosecutor, Johannesburg, appeared for the State.

Mr. A. Fischer, Q.C., with him Mr. G. Bizos and Mr. A. Chaskelson (instructed by Mr. Joel Joffe) appeared for Mandela, Sisulu, Goldberg, Mbeki, Kathrada, Bernstein, Mahlaba, Matsoaledi and Mlangeni.

Dr. G. Lowen, Q.C., with him Mr. H. Schwarz and Mr. D. Kuny (instructed by Mr. Jack Cooper) of Benjamin Joseph, Cooper and Partners) appeared for Kantor and James Kantor and Partners. Hepple was not represented.

Press, police outnumbered

White spectators

RDM
30/10/63

PRETORIA REPORTER

POLICE and Pressmen together must have outnumbered the White spectators at the trial of 11 men and two organisations on charges of contravening the Suppression of Communism Act and the General Law Amendment Act, which opened in the Pretoria Supreme Court yesterday.

By 8.30 a.m., one-and-a-half hours before the trial was due to start, a sizeable crowd of Africans had formed on the pavement of Church Square, facing the main entrance to the Palace of Justice. Newspaper reporters, photographers and policemen thronged the steps leading into the building.

Photographers were kept busy taking photographs of senior police officers seeking to prevent the formation of groups of Africans on the steps of the building, and were also presented with the spectacle of a Saracen vehicle brought to a halt by the traffic directly in front of the building.

Policemen were on duty throughout the building and sought identification of all who entered the corridors leading to the side entrances of the court in which the trial is being held.

The massive steel grille doors at the back of the Palace of Justice were closed and guarded by policemen.

In the court itself, where a special dock had been installed to hold the 11 accused, both White and non-White galleries were filled to overflowing.

In addition to the large number of newsmen reporting the case, the S.A.B.C. installed a microphone in the court room and made a recording of the proceedings.

It is understood that this is the first time in the history of the S.A.B.C. that this has been done and that excerpts of the recordings will be broadcast.

Attractive Mrs. Barbara Kantor, wife of James Kantor, who is charged in his capacity as a partner in the firm of James Kantor and Partners and also in his personal capacity, was among the first of the relatives of the accused to arrive.

Also present were Mrs. Lionel Bernstein and her daughter, and Mr. Hepple, father of Bob Hepple.

Mr. J. Mendelson, a British Labour M.P., attended the proceedings during the morning, as did members of the Dutch Embassy staff, and Mr. H. Rein, the Attorney-General, who occupied a seat in the otherwise empty jury box.

An African woman in a mixture of Western and tribal dress and an African wearing what appeared to be medicine man regalia made an appearance at the entrance to the building, but did not come in. Indian women in colourful national dress mixed with leaders of the Johannesburg Indian community.

When Nelson Mandela and Walter Sisulu, who both at one time occupied the position of

Secretary-General of the banned African National Congress, entered the dock in drab prison uniform, they were greeted with cries of "Amandhla Ngawethu" (strength is ours) and raised clenched fists from the non-Whites.

This happened every time they entered or left the dock until Major Fred van Niekerk told the non-Whites that if there was any more shouting the court would be cleared.

Sitting next to each other, Mandela and Sisulu, the first looking somewhat drawn and the other minus his now famous beard, engaged in sporadic conversation throughout the proceedings.

In contrast, bearded James Kantor, wearing a gold bracelet on his right wrist, slumped in his chair displaying little or no interest, and Hepple so divorced himself in attitude from his co-accused that he would have been taken for a bored spectator if he had not been in the dock.

A steady drizzle had dispersed most of the Africans gathered on Church Square before the proceedings ended, but this did not prevent those remaining from breaking into song and shouting slogans when those who had been able to obtain a seat in court emerged from the court buildings.

In spite of the rain, a row of policemen was still patrolling in front of the pavement on which the Africans stood huddled under coats, umbrellas and newspapers.

Hepple freed on Rivonia charges

STAR

30
10
63

THE STATE HAS WITHDRAWN ALL CHARGES against Bob Alexander Hepple, Dr. Percy Yutar, Deputy-Attorney General of the Transvaal and prosecutor in the Rivonia trial announced at 12.30 today. Dr. Yutar said Hepple will be called as a State witness.

The first round of the trial — argument by counsel on applications to quash the indictment — continued before the trial proper starts before the Judge-President, Mr. Justice de Wet, in the Supreme Court.

It is expected argument by defence counsel and reply by the State's legal representative will continue for the rest of today, and that judgment on the application will not be given before tomorrow.

If the application succeeds and the indictment is quashed, the present trial will stop at that point.

Such an outcome would make little difference to the status of the accused, however. They would probably be converted from awaiting trial prisoners to 90-day detainees — thus reversing the process earlier this month when, as detainees, they were served with the indictment and automatically became awaiting-trial prisoners.

JUDGE FIRST

An unusual aspect of today's proceedings is that the judge, contrary to normal practice, entered the court before the accused were brought from the cells below.

This is presumably to obviate a recurrence of the shouting of slogans by a section of the audience when the accused filed in.

As the court is in session as soon as the judge enters, untoward behaviour would be a contempt of court and could be summarily dealt with.

Another unusual event was that Hepple, instead of going down the steps to the cells with his fellow prisoners at the tea interval, was led by two Security Branch policemen through counsel's door to an office, and brought back just before the resumption through the same door.

His father, Mr. Alec Hepple, a former member of Parliament, was again in court.

KANTOR'S WIFE

So, too, was Kantor's wife and his mother, anxiously awaiting the outcome of Kantor's application for bail, which was argued late yesterday and judgment on which will be given later today.

Although the spectators' gallery is as full today as yesterday, there were fewer people outside the court. Indeed police outnumbered them.

The accused are: Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mahlaba (the alleged National High Command), James Kantor, Elias Matsoaledi, Andrew Mlangeni and Bob Alexander Hepple.

With them are two organizations,

the firm of James Kantor and Partners, and the National High Command, also referred to in the indictment as the National Liberation Movement and its national executive committee, and Umkonto We Sizwe (Spear of the Nation).

LISTENED QUIETLY

Again the capacity audience listened quietly to legal argument that must have been inaudible to the majority and difficult to follow for those who could hear.

Dr. G. Lowen, Q.C., who is appearing for Kantor, said he took exception to the indictment because it failed to tell a reasonable man the case he had to meet.

Since the accused were presumed innocent until convicted, it was

contemptuous of the State to reply to a request for further particulars that "this was particularly within the knowledge of the accused."

During Dr. Lowen's argument Kantor — himself a lawyer — frequently nodded his head and smiled as a telling point was made.

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NO LIBRARY

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(Proceeding)

Hepple to give State evidence

Bob Alexander Hepple, one of the 11 Rivonia sabotage trialists, was discharged today. Dr. Percy Yutar, Deputy-Attorney-General, said Hepple would give evidence for the State.

Hepple was immediately led from the dock and down the steps into the cells. It is probable that he will be held in protective custody until the trial starts. He did not leave the court at the lunch adjournment.

This dramatic turn was presaged earlier when, at the tea interval, Hepple was not taken down the steps to the cells with his fellow-accused but to an office by two Security Branch men.

Hepple at home

Mr. Bob Alexander Hepple, one of the Rivonia trialists who was discharged yesterday, spent part of the day at his Victory Park home today but neither he nor his wife wanted to speak to the Press. He went out a few times.

Prosecutor is accused of McCarthyism

RDM
30/10/63

PRETORIA REPORTER

IN applying for bail for James Kantor at the Rivonia trial in the Pretoria Supreme Court yesterday, Mr. Harry Schwarz accused the Deputy-Attorney-General, Dr. P. Yutar, of McCarthyism and of trying to smear Kantor. He said he found it difficult to reply to Dr. Yutar in a restrained fashion.

Dr. Yutar had opposed the application.

Mr. Schwarz accused Dr Yutar of trying to smear Kantor with the label of Communism when in fact he was no Communist.

Kantor, said Mr. Schwarz, had given every possible earnest of good faith, even to the point of offering to be interrogated under the influence of a truth drug.

If released on bail, which admittedly would have to be a substantial amount, he was prepared to report to the police as often as deemed necessary and would live with his wife and mother in Norwood, Johannesburg.

RED PROMISES

Dr. Yutar said there had been other instances of accused who had made sworn statements that they had no intention of leaving the country, but had done so when bail was granted.

"What such solemn statements

mean to Communists," said Dr. Yutar, "is not what they mean to other people."

Evidence would be led that in the purchase of Lily Leaf, the Rivonia house which was arranged through the firm of James Kantor and Partners, Ezra, named as the buyer, had merely lent his name to the purchase of the property which he knew was to be used as the headquarters of the African National Congress and the Communist Party in South Africa.

TWO ESCAPES

Furthermore, it would be shown that Kantor was not as innocent in the escape of Harold Wolpe, his brother-in-law, and Arthur Goldreich, as he would have the court believe.

Mr. Justice De Wet, the Judge-President, said he would give his decision at the end of a bail application made on behalf of Lionel Bernstein, probably today.

Kantor's bid for bail is delayed

RDM
29/10/63

Pretoria Reporter

JAMES KANTOR, the 36-year-old Johannesburg attorney, who is one of the 11 Rivonia sabotage trial accused, yesterday renewed his application for bail with a claim that the allegation against him that he had recruited saboteurs for training outside South Africa had been dropped.

Kantor originally applied unsuccessfully for bail on the first day of the trial, on October 10. His application yesterday was brought before the Judge President, Mr. Justice De Wet, and Mr. Justice Theron. The hearing was postponed to today.

DROPPED

In his fresh petition, Kantor said that the allegations against him were that he practised with Harold Wolpe—the political refugee now in England—and that money in his trust funds had been paid out for a certain purpose.

It was also alleged that he had recruited people for training as saboteurs outside the country—but his allegation was untrue and he had learnt that it had been dropped.

As far as the trust money allegation was concerned, he said that if any money was paid out for illegal purposes, this was done without his knowledge. He was not in touch with any illegal organisations in or outside South Africa, and had always showed his good faith by answering all questions put to him by the police.

DETERMINED

He had even offered to undergo truth drug tests to show his credibility, he said.

Kantor also denied that he had anything to do with Wolpe's escape and said he was determined to stand trial to vindicate himself and re-establish his good name. He certainly had no intentions of fleeing the country if he obtained bail.

TEMPTATION TO FLEE

No bail for Rivonia men

STAR
11/10/63

THE JUDGE-PRESIDENT, Mr. Justice de Wet, refused bail for James Kantor and Lionel Bernstein, two of the men appearing in the Rivonia sabotage trial, in the Pretoria Supreme Court today. The judge said he thought the temptation for them to flee the country would be too great if he granted bail.

He accepted the submissions made by the State that there was a move afoot to help the men escape. It would not be in the interests of public safety to grant them bail.

Mr. Justice de Wet said that in other cases several accused had been granted bail and in their applications they said they would stand trial, but they fled the country.

"One of the accused in the present case (Walter Sisulu) was given bail in another case and then went underground until he was arrested on the present charges."

COMMUNIST

Dealing particularly with Bernstein, the judge said he was a listed Communist and has associated with Communists.

"Kantor's case is different. His brother-in-law is Wolpe, who is concerned in activities against the State. Kantor says he knew nothing about Wolpe's activities.

"But he knew that Wolpe was a listed Communist and asked him not to indulge in any political activity. The evidence of the State will be that many listed Communists visited Kantor's offices and that his trust account

was used for suspicious payments."

The judge continued: "On those facts, and on others to be presented, the court will be asked to infer that he was not innocent and must have known what was going on in his office.

"He has also denied his guilt. But I am satisfied that if Kantor is released on bail, the temptation to avail himself of the facilities to escape will be far too great.

The Deputy Attorney-General Dr. Yutar, said the important factor was the strength of the case. "Never have I been presented with a more powerful case than I have against each and every one of the accused," he said.

The affidavit by Major F. van Niekerk was not so far-fetched as the defence would make out.

Goldreich and Wolpe had escaped from Marshall Square. This could not have been done without outside assistance.

"In the plight in which the accused find themselves, there is no limit to their ingenuity, and that of the organizations behind them, here and abroad," Dr. Yutar said.

NO TRIAL BY PRESS, COURT IS TOLD

ADM
30/10/63

Court Reporter

"It is denied that there has been any trial by the newspapers," Mr. G. A. Coetzee, Q.C., told Mr. Justice Steyn at the Rand Supreme Court yesterday when he asked for a fortnight's postponement in the matter in which Mr. Govan Mbeki, an African journalist, sought a contempt order against Mr. A. M. van Schoor, editor of the "Vaderland."

The publishers of the "Vaderland," Afrikaanse Pers Publikasie (Eiendoms) Beperk, were also cited as respondents.

Mr. Mbeki is one of the people who were arrested on July 11 in Rivonia. He claimed that the reports in the "Vaderland" and in the Press generally had prejudiced him greatly.

POSTPONED

He not only asked for an order declaring that the two respondents be committed for contempt, but that the court impose on them "such punishment as it may deem fit."

The matter was postponed *sine die*. The respondents must file their replying affidavits on or before November 5.

Mr. Coetzee told the court that "it is important for all newspapers and for the public of South Africa generally to have the right to comment on what citizens do before they are arrested on any criminal allegations."

Mr. Mbeki's petition said that he and a number of other people had been charged with a number of offences, including sabotage. It was alleged that he and others had conspired with the African National Congress to plan "a violent revolution on a military basis," and furthered Communism, in concert with the A.N.C.

PREJUDICE

Mr. Mbeki submitted that the comments attributed to Lieutenant-Colonel Van den Bergh, of the Security Branch, were calculated to prejudice him and the other accused, and that the comments in question had appeared in articles in the "Vaderland" on July 12 and 15.

"I submit that the reports implied that all the arrested persons were guilty of subversive activities; that the police and the Minister of Justice had evidence of this fact and that the place where they were arrested constituted the headquarters of an underground movement.

"The publication of such reports is calculated to influence, and prevent witnesses from coming forward to give evidence for the defence," stated the petition.

Mr. G. A. Coetzee, Q.C., with Mr. A. P. Kruger instructed by A. Mostert and Kruger, appeared for the respondents; Mr. S. Kentridge (instructed by Mr. Joel G. Joffe) for the petitioner.

BOB HEPPLE

ADVISED ... DON'T TALK TO PRESS

SUNDAY EXPRESS REPORTER

BOB HEPPLE, the 28-year-old Johannesburg advocate who was released at the Rivonia sabotage trial in the Pretoria Supreme Court on Wednesday after allegations against him had been withdrawn by the State, has decided not to grant any further interviews to the Press.

He, his wife, Shirley, and their two-year-old daughter have left their home in Victory Park and are staying with friends outside Johannesburg.

Mr. Hepple's father, Mr. Alec Hepple, former Labour Party M.P., said yesterday: "When my son was released on Wednesday, he arrived home to find newspapermen waiting for him.

"He was still rather confused and gave them an interview (telling them about his experiences while under arrest).

"But since then he has taken advice from the Bar Council. The Council advised him to make no further statements to the Press, as anything he said could possibly prejudice the future trial."

Mr. Hepple added that his son had not been reproached or threatened by any person since it was announced that he was to be a State witness.



BOB HEPPLE . . . not reproached or threatened since it was announced he was to be a State witness.

the allegations against them. The ten men were immediately rearrested on a charge of sabotage. They appeared before a Pretoria magistrate and were remanded for summary trial by the Supreme Court on November 11.

10 rearrested

The announcement that the State was withdrawing the allegations against Mr. Bob Hepple, and that he was to appear as a State witness later, was made in court by the Deputy Attorney-General, Dr. P. Yutar.

The Judge President, Mr. Justice De Wet, quashed the indictment against the other ten accused on the ground that the State had not provided them with sufficient details of

NO POLICE PROTECTION FOR FREED BOB HEPPLE

Pretoria Reporter

BOB HEPPLE, a Johannesburg advocate who, until yesterday was one of the accused in the Rivonia trial when it was announced that he would be called as a State witness, said last night that he had not asked for police protection, "nor do I intend to do so."

He said he had not received any threats since his release.

The 28-year-old advocate cuddled his 11-month-old son as he talked about his release and the four months he has spent in prison.

"My son has changed a lot since my arrest — he has forgotten me. I suppose he wonders who I am."

Mrs. Shirley Hepple said: "I was so surprised when they announced in court that Bob was being released. I didn't think it would be so soon. At first I couldn't believe my ears. I rushed out of the spectators' gallery and a detective brought Bob to me."

LOST 10 LB.

Tall, bespectacled Mr. Hepple, who lost 10 lb. in jail, said that he had known for some time that he was to be released, "but it came as a surprise when I was released today."

He said he did not know whether the other accused were aware that he was to be released.

Mr. Hepple—top University of the Witwatersrand law student of 1957—said that he and the other accused had stayed in the same cells after they had been charged and had become awaiting trial prisoners.

"The only changes were that we were allowed literature — as detainees we were only allowed the Bible—and were able to speak to one another during exercise periods."

TAKEN TO FORT

He said that he had been moved to the Fort in Johannesburg a week before the trial, which started on Tuesday, and was only moved back to Pretoria Central prison on the day of the trial.

During the tea adjournment yesterday, Mr. Hepple was taken to see Dr. Yutar and told he was to be released.

"It has been a terrible strain," Mrs. Hepple said. "But the worst is now over. Things won't be easy though for the next few months."

NON-STOP

As Mr. and Mrs. Hepple talked, friends called at the house to congratulate them and the telephone rang non-stop.

Mr. Hepple's father — Mr. Alec Hepple, the former Labour Party M.P. — heard of his son's release when he visited friends.

"I have no plans for a holiday or about my work," Mr. Hepple said. "At the moment I feel too dazed to think clearly."

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JAILED CONSTABLE MONEY OFFER BY

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KANTOR

Marshall Square talk on "when I am free"

JAMES KANTOR, one of the Rivonia trialists, stated in the Supreme Court today that he had no knowledge of an alleged plot to get him out of the country. The State's affidavit alleging the plot, presented today by the Deputy Attorney-General, Dr. Percy Yutar, was by Johannes Arnoldus Greeff, the constable who was jailed for helping Goldreich and Wolpe to escape.

The affidavit dealt with a conversation Greeff said he had with Kantor in Marshall Square.

Dr. Yutar introduced the plot allegation yesterday afternoon while Kantor's bail application was being argued.

He told the court that he had been given a secret document by the police which, he said, showed that Kantor would be rescued from jail or spirited out of the country.

Up to that moment, he said, he was in sympathy with Kantor's application but that he now strenuously opposed it.

At 10.40 he came into the court and handed copies of the affidavit to defence counsel.

"Are you ready?" he asked them.

There was a chorus of protest. "You have just handed this to us."

"But I gave you the contents before," said Dr. Yutar. "Oh, well, tell me when you are ready."

Denial

Counsel and instructing attorneys went downstairs to the cells, where Kantor started dictating his second affidavit of the day.

His first, in reply to Dr. Yutar's statement yesterday, denied he had ever heard of an escape plot.

Kantor said he was "astounded" to hear yesterday that there were plans, if they exist at all, to help him escape.

"I state emphatically that that (i.e. yesterday afternoon) was the first time I had any knowledge whatsoever of any such plan and that if such plan does exist I am certainly not included therein nor would I under any circumstances have anything whatsoever to do with it."

Responsibilities

The affidavit continued that Kantor has no intention of estreating his bail and not standing trial.

Kantor added that he will submit to the most stringent bail conditions and will not evade his responsibilities to his wife and widowed mother.

When the court started at noon Dr. Yutar read out two affidavits, one made by Major Fred van Niekerk, head of the Pretoria C.I.D., and the other by Johannes Arnoldus Greeff.

Major van Niekerk's affidavit said he had learnt from a reliable source that Kantor and any others released on bail would flee to Lobatsi.

If they did not get bail an attempt would be made to free them from jail by November 9. Greeff's affidavit was made yesterday in the Pretoria Jail.

Dr. Yutar said before reading it that it would show that Kantor said that Greeff had been promised R4000, and would be paid this money.

Greeff's affidavit was to the effect that after his arrest on August 25 he was held in the Marshall Square cells.

He and Kantor could not talk to each other, but once he walked

◆ Turn to Page 3, Column 1.

he passage past Kantor's

Kantor had told him that he must not worry about not getting "the money" because he would get it when he was free.

Kantor had added that Greeff must not come to his office because there were microphones there, but must talk outside his office.

Dr. Yutar then raised what he called "a serious matter."

He said he had given an undertaking that the State would honourably abide by any decision the court made, and had stood by this.

"Yesterday a member of the defence team said in the presence of a warrant officer that "they" (the State) would stop at nothing. They will perjure any amount of evidence."

Dr. Yutar said that Mr. Kuny had made the statement. He was not making any threats, but would not let the matter rest.

Mr. Kuny then rose and denied that he had made the statement.

The judge said that this denial was sufficient at this stage.

Inspects cells

Kantor's second affidavit denies that he had any conversation with Greeff.

Because of the structure of the cells, he says, it was physically impossible that such a conversation could have taken place, and he asks the court, however inconvenient, to inspect the cells and satisfy itself on the point.

Kantor says that on August 25 he was under 90-day detention, so that it was impossible that he was in his office on that day.

"I deny I ever spoke to Greeff. I point out that I was kept isolated in solitary confinement.

Interrupting his reading of Kantor's affidavit at that point, Dr. Lowen said Greeff's statement was inherently improbable.

He was at that stage facing trial on serious charges, for which he was later sentenced to six years' imprisonment, and it would be impossible for Kantor, held in jail, to have made an offer to Greeff with any hope of its being accepted or fulfilled.

Not Communist

Dr. Lowen said the State had not indicated at all where this information (that Kantor would escape) had come from. "It may have come from an anonymous telephone call," he added.

The judge asked Dr. Lowen if Kantor would not be tempted to escape if he was given bail.

"Kantor is not a Communist. He is an anti-Communist. He does not belong to any of the organizations that the other accused are alleged to belong to," Dr. Lowen replied.

At the conclusion of Dr. Lowen's argument the judge said he would not give judgment until after Bernstein's bail application, which he understood will be made tomorrow.

After the judge had adjourned the case there was a heated exchange between Dr. Yutar and Mr. Kuny.

Mr. Kuny had asked Dr. Yutar to go with him to the judge. Heated words were exchanged.

Dr. P. Yutar, Deputy Attorney-General, with him Mr. J. J. M. Naude, senior public prosecutor of Pretoria, and Mr. T. R. Vorster, of the office of the Senior Public Prosecutor, Johannesburg, appeared for the State.

Dr. G. Lowen, O.C., with him Mr. H. Schwarz and Mr. D. Kuny (instructed by Mr. Jack Cooper of Benjamin Joseph Cooper and Partners) appeared for Kantor and Partners.

Court rules police note be revealed

By DICK RICHARDS

A PLOT to remove James Kantor, one of the accused in the Rivonia trial, to Lobatsi, Bechuanaland, if he were granted bail, and if he were not, to take him from custody and out of the country before November 9, was alleged by Dr. P. Yutar, the Deputy-Attorney-General, in the Pretoria Supreme Court yesterday.

It was one of a series of dramatic incidents which included the quashing of the indictment against 10 of the accused, their immediate rearrest and the earlier withdrawal of charges against Bob Alexander Hepple who was to have become a State witness.

Dr. Yutar's allegation of an escape plan—he said the information had just reached the police—was made after Dr. G. Lowen, Q.C., for Kantor, had renewed his application for Kantor's release on bail.

When Dr. Lowen referred to a sheet in Dr. Yutar's hand as "that slip of paper," the truth of which could not be vouched for, Dr. Yutar said it was a highly confidential and secret document—"a communication to the police here from the police somewhere else."

Mr. Justice De Wet ordered that the information from the police be handed in today by way of affidavit but said he would not allow cross-examination of the deponent as requested by Dr. Lowen.

Mr. A. Fischer, Q.C., then said he wished to hand in a fresh affidavit in support of a bail application by Lionel Bernstein. The judge ruled that this, too, would be heard today.

Rearrested

The freedom of the 10 Rivonia accused after the indictment had been squashed was shortlived.

When Dennis Goldberg sought to leave the dock and refused to go down the steps to the cells, he was seized by a detective-sergeant and hustled below, with the other accused, to be rearrested.

After Hepple had been discharged and left the dock, the other accused exchanged brief smiles.

As he walked away, Mrs. Barbara Kantor, wife of James Kantor, removed her shoes so that she could stand on a rail behind the dock to get a better view of the well of the court.

There was an exchange between Mr. Justice De Wet and Dr. Yutar in which the Judge-President reminded him: "This is a court of law, not a political meeting."

Dr. Yutar said he hoped the judge was not implying he was making a political speech.

Broke down

When Mr. Justice De Wet made the order quashing the indictment and announced the court would adjourn for 10 minutes before considering the bail applications for Kantor and Bernstein, there were no demonstrations.

Bernstein's brief spell of freedom was too much for his daughter.

As he was hustled downstairs to the cells with the other accused she broke down and wept. She was guided to her mother by Mrs. Barbara Kantor, who embraced and comforted her.

But the drama was not over. Dr. Yutar asked Mr. Justice De Wet to have the men brought back into the dock and remanded. He was told by the Judge-President he did not consider it would be competent for him to do so.

When Dr. Lowen renewed his application for bail for Kantor, Dr. Yutar questioned Mr. Justice De Wet's competence to hear the application in view of his lack of competence to remand the men.

The judge declared himself competent to do so.

Later, as spectators left the court, policemen, standing shoulder to shoulder, formed a ring around the entrance to the building and prevented them from crossing to Church Square.

● SEE PAGE 2

Trial date— Kantor protests

In a brief appearance in the Pretoria Magistrate's Court this afternoon the 10 Rivonia sabotage trialists were remanded to November 12.

The appearance lasted only a few minutes. The 10 men entered the small dock from the cells below the court and stood in two rows. They were not represented.

Mr. J. J. M. Naude, senior public prosecutor in Pretoria, said he wanted the case adjourned to November 12 for summary trial in the Supreme Court.

As the magistrate, Mr. D. F. Marais, was about to remand the men, James Kantor pushed from the back of the dock and asked if he could say something.

He said his legal advisers had not been told that the case would be remanded until November 12. The date might not suit them.

Mr. Naude said November 12 was only a provisional date.

Kantor said he wanted the matter adjourned in the Magistrate's Court until tomorrow.

After discussion the magistrate remanded the 10 men for summary trial in the Supreme Court on November 12.

They were then escorted from the dock to the cells below.

THE RIVONIA TRIAL COLLAPSE

Attitude of the State

HOLDING that the State, in effect, had conceded that it had not supplied the accused with sufficient details of the allegations against them, the Judge-President, Mr. Justice De Wet, quashed the indictment against the Rivonia trialists in the Pretoria Supreme Court yesterday. He described answers given by the State to the defence as most improper.

When the hearing was resumed, one of the 11 prisoners, Bob Alexander Hepple was released. The Deputy-Attorney-General, Dr. P. Yutar, said he was withdrawing the charges against Hepple who would be called later as a State witness.

When the indictment was quashed, Dr. Yutar asked that the men be rearrested and remanded. This the Judge-President refused to do, saying that as far as he was concerned the case was at an end. It would not be competent for him to remand them.

Detained

Dr. Yutar then said the Attorney-General had directed that the men be charged with sabotage. They were being held in accordance with the directive.

Before the court were Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Kathrada, Lionel Bernstein,

to accused impro

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PRETORIA

Raymond Mahlaba, James Kantor, Elias Matsoaledi and Andrew Mlangeni.

Mr. Justice De Wet said the basis of the charges against the accused was that they had conspired with others to a course of conduct in which the acts detailed in the indictment were committed.

The State, in effect had, conceded it had not supplied them with sufficient details of the allegations concerning them. It had been decided in other cases that in a charge involving conspiracy the accused were entitled to know details of the association

Assumption

When the defence had asked the State for details of the association which formed the conspiracy it had been given the reply: "This is a matter peculiarly within your knowledge."

The judge said he had never heard of such a reply being given in a criminal case.

The accused were innocent

until proved guilty and it was most improper of the State to give the defence, in reply to questions which he was satisfied were genuine, answers which showed that the accused were assumed to be guilty.

It was for the State to draw up a competent indictment and to supply the defence with the necessary particulars required by the defence.

Wrong way

The judge said he was satisfied that the indictment could not stand as it was.

It was possible that the disabilities suffered by the defence could be cured by granting them a postponement at the end of the evidence of each witness, or after each fresh document was handed in. But this was not the way to handle a trial of this nature.

A postponement would not suffice as it could give rise to further applications for quashing, as had happened at the Treason Trial.

Earlier Dr. Yutar had appealed to the Judge not to quash the indictment.

Dr. Yutar said he and the police were prepared to work even at night to furnish the defence within a week with a summary of all documents and of the verbal evidence which would be given by all State witnesses.

Undertaking

Dr. Yutar said: "I beg of Your Lordship not to quash the indictment in the understanding that the Crown does what it has undertaken to do, and that it is

to provide the defence with summaries of the documents and the evidence within one week from today."

Supporting his application that the indictment as far as Kantor was concerned, be quashed, Dr. G. Lowen Q.C., said that the Deputy Attorney-General had shrouded the State case in so much mystery that it was impossible for Kantor to prepare a defence.

"I am no Communist. I have no politics," said Dr. Lowen. "I only know that Kantor is not a Communist."

Impartial

"I do not mind whom I defend, whether he is a Communist, a National Socialist, a Liberal, a Progressive, or a member of the United Party — and neither does the law.

"Indictments are framed for the accused, even if they are illiterate, and not for counsel. To tell Kantor that he is charged under the Suppression of Communism Act is meaningless.

"The answers given by the State to a request for further particulars are contemptuous of the defence."

Mr. A. Fischer, Q.C. applying to the court to quash the indictment on behalf of the first seven accused, said that if the State was not able to furnish the necessary particulars of the allegations with all its resources, it was unlikely that the defence could do so.

Waste of time

Running like a thread through all the State's pronouncements was the attitude: "They are guilty and to attempt a defence is a waste of time."

He added: "This indictment is an effort by the State to cast the net so wide that it hopes that no one will escape."

Replying, Dr. Yutar said the applications were not genuine but were designed to harass and embarrass the State and ascertain the strength of its case.

As a token of his good faith he was prepared to hand in his opening address of 17 pages which gave the case against each accused in detail.

Irregular

Refusing this offer, Mr. Justice De Wet said: "I am not prepared to entertain an application of this nature, an *ex parte* statement of a fact. This is an irregular way of conducting a case.

"Whether the defence genuinely wants the facts it has asked for is irrelevant. It is entitled to ask for them."

Dr. Yutar said: "We are dealing with bad organisations — the African National Congress and the Communist Party. They have never invited a representative of the State to their deliberations. They do not keep minutes and records."

An objection to this by both defence counsel was upheld by the judge, who said: "This is not a political meeting. This is a court of law and I know nothing of the conduct of these organisations."

State, In Impassioned Plea Is Rebuked By Judge

Noted
31/10/63

From Our Own Correspondent

PRETORIA, Wednesday.

SPECTATORS in the Pretoria Supreme Court were treated to an exchange today between the Judge-President of the Transvaal, Mr. Justice de Wet, and the Deputy Attorney-General, Dr. P. Yutar, when Dr. Yutar made an impassioned plea to the Judge not to quash the indictment in the "Rivonia" trial.

The Judge reminded Dr. Yutar that "this is a court of

law and not a political meeting."

Dr. Yutar said that he and the police were prepared to work even at night to furnish the defence within one week with a summary of all documents and of the verbal evidence which would be given by all State witnesses.

"I beg of your Lordship not to quash the indictment," he said. "I earnestly beg, may I crave of your Lordship not to quash the indictment, on the understanding that the State does what it has undertaken to do and that is to provide the defence with summaries of the documents and the evidence within one week from today."

As a token of his good faith he was prepared to hand in his opening address of 17 pages.

Refusing this offer, the Judge said: "I am not prepared to entertain, in an application of this nature, an *ex parte* statement of a fact. This is an irregular way of conducting a case.

"Whether the defence genuinely wants the facts it has asked for is irrelevant. It is entitled to ask for them."

Dr. Yutar then said: "We are dealing with bad organisations, the African National Congress and the Communist Party. They have never invited a representative of the State to their deliberations. They do not keep minutes and records . . ."

An objection to this by both defence counsel was upheld by the Judge.

"LAUGH-A-DAY"



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"Other men fix TV antennas without all this fuss!"

TWO RIVONIA HOUSES AIDED POLICE DRIVE

Sunday Times
31/10/63

SUNDAY TIMES CHIEF REPORTER

RIVONIA, the fashionable rural Johannesburg suburb, has twice figured prominently in the police drive against alleged subversion.

I can now disclose that apart from the swoop on the Goldreich house which led to the detention of 17 people, a chance discovery in another Rivonia house in April, 1962, put the police on the track of some people who have since been questioned, detained, subjected to house arrest and banned.

The house had previously been occupied by a family who have left South Africa.

As another tenant was moving in, the owners asked a firm of builders to carry out certain renovations. A set of files was found in a cupboard, and later many documents were discovered in an attic.

The contents of the files were turned over to the Special Branch. The police then searched the property carefully.

In an outhouse they found a quantity of cylinders in which fruit juice is normally packed. The cylinders had been emptied, filled with varying quantities of

sand, and resealed with solder.

The theory is that the cylinders were used for some experiment in the manufacture of explosives. Their contents were subjected to laboratory analysis.

RIVONIA RAID SEQUEL

SUMMARY TRIAL OF ELEVEN MEN

Forwards
Nov
1963

Following upon the sensational raid on a house in Rivonia, outside Johannesburg on the afternoon of July 11, eleven men were charged in the Supreme Court, Pretoria on Wednesday, October 9 and remanded to October 29 for summary trial on allegations of sabotage and of offences under the Suppression of Communism Act and the Criminal Law Amendment Act.

The charge sheet says the eleven men committed 222 acts of sabotage in preparation for guerilla warfare and the armed invasion of South Africa. The 222 acts of sabotage are listed and said to have been committed between December 15, 1961 and August 5, 1963.

Seventeen persons were arrested at Rivonia — ten Africans, six Whites and one Indian — but only seven are among the accused.

Those charged are:

Nelson Mandela, former leader of the banned African National Congress, now serving a five-year prison sentence for his part in the anti-Republic strike of 1961;

Walter Sisulu, former Secretary-General of the banned African National Congress, who estreated his bail of R6,000 on March 8;

Denis Goldberg, a former member of the banned Congress of Democrats;

Govan Mbeki, a former member of the old Transkeian General Council, and B.A.; B.Econ. of Fort Hare University College and former teacher and journalist;

Ahmed Kathrada, former Secretary-General of the Transvaal Indian Congress;

Lionel Bernstein, a Johannesburg architect, banned under the Suppression of Communism Act;

Raymond Mahlaba, former chairman of the Port Elizabeth branch of the banned African National Congress;

James Kantor, a Johannesburg attorney;

Elias Motsoaledi;

Andrew Mlangeni;

Bob Alexander Hepple, a Johannesburg advocate and former lecturer in law at the University of the Witwatersrand and son of former Labour M.P. Alex Hepple.

(Continued on page 6)

Forward
Nov 1963

RIVONIA TRIAL

(Continued from page 1)

The Charges

The charge sheet alleges that the acts of sabotage were preparatory to, and in order to facilitate, guerilla warfare in South Africa coupled with an armed invasion of, and a violent revolution in, South Africa.

The second count under the Suppression of Communism Act alleges that the accused acting in concert and conspiring and making common purpose engaged in a course of conduct during which they wrongfully and unlawfully performed acts which were planned and envisaged in terms of

their conspiracy and which were calculated to further the achievement of one or more or all of the objects of Communism.

The third count under the Criminal Law Amendment Act alleges that the accused solicited, accepted and received money from various persons or bodies of persons, both within and outside the Republic of South Africa, and gave money to various persons or bodies of persons for the purpose of enabling or assisting the commission of offences in support of a campaign against some of the laws of the Republic of South Africa or for the

repeal or modification of such laws or variation or limitation of the application or administration of such laws.

The four accused who were not arrested in the Rivonia raid are Mandela, Kantor, Matsoaledi and Mlangeni. Of the seventeen arrested at Rivonia, the fate of seven — all Africans — is unknown. Arthur Goldreich escaped from custody and fled the country. His wife, Hazel, has been released after being detained under the 90-day law. Dr. Hilliard Festenstein is being charged separately in Johannesburg.

The trial is expected to last about two months.

Tanganyika Standard
Friday, November 29, 1963

BY. BOB ALEXANDER HEPPLE wat Staatsgetuie
in die Rivoniasaak sou wraak en ook vertel wat by
Rivonia plaasgevind het, is in die Republiek gedreig. Hy
het ook met sy vrou en twee kinders gevlug. Die Staat
het ook besorging uit ander bronne gekry dat daar
beplan word om die tien beskuldigdes oëblywend te laat
ontvlug.

Die aanklagte is dat hy in 1962 in Johannesburg
die President se kantoor...



Safe in Dar es Salaam after their escape from South Africa are Mr. Bob Hepple, Mr. Ebrahim Desai and Mrs. Hepple. They and another man who could not divulge information about himself for fear of reprisals reached the capital yesterday from Mbeya.

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Hepple (sou getuig in Rivoniasaak) is glo gedreig

ADV. BOB ALEXANDER HEPPLÉ, wat Staatsgetuie in die Rivoniasaak sou word en sou vertel wat by Rivonia plaasgevind het, is in die Republiek gedreig. Hy het saam met sy vrou na Dar-es-Salaam gevlug. Die Staat het ook bevestiging uit ander bronne gekry dat daar beplan word om die tien beskuldigdes gelyktydig te laat ontvlug.

Dié aankondiging is gister in die Pretoriase Strafhof gedoen deur adv. P. Yutar, Adjunk-prok-genl. van Transvaal, kort nadat regter-president Q. de Wet 'n aansoek van die hand gewys het om die klagstaat teen die beskuldigdes nietig te verklaar. Die saak gaan vandag voort.

In sy aankondiging oor adv. Hepple, het dr. Yutar verwys na sy vroeëre mededeling aan die hof dat hy vir die veiligheid van die staatsgetuies vrees.

GEWEIER

Hepple sou kom getuig het dat hy 'n Kommunist is en aan die hof vertel het wat by Rivonia aangegaan het, het hy gesê. In die lig van die gebeure, durf hy nie die name van sy ander getuies vooraf bekend maak nie. Hulle is in gevaar.

Hepple het aanvanklik saam met die ander beskuldigdes verskyn, maar op 30 Oktober het dr. Yutar die saak teen hom teruggetrek en gesê dat hy staatsgetuie sal word. Later het adv. Hepple geweier om onderhoude met die pers te voer.

Dr. Yutar het gesê die Staat het nou gegewens uit ander bronne ook gekry dat daar beplan word om die beskuldigdes „saam” te laat ontsnap. Die verantwoordelikes maak 'n fout om daarmee voort te gaan. Die owerheid is nie daarmee gediend nie, en het die nodige maatreëls getref.

WERKLIKE VERHOOR

Die werklike verhoor van die tien beskuldigdes, Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohammed Kathrada, Lionel Bernstein, Raymond Mahlaba, James Kantor, Elias Matsoaledi en Andrew Mlangeni, begin vandag.

Hulle verskyn op twee aanklagte van sabotasie en dat hulle die doelstellings van die Kommunisme bevorder en geld ontvang en bestee het om sabotasie te pleeg.

Vervolg op bl. 10

GETUIE IN RIVONIASAAK VERDWYN

Tolr *27*
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Saam met vrou in Tanganjika

Deur 'n Verslaggewer

ADV. B. A. HEPPLÉ en sy vrou het die afgelope naweek die grens tussen die Republiek en Betsjoeanaland oorgesteek. Maandag het hulle op Lobatsi 'n vliegtuig gehaal wat hulle na Dar-es-Salaam geneem het.

Nadat Hepple vrygelaat is om Staatsgetuie in die Rivoniasaak te word, was hy nie onder polisiebewaking nie, is betroubaar verneem.

Gisteraand het 'n mev. Goldsmith die telefoon by die Hepples se huis by Dalebrook-singel 43, Victorypark, Johannesburg, beantwoord.

Sy het gesê sy het ná die aankondiging in die Rivoniasaak die eerste keer van die Hepples se vertrek verneem. Sy het geweier om enige verdere vrae te beantwoord.

Hepple het in Johannesburg as advokaat gepraktiseer en is die seun van mnr. Alec Hepple, voormalige volksraadslid van die gewese S.A. Arbeidersparty.

Hepple is op 11 Julie saam met sommige van die ander beskuldigdes in die saak by Rivonia in hegtenis geneem. Daarna het hy elke keer saam met die ander verskyn totdat dr. P. Yutar, die Adjunk-prokureurgeneraal van Transvaal, op 30 Oktober die saak teen hom teruggetrek het.

„Kommunis”

Dr. Yutar het toe gesê dat Hepple Staatsgetuie geword het.

Gister het hy gesê dat Hepple sou getuig het dat hy 'n Kommunist is en dat hy getuies sou gelewer het oor wat by Rivonia gebeur het.

Hy het verwys na sy vorige opmerking in die hof dat die Staatsgetuies in gevaar verkeer en gesê dat Hepple gedreig is voordat hy die land verlaat het.

HEPPLES FLEE S.A. AFTER THREATS

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11/63

STAFF REPORTER

BOB ALEXANDER HEPPLE, who was originally charged with the 10 Rivonia accused and against whom charges were withdrawn by the State, is in Dar-es-Salaam with his wife.



BOB HEPPLE

He was to have been called as the first witness for the State in its case against the others. Dr. P. Yutar, prosecuting counsel said yesterday. Dr. Yutar said he was to have told the court he was a member of the Communist Party and that he had been present at Rivonia. He was to have disclosed what had occurred there.

Dr. Yutar made the statement when objecting in the Pretoria Supreme Court to an application by the defence for a postponement of the trial.

He told the Judge-President, Mr. Justice De Wet, that Hepple had been threatened and was now in Dar-es-Salaam with his wife. The State, he said, was no longer prepared to expose its witnesses to threats of the kind or to run the risk of them being "spirited away."

ESCAPE PLAN

He had told the court previously, Dr. Yutar went on, that there was a plan afoot to effect the mass escape of all the prisoners. The State was now in possession of additional information from other sources confirming this. The plan still existed.

The authorities had details of the projected mass escape.

Dr. Yutar issued a word of warning to those involved that the authorities were in no mood to countenance anything of the kind.

LEFT CHILDREN

Hepple and his wife, Shirley, left their two small children behind when they fled to Tanganyika.

Last night the children asked in vain for their parents. Their grandparents tried to comfort them.

The Hepples left their home in Victory Park, Johannesburg, on Saturday after telling their parents they planned to spend a weekend in Rustenburg. They said they would be back on Monday.

They were shocked," Mrs. Minnie

Goldsmith said yesterday. "I expected my daughter and her husband back in Johannesburg on Monday."

PHONED POLICE

When the couple did not return, Mrs. Goldsmith became alarmed and telephoned police stations in the Rustenburg area to check whether they had been involved in an accident.

"My husband telephoned the hotel in Rustenburg late on Monday and they told him that Bob and Shirley had never booked in there," she added.

Mr. Hepple, a 28-year-old advocate, was released from jail on October 30 after Dr. Yutar had announced that he would give evidence for the State.

With his wife he spent the weekend in Rustenburg.

KISSED GOODBYE

"Bob seemed much better after being away," Mrs. Goldsmith said. "I thought they had decided to have another weekend there to get away from it all and relax together."

Before they left they kissed Brenda, aged two, and Paul, 11 months goodbye.

"We have been living in a hotel and still have our rooms booked there," Mrs. Goldsmith said. "We did not expect to be looking after the children longer than a couple of days."

Yesterday morning, Mr. Alec Hepple, a former Labour Party M.P., told the police his son was missing.

He refused to comment last night on his son's disappearance.

Checklist of 'Rivonia traitors'

CRIME REPORTER

SECURITY BRANCH experts are studying pamphlets, thought to have been widely circulated, publishing the names of 10 so-called "traitors" including those of three men alleged to have given evidence anonymously at the Rivonia trial.

Police are concerned that the lives of the people named may be threatened.

At the trial the presiding judge ruled that the names of some witnesses be withheld from publication to protect them from possible intimidation or reprisals. Two of the men were known as Mr. X and Mr. Y. Mr. Y's evidence continued two days and was considered an important part of the State's case.

Serious view

Police are taking a serious view of the matter.

One of the pamphlets was sent to the Johannesburg office of an overseas news agency. The source was not disclosed.

According to the pamphlet the men were office-bearers of A.N.C. regional committees.

Bob Hepple, who was originally charged with other men arrested in the Rivonia raid, is one of those named as a traitor." Hepple was released and it was announced that he would testify for the State at the trial.

Fled South Africa

Soon after he fled the country with his wife. He is now in London.

The rest of the pamphlet is devoted to an attack on the Government and its South West Africa administration and on the Minister of Justice, Mr. Vorster.

It includes several suggestions on sabotage.

Last night it could not be established whether the men mentioned had been told of the pamphlet or had asked for police protection.

Since the start of sabotage trials two witnesses have been murdered.

Transvaal
27/3/64

Een pamflet gekry met name van geheime getuies

Deur Ons Misdaadverslaggewer

DIE VEILIGHEIDSPOLISIE het nog net een van die pamflette in die hande gekry waarin die name bekend gemaak is van die geheime getuies wat verlede maand in Pretoria in die Rivonia-saak getuig het.

'n Pamflet bestaande uit vier velle het verlede Dinsdag per pos by die kantoor van die Franse nuusagentskap in Johannesburg aangekom.

MNR. X EN Y

In die pamflet word die name van twee getuies, mnr. X en mnr. Y bekend gemaak. Die name van tien „verraaiers" word ook genoem.

Die Veiligheidspolisie het dadelik begin met 'n ondersoek na die verspreiding van die pamflette. Tot gisteraand kon nog net die een pamflet opgespoor word.

Tanganyika Star

THIRTY CENTS

Friday, November 29, 1963
Registered at the Post Office as a newspaper.

'crossed' S.A. sabotage trial witness ar

THREATENED?

ALIE, SAYS HEP 'I refused to be a political tool'

BOB HEPPLE, the prosecution witness in the Pretoria sabotage trial who fled from South Africa, said he had been "double crossed" by the South African police and had refused to allow himself to be used as a "political tool".

Mr. Hepple arrived in Dar es Salaam by air last night from Mbeya. With him was his wife, Shirley, Mr. Ebrahim Desai, from Cape Town, and Mr. Michael Poole, who refused to give any information about himself.

Mr. Hepple, a 29-year-old Johannesburg lawyer, was arrested with Arthur Goldreich and a number of others at the Rivonia suburb of Johannesburg on July 11, and was detained under the 90-day detention law.

On October 8 he was charged with Nelson Mandela and others with sabotage. The charges against Mr. Hepple were withdrawn on October 30 by the Deputy Attorney General, Dr. Percy Yutar, and Mr. Hepple was released.

At an airport Press conference, Mr. Hepple said that allegations by Dr. Yutar that he had been threatened were "a complete fabrication. I have received no threats from any of the accused or anyone connected with them."

Mr. Hepple said he had never received a subpoena to attend court as a prosecution witness although the prosecution had said he would do so. "If I had gone into the witness box I would have had to refuse to answer questions."

He said the original charges were only withdrawn on condition that he would testify for the prosecution. "I gave an undertaking to the Deputy Attorney-General that I would be available, but in view of a number of broken promises by Dr. Yutar and the police I decided that I was no longer prepared to give evidence. I decided that rather than go to jail I would leave."

A promise

He said the police had promised him that he would not be called as a State witness, that he would not be prosecuted, and that he would be released from 90-days detention.

On the strength of those promises he had made a statement to the police, "but this did not carry the case against the accused any further"

All these promises had been broken and in the new charges against the other accused he had been named as co-conspirator in 199 cases of sabotage and as having plotted armed revolution would detain my wife."

"It was clear to me that the State were trying to use me as a political tool . . . Then they threatened that if I did not make a statement I would be detained indefinitely and they would detain my wife."

Mr. Hepple arrived at Mbeya in a chartered aircraft earlier this week. He left his two children, aged two-and-a-half and one, in South Africa with his parents.

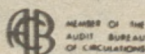


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No. 1125 Ijumaa Novemba 29, 1963

BEI

Dar es Salaam Senti 10.
Kwingine Senti 15:

CHAMA CHA



BW. Robert Hepple, wakili wa Afrika Kusini ambao alikuwa atoa ushahidi upande wa Serikali katika kesi ya wananchi. Mabwana Nelson Mandela na Walter Sisulu na wengine nane ametoroka mchi hiyo na kufika Dar es Salaam jana usiku. Hapa anaonakana baada ya kushuka kwenye ndege akifuatana na mkewe kutoka Mbeya.

Forward
**AT THE
RIVONIA
TRIAL**
November 1963



Part of the crowd outside the Palace of Justice, Pretoria, on the day when the Rivonia Trial began. Strict security measures were applied. Large numbers of armed uniformed and plain clothes police, some carrying tear gas bombs, crowded the court and vicinity.

ESCAPEES IN THE DARK

From SUNDAY NATION Reporter: DAR ES SALAAM, Saturday

SHIRLEY HEPPLER, the woman who fled South Africa with her husband Bob Hepple, a prosecution witness in the South African sabotage trial, spoke here today of the

two young children they were forced to leave behind.

"They are really missing us. We hope to have them with us as soon as possible," she said in an interview referring to Brenda, 2½, and Paul, who is one year old.

Mr. Hepple, a Johannesburg lawyer, was arrested with a number of others in the Rivonia suburb of Johannesburg on July 11 and detained under the 90-day detention law. He was charged but later released to give evidence for the State.

Said Mrs. Hepple: "We are glad to be in Dar es Salaam, though we are missing home." She added: "We were very grieved to leave, but in such

when the prosecutor, Mr. Percy Yutar, told the court hearing the case against the remaining 10 accused that Mr. Hepple would have been the first witness to relate what happened at the alleged Johannesburg headquarters of the banned African National Congress.

Security police are worried by the escape and the apparent ease with which they made their way into the neighbouring British protectorate of Bechuanaland en route to Tanganyika.



BRENDA

circumstances we had no option."

And Mr. Hepple added: "She had to come with me because there was a great danger of her being kept as a hostage."

Mrs. Hepple added: "I am very anxious to hear about my children. Paul will be celebrating his birthday on December 11. I do not know how it will all be, but I hope to have him with us for that occasion."

She said that since leaving home a week ago they had not heard a single word about the children. "We are trying hard to make contact with them," she said, adding: "They will join us as soon as our future is settled."

Mrs. Hepple said they could not bring the children with them as they did not know



PAUL

their destination. The Hepples arrived in Mbeya by chartered aircraft earlier this week.

The Hepples would not say anything about their future plans. "We would like to settle here," she said.

Top-level investigations have been ordered in JOHANNESBURG into the escape of the Hepples.

Mr. Hepple's escape was disclosed in Pretoria on Tuesday

November '63
Hepple to
Tanganyika
leave for
Britain

BOB HEPPLER, the prosecution witness in the Pretoria sabotage trial, and his wife Shirley, hope to leave for Britain later this week. The couple, who escaped to Tanganyika last week, have immigration clearance and their own passports.

Mr. Hepple said yesterday he did not know what they would do when they arrived in Britain, but one of the first things would be to have their children. Brenda, two-and-a-half, and Paul, one, sent from South Africa to join them.

Mr. Hepple said that the South African authorities had alleged that some of the 90-day detention prisoners were feigning insanity. He knew that this was not the case.

Hit by warden

He himself had seen a man named Mr. Z. Moutupheng taken into the jail yard. The man was foaming at the mouth and screaming at the top of his voice. His eyes were glazed. His arms were wrenched behind his back.

Later, Mr. Hepple saw him in a straight-jacket. The screams had been reduced to a whimper and each time Moutupheng whimpered he was struck by a warden.

Mr. Hepple said that Mr. James Kantor, one of the Rivonia accused, had a nervous breakdown. He knew of other cases of physical torture and shock treatment.

RIVONIA: MR. X REVEALS:

A.N.C. ordered 'stooges' to be liquidated

From a Staff Reporter

THE AFRICAN NATIONAL CONGRESS had ordered that "stooges" (Government spies, the "spies of our enemies") were to be liquidated, said Mr. X, the mystery witness at the Rivonia sabotage trial in Pretoria today.

Mr. X is an African, a self-confessed saboteur and leader of a Durban squad. This is the third day of his evidence about the inner workings of the National High Command and the Durban Regional Command.

His evidence this morning dealt with 23 acts of sabotage in the Durban area, committed in protest against Nelson Mandela's conviction and sentence in August.

"OUR PROTEST"

"We wanted to show the government our protest," said Mr. X.

His statement about people being killed came after the Judge-President, Mr. Justice de Wet, had questioned him about the risk of people being killed or injured during a sabotage attempt.

Mr. X said they had been instructed to be careful that people were not injured or killed "but sometimes it was difficult to avoid."

Questioned further, he said that "stooges"—people who got in the way of the A.N.C.—"if we feel such a person should be killed, we should report to the high command."

"Then we would await the reply and act thereon," he added.

The judge: What do you mean by stooges?—A Government spy, a spy of our enemy.

Mr. X said that Curnick, who was secretary of the Kwa Mashu Residents' Association, reported that Advisory Board members were co-operating with the Durban Corporation to prevent the association achieving its aims.

THE ACCUSED

THE 10 accused are:
Nelson Rolihlala Mandela, a Johannesburg attorney;
Walter Max Ulliot Sisulu, of Johannesburg;
Dennis Theodore Goldberg, a civil engineer of Claremont, Cape Town;

Govan Archibald Mbeki, a Port Elizabeth journalist;

Ahmed Mohammed Kathrada, a Johannesburg Indian;

Lionel Gabriel Bernstein, a Johannesburg architect;

Raymond Mhlaba—

The State alleges these seven were members of the National High Command:

James Kantor, a Johannesburg attorney;

Elias Matrooledi and Andrew Mlangeni.

"Therefore," said Mr. X, "the Regional Command decided I should make three pipe bombs to be placed in the houses of advisory board members."

He did so, continued Mr. X, but the bombs were so placed that they would cause material damage without injuring the people. "We just wanted to frighten them."

Mr. X said that the protest acts of sabotage were planned for the Sunday after Mandela had been sentenced.

He enumerated five acts:

- Cutting signal wires on the railway near Pinetown (successful);
- The placing of a bomb at the Coloured Affairs Department (the bomb did not go off);
- Placing of a petrol bomb on a North Coast train (successful);
- Bantu Administration offices at Kwa Mashu township attacked with a bomb;

NEARLY HIS LAST BOMB

MR. X told the Rivonia trial court he was once nearly killed by one of his own bombs.

He had gone to blow up a pylon at Cliffdale. It carried a 33,000-volt line, he said.

It was raining so he could not use powder to light the fuse, and had to light it with a match.

It was only 8in. long. He had scarcely got away when the bomb exploded, bringing the wires down.

"There I nearly lost my life," he added.

- Security Branch offices in Durban attacked with a bomb; he did not know if the bomb went off.

PYLON ATTACKED

Mr. X then described the first dynamite attacks and how three pylons were selected.

He used Hodgson's method in dealing with one pylon. After a preliminary excursion they decided how much dynamite to use. He started fixing the charges at 7.30 p.m. and finished after 9 p.m.

"We lit the fuses and left, burning the rubber gloves we had worn. We went to a near-by bus queue, saw a big flash and heard a large explosion," said Mr. X.

The next day they saw big headlines in the newspapers and learnt that the three attacks had been successful.

Mr. X said that he prepared the charges for two other pylon attacks but did not actually set them himself. They were also successful.

HITTING AT NATS

Mr. X then told of other bomb attacks including one in the air mail post box at the main Durban post office. "It worked," he commented. Then they blew up a section of the railway line near Karridene, and used bombs to frighten people.

"It was decided to do something at the offices of the Nationalist Party," said the witness.

Dr. Percy Yutar (Deputy Attorney-General) asked: What was the decision to do the offices of the Nationalist Party or the offices of the "Nataler"?—The Nationalist Party.

Who prepared the charge?—I did.

Who was deputed to carry out the task?—Justice Mpanza and his group.

"IT WORKED"

Next morning it was reported that Justice had said that when he arrived at the offices of the Nationalist Party he found people there, so he then decided to go to the "Nataler."

What was the result of the onslaught?—It worked.

"Yes," said Dr. Yutar, "we will lead evidence of how well it worked." (The indictment shows that a European passer-by was injured, and damage of R1000 was caused.)

AMONG MEDICINES

Mr. X identified Mlangeni (the No. 10 accused) whom he met in Johannesburg, and added: "He thought I was a spy, but I told him he could check with Jack Hodgson."

Mlangeni took him to Eskay Building in Orlando, which belonged to a herbalist. Chemicals needed for bomb-making were kept among the medicines. Although the Special Branch had raided the building previously they had not discovered the chemicals because they could not distinguish them from the medicines.

(Proceedings)

MR. X SAYS SLOVO

COMMAND

“CONTACT”

Star
B
12
63

CODED MESSAGE BROUGHT HIM TO RIVONIA

From Staff Reporters

ONLY ON HIS FOURTH ATTEMPT, after a coded message had been sent and in great secrecy, did Mr. X gain entry to the Rivonia headquarters of the National High Command. Advocate Joe Slovo was his contact man, said this mystery witness in the Rivonia sabotage trial in Pretoria today.

The four men in the room, when the door was opened, were Walter Sisulu, Govan Mbeki, Ahmed Kathrada and a fourth man, an African, heavily bearded and strongly built.

This was on June 3 or 4 this year, Mr. X told the Judge-President, Mr. Justice De Wet. The witness, leader of a sabotage squad in Durban, is giving his evidence in camera. This is his fourth day in the witness box.

He said he felt the police net closing round him in April. He had committed several acts of sabotage, and had gone into hiding. Three times previously he had come to Johannesburg to meet the National High Command with messages from the Durban Regional Command.

TRAVELLED TO RAND

This time Billy Nair coded a message, using a book, and posted it to Johannesburg.

Mr. X said he left Maritzburg on May 30. He had gone by taxi from Durban to Maritzburg, travelling under the name of Zulu. In Johannesburg he went to His Majesty's Building and was directed to Slovo's office in Innes Chambers.

Slovo told him to stay with Levy Silora while he, Slovo, arranged a meeting with the High Command.

At an A.N.C. party in Phefeni he contacted a man, Mtembu, who next day took him to the High Command. Brian Somana drove the car.

Found with “foreign observers”

The police were “perturbed” to find that people who described themselves as foreign observers were in possession of copies of documents handed in as evidence, said Dr. Percy Yutar, Deputy Attorney-General, at the Rivonia trial today.

This was not in the interests of the security of the state, he said, and he could not make such documents freely available.

Dr. Yutar was replying to an application by Mr. V. C. Berrange, of the defence team, for extra copies of documents for each of the four counsel and the attorneys appearing.

THE ACCUSED

THE 10 accused are:

Nelson Rolihlala Mandela, a Johannesburg attorney;

Walter Max Ulliot Sisulu, of Johannesburg;

Dennis Theodore Goldberg, a civil engineer of Claremont, Cape Town;

Govan Archibald Mbeki, a Port Elizabeth journalist;

Ahmed Mohammed Kathrada, a Johannesburg Indian;

Lionel Bernstein, a Johannesburg architect.

Raymond Mhlaba—

The State alleges these seven were members of the National High Command;

James Kantor, a Johannesburg attorney;

Elias Matroaledi and **Andrew Mlangeni**.

“I did not know the road,” said Mr. X. “I was looking round all the way and reading signs. I remember passing a place called either Rivonia Garage or Rivonia Service Station. A little distance farther we stopped, walked back a short way, then across a piece of veld on which there were the marks of car tyres.

“We walked between servant's rooms. Then Mtembu knocked on the door of a thatched-roofed room. It opened. There was Sisulu sitting on the left-hand side. I knew him, and the others I recognized because I had seen their photographs in the papers.”

Sisulu was introduced to him as “Allah”. Mbeki was called “Rlamini,” while Kathrada was known as “Pedro.”

Mr. X said he was at Rivonia for several days. On the first night Sisulu gave him a message to the A.N.C. in Durban.

“At the end of July, 1963,” Sisulu said, “it was required that the A.N.C. must organize 200 volunteers, and at the end of October the A.N.C. must organize 2,000 volunteers in the rural areas.”

Mr. X said he was told later that evening, after Sisulu had left, that the volunteers were to be trained in sabotage.

(Proceeding)

Private property. The camp broke

pilot operation.”

It said that that night mark

Mr. X denies torture

14/2/63 ?

MR. X, the mystery Rivonia witness, ended his five days of evidence-in-chief in the Pretoria Supreme Court today with a denial that he had been threatened or tortured by the police.

"I mentioned last week that my heart was no more in this work," he said in reply to a question by Dr. Percy Yutar, the Deputy Attorney-General, on why he had decided to turn State evidence.

"So on the day I was arrested, that night I thought matters over. I decided to tell the police everything I knew," said the witness.

He was arrested on August 3, and pointed Lilliesleaf farm at Rivonia out to the police, he said. He also pointed out "Little

Rivonia" at Kloof, Natal, the house of Abel Mtembu, the man who used to meet the recruits at Germiston, the house of Levy Silora, a contact man for the National High Command and the S. K. Building in Orlando, the place where he was taught to manufacture black powder.

Among documents handed in by Dr. Yutar today were four bearing a certificate of the Acting Secretary for Foreign Affairs that they had been published outside the country.

"FIGHTING ARM"

One of them described the aims, functions and programme of Umkonto we Sizwe—"the fighting arm of the people against the Government."

At "Little Rivonia," Mr. X said, Ronnie Kasrils posed as the owner. The witness said he dressed as a gardener, and an Indian, Ebrahim, wore a green overall, pretending to be a handyman.

Ronnie's "girl friend," Eleanor Anderson, bought their supplies in Durban.

At the end of Mr. X's evidence, Mr. V. C. Berrange (for the defence) described him as obviously one of the most important witnesses in the trial. He was applying for cross-examination to be reserved.

Dr. Yutar agreed as to his importance, but repeated his fears, expressed when Mr. X started his evidence, that his life was in danger.

"But the police should be able to protect the witness," said the Judge-President, Mr. Justice de Wet, allowing Mr. Berrange's application.

Mr. Berrange said the defence had a two-fold task following Mr. X's evidence. They had to take full instructions from the accused, because nearly all of them had been implicated.

In addition, most of Mr. X's evidence dealt with Natal, and the defence would have to go down there to make further investigations.

SECOND MYSTERY WITNESS

◆ Continued from Page 1.

will learn to stand at attention, at ease and how to turn, and so on. You will also be given instruction on first aid, the field telephone and the use of a duplicator.

Dr. Yutar: Why was this necessary?—These things are necessary in the case of a revolution where it would be required to use guerrillas. We were not told who was going to wage the revolution.

FREEDOM SONGS

Round the camp fire on the first evening of the camp they listened to records of songs sung by freedom fighters throughout the world.

Guerillas were to operate in the country areas, continued Mr. Y. They would have to befriend the country people in case they needed help.

Sentries were posted. The campers sang "Nkosi Sikele Afrika" and went to bed.

Mr. Y said he gave lectures on the field telephone and on judo.

On the third day a Cape lawyer, Albie Sachs (he was introduced as "Comrade Sachs") joined the camp, and lectured on political economy and security methods.

(Proceedings)

Pretoria Reporter

THE 10 accused at the Rivonia trial were yesterday, the 12th day of the trial, showing little sign of the strain of what promises to be a long hearing.

So far the State has called 17 of the 200 witnesses it plans to call.

The only man who appears to be strained is Lionel Bernstein. His fair skin, under tightly waved ginger hair seems to be paler than it was three weeks ago.

RELAXED

With his left cheek cradled in his left hand, Bernstein watches witnesses with a fixed stare,

his forehead creased with a permanent frown.

Most relaxed of the accused is James Kantor who has trimmed his beard and lost his impatient glare.

Mandela spends his time taking notes and exchanging asides with Walter Sisulu next to him. Goldberg takes a lively interest in the proceedings and laughs at amusing situations while Mbeki's face, his mouth pursed with disapproval, remains expressionless.

With only today's proceedings to go before the trial is postponed until next year, the public galleries are nearly empty.

PULLED FACES

The most regular spectators are Mrs. Barbara Kantor and some African women in A.N.C. uniform.

Yesterday a witness, Mr. English Tolo Mashiloane, complained that African women in the public gallery were pulling faces at him.

Mr. Justice De Wet warned the public that if any spectators were seen to misbehave they would be removed from the court.

MR. X TELLS OF LOSING HEART

PRETORIA REPORTER

BY June of this year his heart had no longer been with the Umkonto We Sizwe movement, a self-confessed saboteur and senior official of the movement told Mr. Justice De Wet in the Supreme Court, Pretoria, yesterday.

Mr. X, whose identity is protected by the court, and who has given evidence at the Rivonia Trial for most of this week, said he was a married man with two children. He had been dodging the police since April, but no attempt had been made to take him to a place of safety as had been promised.

Umkonto We Sizwe had taken him from his regular employment, but in 12 months he had received only R20 in payment for his services.

It struck him that the "high command" was not interested in the security of the rank and file. Trainees leaving the country were arrested at the borders, but when members of the "high command" fled the country they were not arrested.

TELEPHONE

He had seen Walter Sisulu's home and it contained furniture "like a White man" and even had a telephone.

Both Sisulu and Mlangeni had cars and Sisulu had been paid R6,000.

He was in hiding at Kloof in a hideout he had named "Little Rivonia" when the police had raided Lillieleaf farm, and on August 3, he had been himself arrested at Kloof station.

Before the court are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mhlaba, James Kantor, Elias Matsoaledi and Andrew Mlangeni.

They are charged with two counts of sabotage, one of contravening the Suppression of Communism Act, and one of contravening the General Law Amendment Act (Sabotage Act).

OVERTHROW

The State alleges that the accused campaigned for the overthrow of the State by a violent revolution and the assistance of an armed invasion of South Africa by foreign troops.

Earlier Mr. X said that only on his fourth attempt, had he made contact with the "national high command" of Rivonia.

He had already told the Judge-President that he was a member of the Umkonto We Sizwe regional command, and that as such he carried out and sponsored numerous acts of sabotage in Natal. He had done this at the instance of the "high command."

After three previous attempts, he was received at Rivonia, through the good offices of Andrew Mlangeni, an accused, and Joe Slovo, an advocate named as a co-conspirator.

DYED HAIR

At the house, which he reached after passing a service station called either "Rivonia Garage" or "Rivonia Service Station," he had

met, among others, the accused men, Walter Sisulu, Govan Mbeki and Ahmed Kathrada.

They had all used assumed names and Kathrada's hair was dyed.

At Rivonia, Sisulu told him that by the end of July of this year the African National Congress required 200 recruits from Durban, and by the end of October, 2,000 recruits from the rural areas of Natal.

The last named were to be taken over by Umkonto We Sizwe and trained as saboteurs in groups.

SEVEN ZONES

Mbeki then explained that the "high command," had divided Natal into seven zones. They were to be 1, Port Shepstone, Amanzimtoti and Ixopo; 2, Durban, Inanda, and Verulam to Mapumolo; 3, Eshowe to the boundary of Swaziland; 4, Vryheid, Mqutu and Inland; 5, Maritzburg, Richmond, Greytown, Hammersdale and Estcourt; 6, Colenso, Ladysmith to Emblumayo, including the Driefontein area; and 7, Weenen and Newcastle.

Each of these zones was to fall under a regional organiser and three additional "sub-regional commands" would be established. A supreme commander, to be approved by the high command, was to be in charge of the whole province.

LAND MINE

Mr. X said another man he had met at Rivonia had shown him a land mine with a charge of black powder which could be used against motor vehicles in general and Saracens in particular.

He demonstrated a model of the land mine he had made to show the military authorities.

In June, after various visits to Johannesburg on the business of the "high command," he had been sent to train rural Africans at Bergville. These men had a store of rifles, but lacked knowledge about sabotage and explosives.

His training had not been enthusiastic, he said, as at this stage he was already cooling off toward Umkonto We Sizwe.

Mr. X told the court of the elaborate security precautions taken by the "regional command" in Natal.

READ BOOK

He himself had seen Billy Nair, mentioned by the State as a co-conspirator, preparing a letter to the "high command." Billy had read a book, leafed through its pages and counted and then written down groups of numbers.

Previous communications to the "high command" had also been sent in code in this manner.

He identified a document before the court which is alleged by the State to have been found at Rivonia, as being similar to the one Billy prepared.

UMBRELLA

When a group of recruits was sent from Durban by train to the Rand, it was arranged that the group leader carry an umbrella which he would open and close repeatedly on arrival. This would be the signal to a contact man, who would approach him and say "manzi" (water), to which he was to reply with the word "manzi". This would serve as a complete identification.

Dr. Yutar told the court that further evidence from Mr. X would only take another half an hour and the trial was adjourned until Tuesday.

Defence is allowed one only

Pretoria Reporter

DR. P. YUTAR, Deputy Attorney-General, who leads the prosecution in the Rivonia trial, yesterday refused to give the defence more than one copy of certain documentary exhibits which deal with guerilla tactics, politics and explosives, despite the fact that four advocates are appearing.

He told the Judge President, Mr. Justice De Wet: "Military officials are most concerned about the possible circulation of these documents."

SAFETY

"They feel that in the interests of the safety and security of the State, as few copies as possible should be made of these documents."

"Some of the documents have been seen in the hands of people who have attended the hearings as observers from foreign countries and the Army authorities are concerned about this."

"I shall certainly not give the defence any further copies of these exhibits."



"Mystery man" bought Goldreich's home

SE
15/12/63

Sunday Express Reporter

LILJELEAF FARM, the Rivonia, Johannesburg, headquarters of Arthur Goldreich, Harold Wolpe and others connected with the "Rivonia" sabotage trial, which was sold by auction to a mystery buyer last week, was still standing forlorn, untidy and overgrown with weeds when a Sunday Express reporter visited it yesterday.

Mr. K. A. Meikle, the auctioneer, refused to disclose the identity of the purchaser, represented at the sale by a young man whose name was given as "Mr. Schuhnitz" and who spoke with a German accent.

The farm was formerly owned by a London company, Navian (Pty.) Ltd., whose managing

director, Vivian Ezra, fled South Africa by means of the Bechuana-land "escape route" two months ago.

Navian paid R25,000 for the 28-acre farm two years ago. It was sold for R26,500 last week.

No attempt has been made to tidy the house or its grounds, but an African watchman has been guarding the property since vandals broke several windows and daubed obscene words on the white-washed walls.

The chicken coops behind the house are rotting away and the spacious gardens are overgrown with weeds.

The servants' quarters, where the fugitives Ahmed Kathrada and Walter Sisulu were found hiding, are still cluttered with old newspapers.

No connection with Rivonia

Star 18/12/63

At the Rivonia trial yesterday afternoon the secretary of Sungold Products (Pty.) Ltd., Mrs. Frances Wessels, gave evidence. She said that Vivian Ezra, one of the alleged co-conspirators, had been employed by the firm and she gave details of his earnings.

During her evidence Dr. Yutar told the court that he had said during Mrs. Ezra's evidence that the name Sungold Products was important. He said he intended that only to show Ezra's financial position and not to connect the firm with any of the activities at Rivonia.



MR. Y FOLLOWS MR. X

'Comrades' set up camp to train guerillas

Star
17/12/63

From a Staff Reporter

A SECOND MYSTERY WITNESS—Mr. Y, who followed Mr. X—a short, bearded Coloured man from Cape Town, described at the Rivonia trial today a camp for training young guerillas alleged to have been run by Dennis Goldberg at Mamre. This Cape Province camp, he said, was run on strict military lines, and the training was in preparation for a revolution.

Mr. Y, whose evidence was given *in camera*, said Goldberg was addressed as "Comrade Commandant" and Looksmart Solwandle Ngudle as "Comrade Sergeant."

Mr. Y, who said he had some experience in electronics, was in charge of teaching the young guerillas to attach field telephones on the "call up" system.

The camp was started on Boxing Day, 1962. There were two truckloads, one of Africans, and on another himself and men named Feres, Gabriels, Lotter, Stone, Saterdag and Andrews.

Mr. Y then gave details of the first day at the camp. Goldberg called them together and made them stand in a straight line and addressed them. Some of the Africans could not understand English properly, and Looksmart acted as interpreter.

Dr. Percy Yutar (the Deputy Attorney-General): What did Goldberg say?—He said: 'Comrades, this is a camp that is going to be run on military lines. You

◆ Turn to Page 3 Column 8.

THEY HAD TO MOVE

ON the third day at the camp a police patrol arrived.

"They asked to speak to the person in charge," said Mr. Y. "They spoke to Goldberg, who later told us we would have to shift our tents because we were on private property."

Goldberg told them to say the telephone equipment was there to entertain the chaps and that the camp was for "health and spiritual purposes."

Mr. X denies torture

MR. X, the mystery Rivonia witness, ended his five days of evidence-in-chief in the Pretoria Supreme Court today with a denial that he had been threatened or tortured by the police.

"I mentioned last week that my heart was no more in this work," he said in reply to a question by Dr. Percy Yutar, the Deputy Attorney-General, on why he had decided to turn State evidence.

"So on the day I was arrested, that night I thought matters over. I decided to tell the police everything I knew," said the witness.

He was arrested on August 3 and pointed Lilliesleaf farm at Rivonia out to the police, he said. He also pointed out "Little

Rivonia" at Kloof, Natal, the house of Abel Mtembu, the man who used to meet the recruits at Germiston, the house of Levy Silora, a contact man for the National High Command and the S. K. Building in Orlando, the place where he was taught to manufacture black powder.

Among documents handed in by Dr. Yutar today were four bearing a certificate of the Acting Secretary for Foreign Affairs that they had been published outside the country.

"FIGHTING ARM"

One of them described the aims, functions and programme of Umkonto we Sizwe—"the fighting arm of the people against the Government."

At "Little Rivonia," Mr. X said, Ronnie Kasrils posed as the owner. The witness said he dressed as a gardener, and an Indian, Ebrahim, wore a green overall, pretending to be a handy man.

Ronnie's "girl friend," Eleanore Anderson, bought their supplies in Durban.

At the end of Mr. X's evidence Mr. V. C. Berrange (for the defence) described him as obviously one of the most important witnesses in the trial. He was applying for cross-examination to be reserved.

Dr. Yutar agreed as to his importance, but repeated his fears expressed when Mr. X started his evidence, that his life was in danger.

"But the police should be able to protect the witness," said the Judge-President, Mr. Justice de Wet, allowing Mr. Berrange's application.

Mr. Berrange said the defence had a two-fold task following Mr. X's evidence. They had to take full instructions from the accused because nearly all of them had been implicated.

In addition, most of Mr. X's evidence dealt with Natal, and the defence would have to go down there to make further investigations.

SECOND MYSTERY WITNESS

◆ Continued from Page 1.

will learn to stand at attention, at ease and how to turn, and so on. You will also be given instruction on first aid, the field telephone and the use of a duplicator."

Dr. Yutar: Why was this necessary?—These things are necessary in the case of a revolution where it would be required to use guerillas. We were not told who was going to wage the revolution.

FREEDOM SONGS

Round the camp fire on the first evening of the camp they listened to records of songs sung by freedom fighters throughout the world.

Guerillas were to operate in the country areas, continued Mr. Y. They would have to befriend the country people in case they needed help.

Sentries were posted. The campers sang "Nkosi Sikele Afrika" and went to bed.

Mr. Y said he gave lectures on the field telephone and on judo.

On the third day a Cape lawyer, Albie Sachs (he was introduced as "Comrade Sachs") joined the camp, and lectured on political economy and security methods.

(Proceedings)

THE

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Mines were target for guerrilla acts, says ex-instructor

COURT REPORTER

Pretoria Reporter
GUERRILLA recruits at a secret training camp in the Cape had been told that the best way of bringing the Government to its knees was by gaining control of the country's riches, particularly the mines.

Mr. "Y," another witness whose identity is being protected by the court, said at the continuation of the Rivonia trial before the Judge-President, Mr. Justice De Wet, in the Pretoria Supreme Court yesterday that taking control of the mines was advocated by Albie Sachs, who lectured the recruits on political economy.

Mr. "Y" said he met Dennis Goldberg in mid-1962 at a Coloured people's congress. Goldberg invited him to join a training camp for young non-White guerrillas as a lecturer.

Bushy country

They went to the camp situated in bushy, hilly country at Mamre in the Cape on December 26.

The camp was run on strict military lines, trainees starting the day with calisthenics and squad drill.

Goldberg was in charge of the camp. He told trainees to call him "Comrade Commandant."

A man called Looksmart who acted as Goldberg's interpreter, was elected "Comrade Sergeant" at Goldberg's suggestion.

Lectures were given on first aid, the field telephone, political economy and security. There was also instruction on judo.

At night round the camp fire they listened to recordings of the songs of freedom fighters throughout the world, heard the news over the radio and discussed its political implications.

Goldberg told them that the subjects they were studying were essential to young guerrillas when the revolution started in South Africa.

Training

They had to have some knowledge of the petrol engine as guerrillas would need petrol-driven transport. The field telephone was the best way for guerrilla detachments to keep in contact.

First aid was necessary for guerrillas in action who would be out of touch with proper medical facilities and the duplicator was the best way of bringing "the people" up to date politically and for disseminating news of guerrilla successes.

They were told the workers should share in the country's riches.

Mr. "Y" said he lectured the trainees on the operation of the field telephone.

On one occasion Looksmart said to them: "Comrades, what you learn here must not be forgotten because it will be used in the battle against the White man."

Four days after the camp started the police arrived and told them they were camping on private property. The camp broke



Dennis Goldberg, one of the accused in the Rivonia trial. A witness, Mr. "Y," alleged yesterday that he had conducted a guerrilla training camp in the Cape.

the police that it was a "health and spiritual camp."

Trainees were instructed to give the police only their names and addresses if questioned.

Questioned by Mr. V. C. Berange for the defence, Mr. "Y" said Goldberg had approached him to lecture at the camp "blindly" because he knew very little of him.

Later he was detained under the 90-day clause. It was made clear to him he could be held for successive periods of 90 days for the rest of his natural life unless his answers satisfied the authorities.

Although detained without visitors and books, apart from the Bible, he did not become depressed until he had been in jail for nearly two months.

He had never been lonely as he was not fond of company.

For five successive interrogations, spread over more than two months, he persisted in his lies to the police.

Then he told them the camp had been held to train guerrilla fighters, which was the truth.

It was possible the police had told him he could be charged. In any case he thought there was strong possibility of this being done.

At his sixth interrogation he told the truth because he was tired of being locked up and because he was anxious to get back to work.

He denied that anything he told the police on this occasion had been a fabrication.

Completing his evidence yesterday Mr. "X" identified a periodical called "The African Communist" as one which circulated among the members of his Communist cell in Durban.

Pilot operation

Dr. P. Yutar, the State prosecutor, read an article from the publication which described the bombings in South Africa on the night of December 16, 1961, as "a pilot operation."

It said that that night marks the beginning of Umkonto

after a struggle for democratic rights by the non-Whites of South Africa which had lasted half a century.

Describing Umkonto we Sizwe as the nucleus of an "army of national liberation," it said the patience of the people was not endless.

The article expressed the hope that the Government would reconsider its policy before the "desperate stage of civil war is reached."

A surrender

It said that the non-violent aspect of the campaign would continue, but warned that to use non-violent methods alone would be equivalent to surrender.

Mr. "X" said that at the time of his arrest he was already disillusioned about Umkonto we Sizwe. On the night of his arrest he had decided to make a clean breast of the whole matter to the police.

He had never been threatened by the police or assaulted by them.

The hearing was adjourned till today.

HE LIKED
90-DAY
SOLITUDE

From a Staff Reporter

THE second mystery witness to give evidence at the Rivonia trial, Mr. Y, was a 90-day detainee from May to September.

But, he told the court in cross-examination yesterday, he enjoyed it. It did not make him lonely or depressed, and he appreciated the solitude—because he did not like his fellow-men.

Mr. Y said the food was good. He missed his children—but not his wife.

Eventually, however, he felt he had "had enough" and, after his sixth interrogation decided to tell the police the truth

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GOT CODED LETTERS

Jan 18/12/63

His shop used as rendezvous for trainees

From a Staff Reporter

A FORMER AFRICAN NATIONAL CONGRESS Treasurer, cousin of one of the Rivonia accused, Elias Motsoaledi, told the Supreme Court in Pretoria today how his Orlando business was used as an assembly point for recruits on their way to training bases in other parts of Africa.

English Tolo Mashiloane, a herbalist, of S.K. Building, Orlando, said he resigned from the A.N.C. in 1957. (A previous witness, Mr. X, told the court that it was in S.K. Building that he was taught to manufacture black powder.)

He was told the young men were going to Basutoland and Bechuanaland to be educated to become judges, lawyers and magistrates. But one day one of the young men, a Xhosa, told him they were going to Ghana and other places—"I have forgotten the names"—to become soldiers.

Mr. Mashiloane said he taxed Motsoaledi, who admitted this was correct. They were going to be

trained as soldiers "so they could return to fight the Whites and obtain freedom."

BRINGING FREEDOM

The "war" was already being fought in South Africa, Motsoaledi told him. Buildings were being broken and electric supplies disrupted, and that would bring them freedom.

Mr. Mashiloane said three groups, each of about 30, gathered in Orlando and were taken off each time by car. At one stage Motsoaledi told him his "big boss" was Mlangeni (No. 10 accused).

Motsoaledi and Sisulu rented an upstairs room in 1961 for discussion groups to learn about politics and the "laws of the Government that we object to."

FOR EDUCATION

After about a month Sisulu no longer came. It was in the winter of 1962 that Motsoaledi asked to be allowed to use the building as a place where scholars could congregate before leaving for the Protectorates to further their education.

When the third group had left, Motsoaledi and Mlangeni told him there were two more groups to be transported.

"But I told them the youngsters were interfering with my customers and I didn't want any more," said Mr. Mashiloane.

Dr. Yutar (Deputy Attorney-General): Now I want to come to the subject of coded letters. Did you receive a letter addressed to 9422, S. K. Building?—Yes.

SENT BACK

Mr. Mashiloane said he handed the letter to "the Comissar." "Oh! It is his daughter's," said the interpreter. "That is her name."

His daughter had taken the letter back to the post office, and later, when a similarly addressed letter arrived, he sent his son with it to the post office.

When he told Matsoaledi what he had done, Matsoaledi was "very sore." Matsoaledi showed him a letter in a similar envelope, "but inside it only had numbers 19, 2, 3, 4, and so on. There were no letters."

Motsoaledi said he could read it just as if it was written in letters. This particular letter told him to meet someone at Canada Station.

NOT DANGEROUS

Another section of the coded letter said that Motsoaledi was going to be sent "300 in money in amounts of 50, 50 and so on." He was told that the people arriving at Canada Station were also young boys for training, and that the money was for their expenses.

Motsoaledi told him not to send back any more letters because it was not dangerous.

Dr. Yutar: "Now I would like to come to a third and final topic—dynamite. I want to deal with this year."

Dr. Yutar: Have you had any experience with dynamite?—Yes. In what connection?—I worked on the mines.

Tolo Mashiloane, continuing his evidence said: "One evening in January I met Motsoaledi carrying a brown paper parcel (the witness indicated about 18in. by 6in. by 6in.)"

"Matsoaledi put the parcel in the garage," said Mr. Mashiloane, "and told me not to allow anybody in, and to keep it away from fire."

"Motsoaledi returned with Mlangeni and another man, opened the parcel and took out bundles of cylindrical objects. He told me this was dynamite."

TO THE RAILWAY

Motsoaledi brought another parcel which also contained dynamite. On this occasion the same three men again put the sticks in their shirts—and went off towards a railway line.

Dr. Yutar: By the way, what is this stuff called?—It is known as Lerumo la Sechaba, which means "the spear that will stab the people."

Mr. Mashiloane said Motsoaledi brought a third load of dynamite to S. K. Buildings, and took it away again in three loads. He was told the dynamite had been buried about a mile away.

Motsoaledi asked him to help obtain dynamite, said Mr. Mashiloane.

"I thought about it," said I would, and approached my friend, Scotch Papi, who stole five sticks from the City Deep mine where he worked. The following week Scotch brought five fuses and detonators. I gave them to Motsoaledi and told him Scotch wanted £5.

"Motsoaledi said No. That was too expensive. He gave me £2 to give to Scotch. Scotch would not supply any more."

One Sunday Motsoaledi showed him a newspaper and said: "Here, old man, come and listen to some nice news."

"The boys of the Spear of the Nation have smashed up Braamfontein."

Dr. Yutar said this was a reference to the blowing up of a sub-power station at the Braamfontein railway bridge. The particulars to the indictment show that repairs cost R40,966.

BIG BUILDING

"Then he showed another photo," Mr. Mashiloane continued. "He said the boys had blown up a big building in Pretoria."

Dr. Yutar said this referred to the blowing up of an office block occupied by the Minister of Agricultural Technical Services.

(Proceeding)

Sabotage effort cost R40,000

UPRISING PLANNED IN CITIES

After bombings I was told, 'War is on'—witness

PRETORIA REPORTER

AFTER a series of acts of sabotage, he was told that "the war is on," a witness said at the Rivonia trial in Pretoria yesterday. He was told also that the "soldiers" would get weapons from the Whites they fought and that the "real war" would be in the cities.

Mr. English Mashiloane, a herbalist of Orlando, said his premises had been used at one stage by Elias Matsoaledi, one of the accused, and others as a clearing house for young Africans leaving the Rand for military training.

Mr. Mashiloane, who said he had been branch treasurer of the African National Congress in George Gogh location from 1955 to the end of 1957, said Walter Sisulu and Matsoaledi approached him in 1960, after the banning of the A.N.C., and asked him if they could use his home, the SK Building, in Orlando, for meetings and for reading and writing. He agreed.

Gatherings

Matsoaledi said people would gather there to learn politics and hear about the laws to which his organisation objected.

During 1962 Matsoaledi told him the organisation was recruiting young Africans of standard six education, or higher, for further education in Basutoland and the Bamangwato area of Bechuanaland.

Matsoaledi asked if the youths could gather at the SK Building during the week and leave from there for their destinations each Friday night.

Off to Ghana

On receiving assurances from Matsoaledi that what they were doing was not illegal, he agreed to this as well.

When the second group of youths gathered at his home, a Xosa youth told him they had enlisted as soldiers and were leaving for "Nkrumah's Ghana" and other places for military training to fight for freedom.

When he taxed Matsoaledi about it, Matsoaledi said the youth should not have told him this but that it was true.

Some of the youths who had gone for training had already returned. Matsoaledi said: "You people do not see that the war is already on. These people who are breaking buildings and electricity lines are fighting. This type of fight will continue until the real war starts."

Matsoaledi explained they would get their weapons from the Whites with whom they fought as the real war would be in the cities where there were plenty of weapons.

Asked how they would get the weapons, he replied: "That is what these youngsters are going to learn, to take the weapons — and they will take them."

The accused

NELSON MANDELA, WALTER SISULU, DENNIS GOLDBERG, GOVAN MBEKI, AHMED KATHRADA, LIONEL BERNSTEIN, RAYMOND MHLABA, JAMES KANTOR, ELIAS MATSOALEDI, ANDREW MLANGENI.

They are facing two charges of sabotage, one of contravening the Suppression of Communism Act and one of contravening the General Law Amendment Act.

The State alleges that the accused, together with 24 other men named in the indictment as co-conspirators, campaigned for the overthrow of the Government by revolution and by assisting an armed invasion of the country by foreign forces.

He objected

Mr. Mashiloane said three groups of about 30 youths passed through his premises. Then he objected.

Despite pleadings and urgings from Andrew Mlangeni, who was introduced to him as "The Boss," he refused to allow any more groups to use his premises.

Mr. Mashiloane went on to say that Matsoaledi had shown him news reports and photographs of destruction caused by bombings carried out by the Spear of the Nation (Umkonto we Sizwe) and described them as "big, good news."

Bombed sites

The pictures and reports concerned the bombing of an electricity substation in Braamfontein, an office in Pretoria, and a building in Durban.

The State alleges that the building in Durban housed the offices of "Die Nataller", bombed on the night of January 1 this year.

Of this bombing Matsoaledi said the explosion had missed claiming White lives by a matter of minutes.

He also told Mr. Mashiloane of an abortive attempt to blow up "the court where Nelson Mandela was tried" in Pretoria.

Mr. Mashiloane said that in January last Matsoaledi put a paper-wrapped parcel in his garage. Matsoaledi told him not to have a fire in the garage and to prevent anybody from entering it.

Later Matsoaledi returned with Mlangeni and another man. They unwrapped a parcel. From it Matsoaledi took bundles of dynamite sticks. The three men placed the bundles in their shirts and left.

The following Friday they repeated the procedure. Next day Matsoaledi told him they were going to use "Lerumo la Sechaba" (the dynamite) to fight the Whites for freedom when and where they saw fit.

They would attack post offices,

electricity supplies, municipal installations and factories.

Matsoaledi said that with dynamite they could completely destroy his house — a double-storey building — "with one shot."

Matsoaledi asked him to help to get dynamite. He approached an African mine employee in front of Matsoaledi and asked him to get dynamite.

Goldreich papers

The man obtained five sticks of dynamite and five detonators and fuses which he stole from the City Deep Mine. He declined to steal any more as he had wanted R10 for the explosives and Matsoaledi had only given him R4.

Detective-Sergeant P. J. du Preez, a handwriting expert, identified two documents before the court. One dealt with guerrilla tactics and the other with the establishment of a "hidey hole." He said they were in the handwriting of Arthur Goldreich.

The hearing was adjourned to today.



RIVONIA: MR. Y SAYS:

Long jail term better than 90-day spell

8/19/63

From Staff Reporters

THE CAMP RUN BY DENNIS GOLDBERG at Mamre in the Cape was to train recruits for guerilla warfare, said a Rivonia trial witness, Mr. Y, under cross-examination in the Pretoria Supreme Court today.

He told Mr. V. C. Berrange (for the defence) that he wanted to "save his own skin" when he persisted, through six police interrogations, that the camp was purely for "health and spiritual" reasons. He eventually decided, towards the end of his period of 90-day detention, to tell the truth because he preferred a long term of jail to detention.

"I was bored by the inactivity," explained Mr. Y. "I didn't mind it too much for the first three months, but the threat of another three months was getting me down."

Mr. Berrange: Getting you down? That is perhaps an understatement. I am informed that a

time is reached that a 90-day detainee starts to look forward to the visits of his interrogators. Did this happen to you?—It did not.

Mr. Y said his interrogators always began courteously, but ended "sore" when he refused to answer their questions.

He was still in custody, but had been told he would be released when he had given his evidence.

"But there is a charge against me in Cape Town," Mr. Y added.

Mr. English Mashiloane, who gave evidence yesterday that his Orlando house was used as a rallying point for recruits who were sent away for training, was then cross-examined by Mr. George Bizos.

He said that his cousin by marriage, Elias Motsoaledi (No. 9 accused) had a very glib tongue and persuaded him to do all sorts of things he did not wish to do. For instance, he had been persuaded to let "soldiers" on the way for training stay at his house.

The Judge President, Mr. Justice de Wet: Isn't it the truth that you were sympathetic towards what you were doing?—Motsoaledi has got a very sweet tongue.

Mr. Mashiloane said that he was

still in custody and did not know when he would be released.

Mr. Bizos: Will you not be released when you have given your evidence?—I don't know. I was not promised that.

Answering further questions, Mr. Mashiloane said he thought that he, too, was an accused person and was on trial as well. He had already been locked up for six months and had no idea when he would be released.

"The only thing that I think about is that I am a prisoner. Only the Government knows when I will be released," he added.

AN ACCOMPLICE

At this stage the judge interrupted.

"I am concerned that there might be an irregularity," he said. "Dr. Yutar (the Deputy Attorney-General), you are using a person who is an accomplice. Are you not compelled to warn him? Should you not tell him that he should give his evidence satisfactorily or face prosecution?"

Dr. Yutar said he did not regard him as an accomplice.

"In any event should I have not warned him that he need not say anything that might incriminate him?" the judge asked.

Dr. Yutar said Mr. Mashiloane was being held in protective custody only.

After further discussion the judge told the witness that if he gave satisfactory evidence he would be released.

Mr. Mashiloane was asked: "At first you denied you knew anything about soldiers and dynamite and that sort of thing. What made you change your mind?"

"Jail," was the reply.

When the court resumed after lunch, Dr. Yutar told the judge that Mr. Mashiloane had complained that African women spectators had grimaced during his evidence. The judge warned those in court that if they misbehaved he would order them to be removed.

TO BORDER

Taximan's evidence at Rivonia trial

From Staff Reporters

A FORMER pirate taxi operator, Essop Amod Suliman, said at the Rivonia sabotage trial today that he had ferried a total of 360 "recruits" in 12 convoys from Johannesburg across the Bechuanaland border for training abroad.

The Judge President, Mr. Justice de Wet, warned Mr. Suliman in terms of the section of the Criminal Code applying to incriminating evidence.

The very first convoy, said Mr. Suliman, was stopped by a Security Branch man, Sergeant Strumpher, before it reached Roodepoort, but he allowed it to pass after warning the driver of one of the vehicles to repair the tail light.

Mr. Suliman said he owned three light vans, and he used to hire other vans if needed. Sisulu paid him R50 in cash for each of the vans used.

He knew Sisulu as a leader of the A.N.C., and visited Sisulu's office in Macosa House, Commissioner Street, Johannesburg, in June, 1962, to get instructions about the first convoy.

FOR DELEGATES

Sisulu told him a conference was being held in Lobatsi and hired the three light vans to convey delegates, continued the witness. About three weeks later Sisulu again hired two of the vans and a panel van.

"Sisulu told me I must convey people as far as the border. They were going to train as soldiers. He said he needed the van to carry the luggage," said Mr. Suliman.

"Sisulu told me to go to a garage at Orlando. There Modise (he is named in the indictment as a co-conspirator) met us and took us to a double-storey building. We waited outside. Modise went inside and returned with about 30 Africans."

OFF TO SOCCER

When Sergeant Strumpher stopped them, he was told they were going to play in a soccer match at Zeerust. He made a cursory inspection of the licence and third party discs as well as the tail light.

Modise accompanied the young Africans across the border, crossing through the veld in the early hours of the morning. The luggage was transferred to another van and he (Mr. Suliman) took it to Lobatsi. They were met there by Modise and they took him back to Johannesburg.

"Modise told me the young Bantu were being taken to Kenya and Tanganyika to be trained as soldiers."

Mr. Suliman said the other trips followed much the same pattern, except that he did not cross the border. The Africans were off-loaded just short of the border and "disappeared into the night."

R50 A VEHICLE

At different times Mlangeni, Kathrada and Nokwe engaged him to convey young men, and he was paid at the rate of R50 a vehicle.

If they were stopped by the police before Zeerust they were to say they were going to a soccer match. If stopped the other side of Zeerust their excuse was to be they were going to a wedding—or a funeral.

On one occasion (in June this year) Mbata, also described as a co-conspirator, gave Mlangeni six

reference books and a list of the people in the convoy, and told him to "chase after the van and catch them up, because the plane is ready to leave from Francistown."

The twelfth convoy on June 9 ended in the arrest of all the people in four vans. All were taken to Pretoria jail.

On this convoy, Mr. Suliman said, the vehicles were heavily overloaded. First one and then another broke down. Mr. Suliman said he went back to help one vehicle, but found it had "disappeared."

"Near Zeerust we were stopped by Mbata, who told us to make a U-turn, as the two vehicles ahead of us had been arrested," said the witness.

"Outside Rustenburg the police stopped us. Mbata and an African woman with us were taken to the police station. Next day we were taken to Pretoria."

Mr. Suliman added: "I was not paid in full for the last trip."

How they got to Ethiopia

From Staff Reporters

A WITNESS AT THE Rivonia trial today described how he went from Cape Town to Tanganyika as a "recruit." He was Alfred Jantjies (28), now serving a two-year sentence for leaving the country without a permit.

Jantjies said he lived in Cape Town and was a member of the African Youth League. He was told by a man named Ngundle that "schools were to be opened," and was asked if he would like to go. He and two others said they would go.

Ngundle booked them tickets to Johannesburg and gave them black ties and arm bands so that they could be recognized on being met in Johannesburg.

Before they entrained they were each given 30 cigarettes and food for the journey. In spite of the black arm bands, and ties nobody met them at Johannesburg, so they went by taxi to an address in Commissioner Street. They were taken to a basement, and a White man arrived and spoke to them. Jantjies could not identify the man from photographs shown to him in court.

STAYEL HOTEL

The three Africans were taken to the Marabi Hotel in Orlando, where they met seven men from Port Elizabeth. Joe Modise arrived, but nobody told them where they were going.

There were also four men from Durban and five from Bloemfontein at the hotel.

After waiting for three weeks at the hotel they were taken to a double-storey house by Matsoaledi. There one night two vans fetched them and they were taken to what he was told was "the border."

Jantjies said: "We walked through the bush. One young boy

from Bloemfontein started crying. Modise showed us the way to Lobatsi, where we arrived at a house at about 5 a.m.," said the witness.

GOT £11 EACH

They left Lobatsi the same day by train for Palapye, stayed there three days, and then continued by bus to Francistown. Modise met them there and gave each of the 30 in the party £11 "in case you are separated."

Next day they crossed a river on foot and travelled by van to Bulawayo railway station.

They went by train to Lusaka, and then by road to the Tanganyika border. From there they walked for a day to Tunduma, where they were taken to the UNIP offices.

FINALLY TO ETHIOPIA

Jantjies said that after a stay of three weeks in Dar es Salaam they went by bus to Nairobi. They had met Oliver Tambo (one of those named as co-conspirators) in Dar es Salaam.

In Nairobi passports were arranged and the party flew to Dabraseur in Ethiopia.

"There we were put into a van and taken to a soldiers' camp. They pointed out places for us to stay, gave us clothes and taught us to drill," said the witness. "There were many 'soldiers' there."

"We were issued with blankets, boots and a water bottle. We also had a steel helmet. My name was changed to Apri and I was paid 45 dollars a month."

The Rivonia trial was adjourned to January 13.

'Hy is moontlik 'n medepligtige'

Regter-president waarsku getuie in Rivonia-saak

DIE STAAT deel die getuies in die Rivoniasaak nie mee dat hulle na hul getuienis vrygelaat sal word nie, sodat nie gesê kan word dat hulle op beloftes getuig het nie, het dr. P. Yutar, Adjunk-prokureur-generaal van Transvaal, gister in die Pretoriase Strafhof gesê.

Mnr. Y, wat getuig het dat besk. Dennis Goldberg 'n kamp vir jong guerrillas by Mamre in Kaapland gehou het, en English Tolo Mashiloane, wat vertel het van Elias Motsoaledi en Andrew Mlangeni se beweerde bedrywigheid met „jong soldate” en dinamiet by get. se huis in Orlando, is gister heeldag onder kruisverhoor geneem.

Nadat adv. G. Bizos (namens Motsoaledi) Mashiloane geruime tyd onder kruisverhoor geneem het, het regter-president Q. de Wet aan dr. Yutar gevra of die hof die getuie nie moes gewaarsku het dat as hy as medepligtige bevredigende getuienis lewer, hy vrygelaat sal word nie.

Beloftes

Dr. Yutar: Na die Staat se mening is hy nie 'n medepligtige nie, en daarom is hy nie gewaarsku nie.

Regter De Wet het gesê vir hom lyk dit of 'n saak uitmaak kan word dat hy wel 'n medepligtige is. Hy het gevra of hy die getuie nie moet meedeel dat hy vrae wat hom inkrimineer, nie hoef te beantwoord nie.

Dr. Yutar het gesê Mashiloane is in beskermende arres en hy sal vrygelaat word nadat hy getuig het. Hy weet dit nie, want die Staat wil nie hê dat gesê word dat beloftes aan die getuies gedoen is nie.

Skriftelik

Hierop het regter De Wet aan get. gesê dat volgens die getuienis wat hy gelewer het, is hy moontlik 'n medepligtige. Die wet maak voorsiening daarvoor dat hy nie getuienis hoef te lewer wat hom inkrimineer nie. Maar as hy getuienis lewer en dit bevredigend doen, sal hy vrygelaat word.

Onder verdere kruisverhoor deur adv. Bizos het Mashiloane gesê hy weet daarvan dat die beskuldiges voor 'n uitkenningsparade sou begin het, skriftelik gevra het dat hulle eers toegelaat moet word om regsverteenvoording te kry.

Motsoaledi het get. daarna gevra of hy skriftelik om regsverteenvoording gevra het, waar-

op get. ontkenning geantwoord het. Motsoaledi het toe so 'n skriftelike aansoek namens get. aan 'n konstabel oorhandig.

Nie gevoel

Hy het nie gevoel dat hy regsverteenvoording nodig het nie, het Mashiloane gesê.

Hy het gesê dat hy eers alles wat by sy kruiedokterspraktyk gebeur het, vir die polisie verswyg het, maar later het hy alles vertel. „Ek het gevoel dat ek niks met die soldate te doen gehad het nie en dat ek in die ding ingetrek was.”

Beskuldiges

Die beskuldiges is Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mahlaba, James Kantor, Elias Motsoaledi en Andrew Mlangeni.

Hulle verskyn op twee aanklagte van sabotasie, dat hulle die doelstellings van die Kommuniste bevorder het en geld ingevorder en bestee het om sabotasie te pleeg.

Get. het gesê dat Motsoaledi om die beurt erken en ontken het dat die jong manne soldate is, en soms gesê het dat hulle gewone skoolleerlinge is wat vir verdere studie weggestuur word. Hy het nie geweet wat die waarheid is nie en was gedurig in twyfel.

Geglo

Ná nog vrae of hy geglo het dat die mans leerlinge of studente was, het Mashiloane aan adv. Bizos gesê: „Toe die dinge gebeur het, was jy nie daar nie.”

Hy het regter De Wet versoek dat hy en Motsoaledi toegelaat moet word om die ding in die hof uit te praat.

Regter De Wet het gesê dat hy dit volgens regsprosedure nie kan toelaat nie.

Na die middagete het dr. Yutar aangekondig dat Mashiloane by hom gekla het dat daar agter in die hof vroue sit wat vir hom gesigte trek terwyl hy getuig.

Voordele

Regter De Wet het die gehoor deur middel van die tolk gewaarsku dat as enigiemand hom wangedra, hy hom die hof sal laat verlaat.

Mashiloane het 'n bewering van adv. Bizos ontken dat die polisie mense na hom gebring het sodat hy aan hulle kon vertel van die voordele as 'n mens 'n verklaring aflê.

Adv. A. Chaskalson (namens Mlangeni) het in kruisverhoor dit aan Mashiloane gestel dat Mlangeni in 1962 glad nie in Johannesburg was nie.

Get.: Roep die seuns wat hy weggestuur het, hulle sal jou vertel. Ek het hom daar gesien as hulle vertrek.

Adv. Chaskalson: Ek stel dit aan jou dat al jou getuienis oor Mlangeni onwaar is. — Dit is die waarheid.

Mashiloane is ook deur adv. V. C. Berrange onder kruisverhoor geneem.

Vroeër gisteroggend is mnr. Y ook onder kruisverhoor geneem. Hy het ontken dat die kamp wat hy saam met Dennis Goldberg bygewoon het, vir gesondheids- en geestelike doeleindes gehou is.

Hy het gesê dat dit gehou is met die doel om hulle voor te berei op guerrilla oorlogvoering. Die saak duur voort.

Rivonia trial witness to

a late warning

KOM
20/12/63

PRETORIA REPORTER

A WITNESS, by his own evidence, had shown himself to be a possible accomplice of the accused at the Rivonia trial, the Judge-President, Mr. Justice De Wet, said yesterday. He said that possibly he should have warned Mr. English Tolo Mashiloane in terms of the law that he would only be free from prosecution if he gave satisfactory evidence.

When Dr. P. Yutar (for the State) said the State did not regard him as an accomplice and that it did not want to be accused of promising benefits to witnesses, Mr. Justice De Wet said that at least the witness should have been warned that he need not give evidence which could incriminate himself.

He then gave Mr. Mashiloane the statutory warning.

The 10 charged are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mhlaba, James Kantor, Elias Matsoaledi and Andrew Mlangeni.

They face two charges of sabotage, one of contravening the Suppression of Communism Act and one of contravening the General Law Amendment Act.

PLOTTED

The State alleges that the accused, with 24 men named in the indictment as co-conspirators, plotted the overthrow of the State by revolution and helping an invasion of the country by foreign forces.

Earlier, Mr. Y, a witness who gave evidence about a camp for young non-Whites at Mamre, Cape, in December, 1962, was recalled for cross-examination.

Answering Mr. V. C. Berrange (for the defence), he said that he had decided, while being detained, that years and years of imprisonment with hard labour was preferable to a second term of 90-day detention.

DIDN'T KNOW

Mr. Y said he had been sympathetic to the Coloured People's Congress and went to most of its functions, but he did not know if at that time the C.P.C. was a legal organisation or not.

He did not know if the camp at Mamre had been organised by the C.P.C. and the African Youth League, but denied that the camp had been designed merely to further the education of youths with political ideals.

Mr. G. Bizos (for the defence) told Mr. Mashiloane that it was useless for him to pretend that he did not know the difference between an accused and a witness and that there would be evidence that the police were using him to explain the advantages to detained persons of making a statement.

Mr. Mashiloane said he did not know of any such people.

Mr. A. Chaskelson (also for the defence) told Mashiloane that there would be evidence that Mlangeni, whom he had identified as the "Big Boss" of alleged trainees was never in Johannesburg during 1962 when the trainees had used his house as a staging post.

Mashiloane replied that any one of the trainees would confirm that Mlangeni had, in fact, been there at the time he said he was.

The hearing continues today.

● The defence has asked the "Rand Daily Mail" to point out that in Saturday morning's report Mr. X said Sisulu had received R6,000. Mr. X added that Sisulu had paid this in bail.

ETHIOPIA TRAINED SABOTEURS, COURT TOLD

RDM
21/12/63

A TRIP from South Africa, through Bechuanaland, Rhodesia, Tanganyika and Kenya to three months' military training at Dabraseur, in Ethiopia, was described by a witness at the Rivonia trial in Pretoria yesterday.

Mr. Alfred Jantjies, of Cape Town, said he had been recruited in Cape Town in 1962 as a result of joining the African Youth League. He had travelled through Johannesburg to Lobatsi, to Palapye and Francistown.

From there his group travelled to Lusaka and to the offices of the United National Independence Party in Tanganyika. Then they were taken to Nairobi, where they took an aircraft for Dabraseur.

Three months

There they entered a military camp, where they spent three months in training.

Those before the court are Nelson Mandela, Walter Sisulu, Dennis Goldberg, Govan Mbeki, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mhlaba, James Kantor, Elias Matsioledi, and Andrew Mlangeni.

They face two charges of sabotage, one of contravening the Suppression of Communism Act and one of contravening the General Law Amendment Act. The State alleges that they, with 24 other men named in the indictment as co-conspirators, planned a revolution and assistance to invading armed forces of foreign powers.

Weapons

Mr. Jantjies said he was taught squad drill, musketry, and the use of hand grenades, machine-guns, pistols, the BAR, the Bazooka and land mines. He also received instruction in first aid, swimming, map reading, signals, rope climbing, demolition, radio communications and the preparation of booby traps and ambushes.

During the training period he was paid 45 dollars a month.

On completing his training he was given an outfit of civilian clothes and with others was taken by air to Dar-es-Salaam. There the members of the group were told they had done very well. They should each train 15 others at home.

Convoys

They set out for South Africa by way of Lusaka and Bulawayo, where they were detained by the police and handed over to the South African authorities at Beit Bridge. There the police found a passport and a sketch map used in Ethiopia in his possession.

He and eight other trainees detained in Bulawayo were sentenced to two years' imprisonment each.

Earlier Mr. Essop Amod Sullman, a taxi-driver, of Johannesburg, told the court he had taken 12 convoys of young Africans, who were to train as soldiers outside South Africa, to the Bechuanaland border. In all he conveyed about 360 youths to the border near Zeerust.

Conference

During 1962 he went to the office of Walter Sisulu in Commissioner Street, Johannesburg, where he was told a conference was to be held in Lobatsi. He was required to take three loads of delegates to the conference, for which he would be paid R50 per load.

He took the delegates to Lobatsi and was paid in terms of the agreement.

After this, at the instance of Sisulu, Mlangeni or Kathrada, Joe Modise and a certain Mbata, he took batches varying from 20 to 50 young Africans to the Bechuanaland border near Zeerust. His passengers alighted on the South African side of the border and crossed the border on foot.

Separated

On each occasion he was told by the man who had organised the convoy that the youths were going outside South Africa to receive military training.

The man organising the convoy also told him and his drivers to tell the authorities, if they were stopped, that they were a football team, or that they were going to attend either a funeral or a wedding.

On the last occasion on which he transported youths, mechanical trouble caused the four vehicles in the convoy to become separated. As the vehicle in which he was travelling approached Zeerust, Mbata arrived by car, stopped him and told him the first two vehicles had been stopped by the police in Zeerust and that they should go back.

The trial was adjourned until January 13.

R10,000 BAIL FOR KANTOR

From a Staff Reporter

JAMES KANTOR, the Johannesburg attorney who twice previously applied unsuccessfully for bail in the Rivonia sabotage trial, was granted bail of R10,000 by the Judge President, Mr. Justice de Wet, this afternoon.

The bail must be in cash, or in securities to the satisfaction of Dr. Percy Yutar, the Deputy Attorney-General.

Other conditions are that Kantor must remain in the Johannesburg magisterial district while he is living in his Johannesburg home, and in the Brits magisterial district while living at his Kosmos home at Hartbeespoort Dam.

He may leave those magisterial districts only to attend the trial at Pretoria and, except while attending the trial, must report twice daily to the police. He must surrender his passport.

The bail application was not opposed by Dr. Yutar who said, however, that he agreed to the conditions with a certain amount of reluctance, but was satisfied in the light of assurances given by Kantor's counsel, Mr. J. F. Coaker.

REFERENCE TO HEPPLÉ

"But I hope Kantor will not do a Hepple on me," added the prosecutor.

He was referring to the flight of Bob Alexander Hepple, one of the Rivonia accused, who fled to Dar es Salaam, and then to London, after charges against him were withdrawn and he had agreed to become a State witness.

Dr. Yutar said his reasons for opposing bail on the previous occasions still stood. He was referring to a statement he made then that the police had received information of an escape plot to spirit all the accused out of the country.

★ Rivonia trial report—Page 3.



JAMES KANTOR . . . last night's picture.

Kantor is out: celebrates at dinner party

STAFF REPORTER

JAMES KANTOR, the Johannesburg attorney and one of the central figures in the Rivonia sabotage trial, celebrated his release from jail on R10,000 bail with a small dinner party last night and said: "I have absolutely no intention of fleeing the country."

Looking pale and thin, his beard now almost entirely grey, Kantor said he was determined to face trial until the end.

Kantor's release after 119 days in custody came at 5 p.m. yesterday after friends raised R10,000 in cash for bail granted by the Judge-President, Mr. Justice De Wet.

TRIED TWICE

He had twice previously applied unsuccessfully for bail.

He said last night the money, in cash and cheques was raised "within minutes" of the Judge-President granting bail.

For the duration of the trial, which he expects to last at least another six months, Kantor will stay at his rented home in Orange Grove, Johannesburg.

The terms of the bail order confine him to the magisterial districts of Johannesburg and Brits, which enables him to stay at his Kosmos weekend cottage at the Hartbeespoort Dam.

MUST REPORT

He may leave those magisterial districts only to attend the trial in Pretoria and, except while attending the trial, must report to the police twice a day—in the morning and in the evening.

"I was very surprised that bail was granted, for on the previous two occasions the prosecution raised numerous difficulties, but I am glad these have been ironed out," Kantor said.

Kantor has had to surrender his passport.

Hepple's children going to London

S/TIMES 27/12/63

SUNDAY TIMES REPORTER

THE two children of Mr. Bob Hepple, the Johannesburg advocate who fled South Africa shortly before he was to be called as a State witness in the Rivonia trial, are flying to London today to join their parents.

They are Brenda, 23, and Paul. They will fly with Mrs. Shirley Hepple's mother, Mrs. M. Goldsmith, who has been caring for them since their parents' hurried departure.

The children were due to fly from Jan Smuts Airport last night but the plane from London was held up by fog. They will probably leave today.

Mr. Hepple was originally charged with the ten accused in the Rivonia case but when the first indictment was quashed, the prosecutor withdrew all charges against him and announced he would give evidence for the State.

Soon after this, after telling their relatives that they were going away for a few days, Bob Hepple and his wife Shirley fled the country and arrived in England via Dar-es-Salaam.

Rivonia witness in custody

120 days

—EVIDENCE

PRETORIA REPORTER

A WITNESS told Mr. Justice De Wet at the resumption of the Rivonia trial in the Supreme Court, Pretoria, yesterday, that he had been kept in custody for 65 days before the police took a statement from him, and was then kept a further 55 days before the final portion of the statement was taken.

Mr. Essop Amod Suliman, who gave evidence before the Christmas recess, was recalled for cross-examination by the defence yesterday. He said that his statement to the police had not been completed because "the policeman had to go somewhere."

Answering questions by Mr. V. C. Berrange, Q.C., for the defence, Mr. Suliman, a taxi operator, who said he had conveyed African recruits for military training outside South Africa to the Bechuanaland border, said he had not been threatened with assault by the police on his arrest on June 10 last year.

ONE PUNCH

However, when he told a lie to the policeman who arrested him, the policeman had said: "Do you know that with one punch I can knock you down."

Before the court are Nelson Mandela, Walter Sisulu, Govan Mbeki, Dennis Goldberg, Ahmed Mohamed Kathrada, Lionel Bernstein, Raymond Mhlaba, James Kantor, Elias Matsoaledi and Andrew Mlangeni.

They are appearing on two counts of sabotage, one of contravening the Suppression of Communism Act and one of contravening the General Law Amendment Act.

REVOLUTION

The State alleges that they, together with others who have now left the country, or are dead, embarked on a campaign to overthrow the Government by violent revolution and by assisting an invasion of the country by foreign troops.

Mr. Suliman told the court in his evidence in chief of several trips he had made to the Bechuanaland border, once to convey delegates to a conference at Lobatsi and on the other occasions to convey young Africans who were travelling to other African states to receive military training.

DIFFERED

He gave the dates of these trips and also the names of the people who had engaged him to make the trips.

Yesterday he acknowledged that he had given evidence of these trips in three previous cases, and when Mr. Berrange read from the records of these cases, admitted that his evidence as to the dates of the trips and the names of the people who employed him, given in the first three cases, differed from his evidence in the present case.

FIRST TRIP

In the present case he said that he had made the first trip in June, and in one of the previous cases he said it had been in June, and in another that it had been in August.

In one of the previous cases he had stated that Sisulu had employed him for a trip and in this case he had said that Kathrada and not Sisulu had employed him for that trip.

In this case he had said that Mlangeni and Matsoaledi had employed him for all trips made during 1963, but in a previous case he had said that Sisulu had employed him for a trip in February, 1963.

CONFUSED

Mr. Suliman said that the evidence he gave in the present case was the correct version and that he had apparently made mistakes in the previous cases. This had been because he was confused, or because his memory had failed him.

He denied that he had changed his evidence from case to case to make it fit the State allegations, or that he was now giving evidence to implicate people who had not been implicated before.

No one had induced him to change his evidence, neither had he changed it in fact.

The proceedings were adjourned before lunch because of the illness of Mr. Berrange, and will be resumed today.

Dr. P. Yutar, Q.C., Deputy Attorney-General, with him Mr. J. J. M. Naudé, senior public prosecutor of Pretoria, and Mr. T. B. Vorster, of the office of the Senior Public Prosecutor, Johannesburg, together with Mr. A. J. Krogh, and Mr. H. Klusman, appeared for the State. Mr. A. Fischer, Q.C., Mr. V. C. Berrange, Q.C., with them Mr. G. Bizo and Mr. A. Chaskelson, all instructed by Mr. Joel Joffe, appeared for all the accused bar James Kantor. Mr. J. F. Cuaker (instructed by Mr. Jack Cooper of Benjamin Joseph, Cooper and Partners) appeared for Kantor.

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