

IN DIE STREEKLANDDROSHOF VIR DIE DISTRIK VAN
JOHANNESBURG - GEHOU TE SOWETO

Saak No. _____

In die saak tussen :

GOODWILL TSHABALALA

Appellant

- en -

D I E S T A A T

Respondent

KENNISGEWING VAN APPÈL

GELIEWE KENNIS TE NEEM dat die Appellant appèl aanteken na die Transvaalse Provinsiale Afdeling van die Hooggeregshof te Pretoria teen die vonnis soos gevel deur Landdros G J J Louw in bogemelde hof op 22 September 1977.

Die gronde van appèl is die volgende :

- a) Die vonnis is verregaande en buite verhouding met die oortreding.
- b) Die Landdros het gefouteer deur nie die jeugdigheid van die beskuldigde in aanmerking te neem nie.
- c) Die Landdros het gefouteer deur nie die skoon

rekord / ...

rekord van die beskuldigde in aanmerking te neem nie.

- d) Die Landdros het gefouteer deur nie in aanmerking te neem dat niemand bedreig is of beseer is en dat die beskuldigde geen poging aangewend het om iemand te bedreig of te beseer nie.
- e) Die Landdros het gefouteer deur nie in aanmerking te neem dat geen skade aangerig is of gepoog is om skade aan te rig nie.
- f) Die Landdros het gefouteer deur nie in aanmerking te neem dat die beskuldigde deel was van 'n groep van 10 tot 12 seuns en dat slegs die beskuldigde aangekla is terwyl die ander seuns skotvry daarvan afgekom het nie.

GELIEWE KENNIS TE NEEM dat die Appellant hom die reg voorbehou om hierdie kennisgewing van appèl te wysig indien nodig sodra die rekord van die verrigtinge en die Landdros se redes vir vonnis beskikbaar is.

GEDATEER te JOHANNESBURG op hierdie dag
van SEPTEMBER 1977.

AAN: Die Klerk van
die Hof
SOWETO

SHUN CHETTY
Appellant se Prokureurs
28 Grand Bazaar
Oriental Plaza
FORDSBURG

OPENBARE GEWELD

DAT VOORMELDE BESKULDIGDE skuldig is aan die misdryf van
OPENBARE GEWELD:

DEURDAT op of omtrent 15de dag van Augustus 1917 en te
of naby Rockville, Swaziland in die

STREEKAFDELING TRANSVAAL, die gemelde beskuldigde, saam met ander persone aan die Staat onbekend, wederregtelik en met die opset om die openbare rus en vrede te versteur of om inbreuk te maak op die regte van lede van die gemeenskap daar synde of om die gesag van die Suid-Afrikaanse Polisie of ander persone of liggame daar gestel vir die handhawing van die reg en orde aan te tas en uit te tart deur te vergader het en 'n ooploop, vegtery en/of oproer te veroorsaak, te wete deurdadig die beskuldigde op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling verrig het:

1. Om in 'n groep te Rockville, Swaziland te vergader en/of
2. Die Swartmagtchen te gee, en/of
3. Klippe en/of soortgelyke voorwerpe op te het en te dreig om in politiewaerding aldaar met klippe te gooi en/of die politiebale en gewelddadige waerding met klippe te gooi, en/of
4. Om 'n algemeen gedrag te wys wat die openbare rus en vrede versteur het.

1/11/11 11/11/11 10
Leerbekendmaking

Uitsluiting tot openbare geweld saamstel-
les met artikel 17 van wet 17
van 1956; dat is en anderszins in het openbaar
in het belang der publieke veiligheid

Overdat op of omtrent die 15 de dag
van Augustus 1977 in de afk. of Haby
Aochwilli Saveto in die strafzitting
van Tansvaal, genoemde geachtte
wederzijdse en 'overvloedige' in aanslag
soos aan die aanklagende oorspronk-
lijk (of aangewezen) wet om
openbare geweld te pleeg, dewelke
die geachtte op 15 de dag
datum kyk en plek, en of
meer van die oorspronklike
handeling, te wet.
die heeldeklige soos 'omvry' in
provasie 1-4 in die
Hof aanklag.

Handwritten notes:
Handwritten text, possibly a name or title, and some illegible notes.

TWEEDE ALTERNATIEF :

DAT DIE GENOEMDE BESKULDIGDE skuldig is aan die misdaad van oortreding van Artikel 18(2)(b) van Wet No. 17 van 1956;

DEURDAT op of omtrent 15de dag van Augustus 1977 en te of naby Roosburg, Swaziland

in die STREEKAFDELING van TRANSVAAL, die genoemde beskuldigde wederregtelik en onwettiglik 'n aantal ander persone, aan die aanklaer onbekend, uitgelok, aangehoed, beveel of verkry het om openbare geweld te pleeg, deurdat beskuldigde op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling verrig het :

Handwritten notes:
Handwritten notes detailing the actions of the accused, mentioning "in die Hoofdaanklag" and "1-4".

Tweede Alternatief.

dat die bedoelde Skuldij is dan
correctie van Artikel 1061 saangeles
met Artikel 15 van Wet 17 van 1956
en saangeles met Artikel 2 van Wet
88 van 1953

Omdat op of ontruim die 17de dag
van Junie 1977 en te of nabij
Diepblou, Sweto en in die Afrengelb,
van Trunwaat, die bedoelde en
andere wone aan die staat onbekend
wettig en onwettig gedrag het
om geweld of dwang te gebruik teen
oor Nicholas Muni Sufory vriendin
ten einde hulle te dwing om in
handeling te verrig of na te laat
wat gemelde Nicholas Muni Sufory
vriendin regers mag doen of na laat
of omdat hulle beoefde handeling
nagelaat of verrig het.

11 Jun 77

OPENBARE GEWELD

DAT VOORMELDE BESKULDIGDE skuldig is aan die misdryf van OPENBARE GEWELD:

DEURDAT op of omtrent 17de dag van Junie 1977 en te of naby Skryfloop, Jacanto in die

STREEKAFDELING TRANSVAAL, die gemelde beskuldigde, saam met ander persone aan die Staat onbekend, wederregtelik en met die opset om die openbare rus en vrede te versteur of om inbreuk te maak op die regte van lede van die gemeenskap daar synde ~~of om die gesag van die Suid-Afrikaanse Polisie of ander persone of liggeme daar gestel vir die handhawing van die reg en orde aan te tas en uit te tart deur te vergader het en 'n ooploop, vegtery en/of oproer te veroorsaak, te wete deurdad die beskuldigde op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling verrig~~

het:
1. Dew in 'n groep te gebied, Skryfloop, Jacanto te vergader, en/of

alone nothing

2. Vir Nicholas Muzi en sy vriendin aldaar voorgeho het, en/of

alone nothing

3. Geld van genoemde Nicholas Muzi en/of sy vriendin geëis het, omdat hulle gaan wou het, en/of

not p v

4. Gehoop het om die handak van genoemde Nicholas Muzi se vriendin te kry, en haw van haw vriendin te besoef, en/of

not p v

5. Dew algemene gedrag en optrede die openbare rus en vrede versteur het.

Uwamungu D
Derde Akonateef : 1.1

Wat die betrekkinge skuldig is aan die oortreding van Artikel 2(1)(a)(iii) van Wet 17 van 1956.

Rekwat op 7 antwort die 15de dag van Augustus 1977 en te gelyk by Rochelle, Janito en die Hoofsaaklik van Transvaal die betrekkinge. wederregtelik in byeenkom bygewoon het, welke byeenkom. Aldus die Minister van Justisie verhoed is krygmas die bevoegdheid te doen deur Artikel 2(3)(a) van genoemde Wet, wat gepubliseer is in Staatskoerant n. 549 gedateer 31 Maart 1977.

Wat is: Pans te pakt gette op in the ...
Dief in a ...

2284 Ukema

AANHANGSEL

B

ANNEXURE

DIE STAAT teen

THE STATE versus

Joos W JIS

ROOF

ROBBERY

DAT DIE genoemde beskuldigde(s) skuldig is aan die misdryf van

THAT THE said accused is/are guilty of the crime of ROBBERY.

~~ROOF~~ Poging tot Roof

DEURDAT op of omtrent die 17de dag van Junie

IN THAT upon or about the _____ day of _____

19 77 en te of naby

19 _____ and at or near

gebied, aliphoof, Sweto

in die Streekafdeling Transvaal, in the Regional Division of Transvaal,

die beskuldigde(s) wederregtelik the accused did wrongfully and unlaw-
vir Melchias Mmase fully assault _____

by geweld

(aangerand het en met geweld die and with force and violence did take
volgende eiendom, nl. _____ the following property: _____

een handsaak met inhoud

van ~~sy~~ haar persoon of besit ~~sy~~ haar his/her property or property in his/

weggenem het syne ~~sy~~ haar her lawful possession and did rob

eiendom of eiendom in ~~sy~~ haar him/her or the same.

wettige besit, en ~~hom~~ haar al-

dus daarvan beroof het.

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF SOWETO

HELD AT ORLANDO

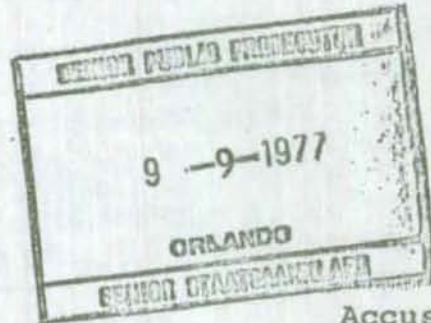
CASE NO 42/1048/1977

In the matter of:

THE STATE

and

DANIEL LEKALAKALA



Accused

REQUEST FOR FURTHER PARTICULARS

AD SECOND ALTERNATIVE CHARGE

- (a) What was the precise nature of the alleged threat?
- (b) If by conduct, what was the nature of the conduct? If verbal, the words used are required to be stated.
- (c) Is it alleged that the accused made the threat?
- (d) What was the precise nature of the force?

(e) / ...

- (e) Against whom was such force applied?
- (f) Was anybody injured as a result of the alleged force and if so who and what injuries were inflicted?
- (g) Is it alleged that the accused or anybody else used weapons in the alleged threat or application of force and if so a full description thereof is required?
- (h) Precisely what act did the accused or any other person compel the said NICHOLAAS MUIISI to abstain from doing or compel to do?

DATED at JOHANNESBURG this day of SEPTEMBER 1977.

DANIEL LEKALAKALA

TO:

THE SENIOR PUBLIC PROSECUTOR
MAGISTRATE'S COURT
SOWETO

PERSONAL SERVICE.

Summons No./Dagvaarding No.

P. 4844/HB.

ORIGINAL: To be returned to the Clerk of the Court OORSPRONKLIKE: Moet aan die Klerk van die Hof teruggeorg word

WARNING.—If you intend paying admission of guilt, payment should be effected in order to reach the Clerk of the Court before the date of trial. A late receipt of payment could result in the authorization of a warrant for your arrest.

WAARSKUWING.—Indien u voornemens is om skulderkenning te betaal moet betaling daarvan geskied sodat dit die Klerk van die Hof voor die verhoordatum bereik. 'n Betaling wat laat ontvang word, kan tot gevolg hê dat 'n lasbrief vir u inbegrensnome gemagtig word.

Case No./Saak no.19.....

SUMMONS IN CRIMINAL CASE
Magistrate's Court

DAGVAARDING IN STRAFSAAK
Landdroshof

District—Distrik
JOHANNESBURG

Regional division—Streekafdeling

Held at—Gehou te:
JOHANNESBURG

Court—Hof
No. **"18" STATUTORY**

Date of trial—Verhoordatum
2nd NOVEMBER 1977

To the MESSENGER OF THE COURT:

Aan die GEREGBODE:

You are hereby required and directed in the name and on behalf of the State on receipt hereof to summon the under-mentioned person(s) (hereinafter called the accused), that he/she appear personally before the above-mentioned Court on the date stated above as the date of trial at 09h00 to answer and abide the judgment of the Court upon the charge(s) of the Public Prosecutor (prosecuting in the name and on behalf of the state); that the said accused is/are guilty of the offence(s) as set out hereunder.

Namens en ten behoeve van die Staat word u hiermee gelas om hy ontvangs hiervan die persoon/persons hieronder genoem (hierna die beskuldigde(s) genoem); te dagvaar om in persoon voor bogenoemde Hof te verskyn om 09h00 uur op die datum wat hierbo as die verhoordatum gemeld word, om verantwoording te doen voor die Hof en uitspraak af te wag insake die aanklag(te) van die Staatsaanklaer (wat in naam en ten behoeve van die Staat vervolgt); dat gemelde beskuldigde(s) skuldig is aan die misdryf/misdrywe hieronder uiteengesit.

Serve on the accused a copy of this summons and return to this Court what you have done thereon.

Beteken aan beskuldigde(s) 'n afskrif van hierdie dagvaarding en doen aan hierdie Hof verslag van wat u hieromtrent gedoen het.

Name—Naam: **ANJINEEN POONEN**

Address—Adres: **48 SUSAN AVENUE LENASIA JOHANNESBURG.**

Sex—Geslag	Race—Ras	Age—Ouderdom	Identity No.—Persoonsno.
female	Asiatic	19 years	

Particulars of charge(s):
Besonderhede van aanklag(te):

Accused is/are guilty of the offence of
Beskuldigde(s) is skuldig aan die misdryf van.....

..... in that upon or about the day of
deurdag op of omtrent die dae van 19.....
and at or near
en te of naby
the accused did wrongfully and unlawfully
die beskuldigde(s) wederregtelik en onwettiglik..... **contravenes as per annexure.**

Admission of guilt of may be accepted,
Skulderkenning ten bedrae van mag aanvaar word.

OF THE COURT
VAN DIE HOF
JOHANNESBURG
Date stamp of the Issuing office
Datumstempel van die Uitreiking
9 SEP 1977

A N N E X U R E.

THE STATE VERSUS : A. POONEN.

(Hereinafter called the accused.)

THAT the accused is guilty of contravening Section 8(1)(d) read with Section 8(5), 43 and 47 of Act No. 42 of 1974 (as amended).

WHEREAS the possession of a publication or object, namely "H.R.C. Bulletin - August, 9, 1975 No. 3" has been prohibited under Section 9(3) of the said Act,

AND

WHEREAS such prohibition has been made known by notice in Government Notice No. 66 of 9th January, 1976;

AND

WHEREAS the said accused did upon or about the 7th of September, 1977 and at or near JOHANNESBURG, in the district of JOHANNESBURG, unlawfully possess one copy of the aforesaid publication or object;

NOW, therefore, the said accused is guilty of the offence as aforesaid.

- - - -

CHARGE SHEET—KLAGSTAAT

CASE No. 19
 SAAK No. 19

Police station—Polisie kantoor <i>MTORREPO</i>	R.C.A./R.A.A. No. <i>12-6-77</i>	Investigation officer—Ondersoekbeampte <i>ASPT Die eposie.</i>
District/Division—Distrik/Afdeling <i>TRIL</i>	Place of Trial—Plek van verhoor <i>Streeke</i>	Date of trial—Verhoordatum <i>13/6/77</i>
Magistrate—Landdros	Public prosecutor—Staatsaanklaer	
For defence—Vir verdediging	Interpreter—Tolk	
Finger-prints taken, not taken—Vingerafdrukke geneem/nie-geneem-nie-	In custody, On bail, Warned In hegtenis, Op borgtog, Gewaarsku	

THE STATE versus—DIE STAAT teen

Name Naam	Identity number Persoonsnommer	Race Ras	Sex Geslag	Age Ouderdom	Nationality Nasionaliteit
<i>ROBERT SIMONE SCLP Mofok Kilape</i>	<i>N 17</i>	<i>B</i>	<i>M</i>	<i>20</i>	<i>S.A.B</i>

charged with the offence of *(1) Public Violence*
 beskuldig van die misdryf van *(2) Assault*
 in that upon (or about) the day of 19.....
 deurdad op (of omtrent) die dag van
 and
 en

..... in the said district/division,
 in voormelde distrik/afdeling,
 the said accused did wrongfully and unlawfully.....
 genoemde beskuldigde(s) wederregtelik

SCLP

Plea on..... Pleit op.....	19.....
Judgment..... Uitspraak.....	
Sentence..... Vonnis.....	
Date..... Datum.....	Magistrate/Landdros

Order re exhibits made/not made.
 Bevel i/s bewysstukke gemaak/nie gemaak nie.

HECHTERBAAR DATUM VAN
 BEVELING

The following evidence was adduced in the presence and hearing of the accused, then in his/her/their
Die volgende getuienis is aangevoer in die teenwoordigheid en ten aanhore van die beskuldigde(s) toe by

sound and sober senses:
sy/haar/hulle volle verstand:

13/6/77 - u 27/6/77 Hof 4.

27/6/77 - u 11/7/77 Hof 4.

11/7/77 - u 4/8/77 Hof 7 van tehoore
besta yew.

Opentbare Geweld

Dit voormelde besk. skuldig is aan die versiening van opentbare geweld:

Skandale op of uitbreke 10/6/77 en te of Wally Switzer in the bereikafdeling 146, die gemelde besk., saam met ander persone aan die staat uitbrekend, medierrefelike en met die opset om die opentbare rus om inrede te verstaan of om uitbreke te maak op die regte van lede van die gemeenskap daar syne of om die gesond van die SAPP of ander persone of liggame daarvan gestel om die handhawing van die reg en orde aan te tas om uit te kom deur te verpaden het en 'n oploop, velding en/of opvoer te veroorsaak, te wete skandale die besk. op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling vernip het:

① Deur in 'n groep of die Partysiesbriem taal te verpaden by tenynge besk. gewysen was met klugge

② Deur met wete op/of ander No-nuempse pa nerkiggegens te klann en/of te goai.

③ Deur sy opviesale gevang en agressiewe gevang ander lede van die gelyk

om of saam met ham of op hulle die met
klippe na verbygaande waentme te gaan

(4) Deur algemene gedrag die oopbare rus
en sneke te bestuur.

M. J.

TWEEDE ALTERNATIEF :

DAT DIE GENOEMDE BESKULDIGDE skuldig is aan die misdaad van oortreding van Artikel 18(2)(b) van Wet No. 17 van 1956;

DEURDAT op of omtrent 10/6/77
Janse

en te of naby _____

in die STREEKAFDELING van TRANSVAAL, die genoemde beskuldigde wederregtelik en onwettiglik 'n aantal ander persone, aan die aanklaer onbekend, uitgelok, aangehits, beveel of verkry het om openbare geweld te pleeg, deurdat beskuldigde op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling verrig het :

- (1) Deur in 'n groep op die Potchefstroom had te verkeer byna beskuldigde gewaapen was met klippe.
- (2) Deur wat inste op of ander woorde na verhyppings te slaan op of te gaan.
- (3) Deur sy opwindende gedrag ander lde na die groep te bewaag om of saam met hom of op hulle in met klippe na verhyppende woorde te gaan.
- (4) Deur algemeen gedrag die openbare yds, wde te verskeur.

CHARGE SHEET-KLAGSTAAT

CASE
SAAK No. 12/0347/15
19 76.3

Police station—Polisie kantoor <i>Johannesburg</i>	R.C.A./R.A.A. No. <i>436/3/76</i>	Investigation officer—Ondersoekbeampte <i>H. STRINIC 8342311</i>
District/Divisjoo—Distrik/Afdeling <i>STW</i>	Place of Trial—Plek van verhoor <i>Johannesburg</i>	Date of trial—Verhoordatum
Magistrate—Landdros <i>A.T. N. RIVS</i>	Public prosecutor—Staatsaanklaer <i>H. C. T. J. E.</i>	
For defence—Vir verdediging <i>D. KUNT (28-2150) instructed by S. CHETTY</i>	Interpreter—Tolk <i>T. I. S. C. E.</i>	
Finger-prints taken, not taken—Vingerafdrukke geneem/nie geneem nie	In custody/On bail, Warned In hegtenis/Op borgtog/Gewaarsku	

THE STATE versus—DIE STAAT teen

Name Naam	Identity number Persoonsnommer	Race Ras	Sex Geslag	Age Ouderdom	Nationality Nasionaliteit
<i>JARVIS MITSENG KENTONG</i>	<i>4914533</i>	<i>Bantu</i>	<i>Male</i>	<i>25</i>	<i>RSA</i>

..... (hereinafter called the accused)
[hierna die beskuldigde(s) genoem]

charged with the offence of *Q/A 319 (3) Wet 56/55 Twee te wettige*
beskuldig van die misdryf van *bederfde verklaringe afle - Alst. Regding*
in that upon (or about) the *tot - Regsweydeling* day of *19*
deurdad op (of omtrent) die *dag van*
and *(a) Wet 3 (2)(a) Wet 16/1956*
en *Wet op amptelike getuene*
Alst. Regding in the said district/division,
in voormelde distrik/afdeling,

the said accused did wrongfully and unlawfully.....
genoemde beskuldigde(s) wederregtelik

Plea on..... Pleit op	19.....
Judgment..... Uitspraak	
Sentence..... Vonnis	
Date..... Datum	Magistrate/Landdros

Order re exhibits made/not made.
Bevel i/s bewysstukke gemaak/nie gemaak nie.

Wê is die cauniers ✓

* waar word geld gehante o hoe word dit distalbeur ✓
* hoeel geld word aan slugtlings hulle, so land & verland.
* hoe maak julle kontak met C.I. en hoe figure
Beyers nante in die organisasie. ✓

* Dulzings drens Amerikan

Wat & hoeve wat meor. Majana. in Botswana wat
met Zambia toe gaan. Is dit in Arc. in Zambes

1325 SCS

1320 S.C.

Military Training - For the purpose
of returning to the RSA to
overthrow the present regime
by armed revolution.

Marxist Studies - For the purpose
to bring about a Social economic
& political change in the RSA

VERVOER

JUAN PABLO } wie het sulle CENER
Vaso. -

uitensetting van die organisasies en
instansies van Botswa.

Hoewel meuse is uitgesien en hul
name.

6257. Islando 000

70 - 10	Publika
60 - 30	amusette
44 - 2	Amusette
30 - 10	amusette
15 - 2	Stormy dawn
9 - 3	Seaside

54
+ 10
<hr/> R 64

boarier

AANHANGSEL "A"13 accuséHOOFAANKLAG

DAT die beskuldigdes skuldig is aan die oortreding van Artikel 10(a) saamgelees met Artikel 15 van Wet 17 van 1956 en saamgelees met Artikel 2 van Wet 8 van 1953.

DEURDAT die genoemde beskuldigdes die een, die ander, of almal van hulle op of omtrent die 30ste dag van JULIE 1977 en te of naby SOWETO in die Streekafdeling van Transvaal, wederregtelik gedreig het om geweld of dwang te gebruik teenoor JOSEPH SEFUME en/of PIET SEFUME, en/of gedreig het om die eiendom van JOSEPH SEFUME en/of PIET SEFUME te beskadig, ten einde gemelde Joseph Sefume en/of Piet Sefume te dwing om 'n handeling te verrig, te wete om hulle, die beskuldigdes na Dobsonville te vervoer welke handeling gemelde Piet Sefume en/of Joseph Sefume regtens mag doen of nalaat.

A A N H A N G S E L "B".EERSTE ALTERNATIEF TOT HOOFAANKLAG:

DAT die beskuldigdes skuldig is aan die misdryf van **APPERSING**.

DEURDAT op of omtrent die 30ste dag van Julie 1977 en te of naby SOWETO, in dië Streekafdeling van Transvaal, die beskuldigdes wederregtelik en met die opset om af te pers en uit hoofde van onbehoorlike dryfvere vrees ingeboesem het by Joseph Sefume en/of Piet Sefume te dreig dat geweld of dwang teenoor hulle gebruik sal word en/of dat hulle eiendom beskadig sal word indien hulle sou weier om hulle (die beskuldigdes) na Dobsonville met gemelde Joseph Sefume se voertuig te vervoer, en die genoemde beskuldigdes het toe en daar deur middel van genoemde dreigement wederregtelik genoemde Joseph Sefume en/of Piet Sefume afgepers om hulle (die beskuldigdes) na gemelde plek te vervoer.

A A N H A N G S E L "C".

TWEEDE ALTERNATIEF TOT HOOFAANKLAG.

DAT die beskuldiges skuldig is aan die Oortreding van Artikel 141(2) van Ord. Nr. 21 van 1966;

DEURDAT op of omtrent die 30ste dag van Julie 1977 en te of naby Soweto in die Streckafdeling van Transvaal die beskuldiges onwettiglik en sonder die toestemming van Joseph Sefume en/of Piet Sefume die eienaar of persoon met 'n wettige toesig oor 'n voertuig te wete 'n ligte afleweringsvragmotor T.J. 288-337, in sodanige voertuig gery het op verskeie openbare paaie in voormelde Afdeling.

staat teen Saint Aphan en 3 andere Hoofsaaklag.

OPENBARE GEWELD

DAT VOORMELDE BESKULDIGDES skuldig is aan die misdryf van OPENBARE GEWELD:

DEURDAT op of omtrent 126 (MONDAY 1-8-77) (dag van Augustus 1977) en te of naby Jabutani in die

STREEKAFDELING TRANSVAAL, die gemelde beskuldigde, saam met ander persone aan die Staat onbekend, wederregtelik en met die opset om die openbare rus en vrede te versteur of om inbreuk te maak op die regte van lede van die gemeenskap daar synde of om die gesag van die Suid-Afrikaanse Polisie of ander persone of liggeme daar gestel vir die handhawing van die reg en orde aan te tas en uit te tart deur te vergader het en 'n oploop, vegtery en/of oproer te veroorsaak, te wete deurdad die beskuldigde op genoemde datum, tyd en plek een of meer van die ondergenoemde handeling verrig het:

1. in 'n groep te vergader te
Komuniteit, Jabutani, Soweto, entef
2. in broedaflewering van gewondte, betrou
deur Petrus Molei, aldaar voor te
het, entef
3. in beslag getel van gewondte Petrus
Molei geis het, entef
4. met geweld 100 broede vanuit
gewondte regnerke gemene het, en
gewondte Petrus Molei van ry eendom
entef regnerke besit besot het, entef
5. in 'n groep te Jabutani,
regnerke shoot te vergader, en gewondte
broede in die lig op te gooi, die
skulke te breek en saterende die
setin wat op die touw oppoeding
het, ent te part, entef
6. die algemeen gedrag en optrede die
openbare rus en vrede versteur het.

Warrant, 10/11/1911

B.

AANHANGSEL

ANNEXURE

DIE STAAT teen

THE STATE versus

Joos van Tils

ROOF

ROBBERY

DAT DIE genoemde beskuldigde(s) skuldig is aan die misdryf van ROOF.

THAT THE said accused is/are guilty of the crime of ROBBERY.

DEURDAT op of omtrent die 12^{de} dag van Augustus

IN THAT upon or about the _____ day of _____

19 17 en te of naby Jabulani

19 _____ and at or near _____

in die Streekafdeling Transvaal, die beskuldigde(s) wederregtelik vir 10000 170 100

in the Regional Division of Transvaal, the accused did wrongfully and unlawfully assault _____

aangerand het en met geweld die volgende eiendom, nl. 160 broede

and with force and violence did take the following property: _____

van sy/haar persoon of besit weggeneem het syne sy/haar eiendom of eiendom in sy/haar wettige besit en hom/haar aldus daarvan beroof het.

his/her property or property in his/her lawful possession and did rob him/her or the same.

DANIEL
APHANE.

Ek DANIEL APHANE..... Persoonsnommer NB.....
verklaar; Ek is 'n ~~volwasse/minderjarige~~ man/vrou woon-
agtig te 2059 TURPETHA UTERADINE.....
en werksaam te SKOLJEN... JABUKANI... TRANKU... SPOOK...
ek is nugter en by my volle verstand. Ek is meegedeel dat
ek in die teenwoordigheid van 'n ondersoekbeampte is en dat
ek verdink word van die misdaad van ROOF... DEURDANT... EK
op 1.8.77 om 10h30... VIR... PETER... SIBEL... DE ROOF... HET... VAN
BROOD... IN... KONSTANT... JABUKANI... TER... WINDRE... VAN 21 84c

Ek is meegedeel dat ek nie verplig is om 'n verklaring af
te lê in antwoord daarop nie, maar dat ek dit kan doen uit
eie keuse indien ek so verkies; dat dit neergeskryf sal
word en teen my as getuienis gebruik mag word.

Verder is ek meegedeel dat ek die reg het om met 'n rego-
verteenwoordiger in verbinding te tree; dat die saak teen
my so gou as moontlik verhoor sal word; dat ek my eerste
verskyning in die hof gevra kan word om te pleit, maar ook
dat ek geregtig is om 'n uitstel te vra om my verdediging
voor te berei.

Ek verstaan al my regte en verlang:

- +1 ~~n uitstel~~ / om die saak so gou moontlik af te handel / ~~om n prokureur te nader en~~
- +2 om die volgende verklaring vrywillig te maak / ~~om op~~
hierdie stadium niks te sê nie.

Daniel Aphane

HANDTEKENING VAN BESKULDIGDE

Hierna lê beskuldigde die volgende verklaring af:

ADM
 Ek het geen oortuiging gehad dat ek en die ander
 skuldige was by die skiet toe die polisie daar
 opdaag. Ek was op pad... SUNSTR... Ek was
 + Haal deur wat ontoepaslik is. perseel. die kunders het toe
 begin om te skreeu vir die polisie om weg te
 gaan. Die polisie het my toe geroep. Ek het
 toe die polisie meegedeel dat ek nu naan sit
 me aangesien ek bang is vir die mond.
 Die polisie het my toe aangesien. Ek het

JIRUBANI MR. 1. 8. 77

BODLEY
BANGAZA

A2

Ek. BODLEY BANGAZA... Persoonsnommer NR.....
verklaar; Ek is 'n ~~volwasse~~/minderjarige man/vrou woon-
agtig te Teb. SENAGANE, SIKATE.....
en werksaam te SKOLWER, JIRUBANI, TEENW. skool.
ek is nugter en by my volle verstand. Ek is meegedeel dat
ek in die teenwoordigheid van 'n ondersoekbeampte is en dat
ek verdink word van die misdad van Roef. op. 1-8. 77
TE. KAMSTOAT, JIRUBANI, KHAN, PETRUS, HEBOT
BACID, TER. WOUDE B 21. 84c.....

Ek is meegedeel dat ek nie verplig is om 'n verklaring af
te lê in antwoord daarop nie, maar dat ek dit kan doen uit
eie keuse indien ek so verkies; dat dit neergeskryf sal
word en teen my as getuienis gebruik mag word.

Verder is ek meegedeel dat ek die reg het om met 'n reg-
vertegenwoordiger in verbinding te tree; dat die saak teen
my so gou as moontlik verhoor sal word; dat ek my eerste
verskyning in die hof gevra kan word om te pleit, maar ook
dat ek geregtig is om 'n uitstel te vra om my verdediging
voor te berei.

Ek verstaan al my regte en verlang:

- +1 ~~n~~ uitstel/ om die saak so gou moontlik af te handel /
om ~~n~~ prokureur te nader en
- +2 om die volgende verklaring vrywillig te maak / om ~~op~~
hierdie stadium niks te sê nie.

Bodley Bangaza.....

HANDTEKENING VAN BESKULDIGDE

Hierna lê beskuldigde die volgende verklaring af:

DENY

*Ek het nie die skuld seker nie. Dit was ander
mense wat die skuld seker het. Ek het die
goed linnu in die skool perseel afgehaal en in die
lug gegoos. Ek kan nie sê hoekom ek die goed
+ Haal deur wat ontoepaslik is.
in die lug gegoos het nie, ek het dit slegs
net gedoen.*

x Bodley Bangaza

10th (1977) ... vanaf Julia na afkoms en aarrens.

Ek Solomon... MABASO..... Persoonsnommer NR.....

verklaar; Ek is 'n volwasse/minderjarige man/vrou woonagtig te 730... DUBE, LONTU.....

en werksaam te SKOLIEK... JABUNANI... TEGINIK... SKOOL.....

ek is nugter en by my volle verstand. Ek is meegedeel dat ek in die teenwoordigheid van 'n ondersoekbeampte is en dat ek verdink word van die misdaad van ROOF... DEURDIE... H. 1

EK... OP... 1. 8. 77... VAN... PETAS... ITOKI... TE... KOMSTRANT... JABUNANI... BEHEER... HET... VAN... BHOV... TEB... WADDE... 117NA 21. 84c

Ek is meegedeel dat ek nie verplig is om 'n verklaring af te lê in antwoord daarop nie, maar dat ek dit kan doen uit eie keuse indien ek so verkies; dat dit neergeskryf sal word en teen my as getuienis gebruik mag word.

Verder is ek meegedeel dat ek die reg het om met 'n regvertegenwoordiger in verbinding te tree; dat die saak teen my so gou as moontlik verhoor sal word; dat ek my eerste verskyning in die hof gevra kan word om te pleit, maar ook dat ek geregtig is om 'n uitstel te vra om my verdediging voor te berei.

Ek verstaan al my regte en verlang:

- +1 ~~n~~ uitstel/ om die saak so gou moontlik af te handel / ~~om 'n prokureur te nader en~~
- +2 om die volgende verklaring vrywillig te maak / ~~om op hierdie stadium niks te sê nie.~~

Solomon... MABASO.....

HANDTEKENING VAN BESKULDIGDE

Hierina lê beskuldigde die volgende verklaring af:

ADT

*my... uit... op... 1. 8. 77... om...
... skiet... verdaad... my... en... die...
... herberge... by... die... skiet... agter... Ek... agter...
die... klaskamer... in die... gesit... Ek... toe*

*van my... meke... leerlinge... opgemerk... wie... in my...
gehandloop... het... Ek... toe... opgestaan... om...
hug... wat... aanvaar... Ek... toe... w...
opgemerk... wat... by... die... skool... se...
... d... d... d... d... d... d... d... d...*

en bontschapstel het my te antwort
 ten van die Kerkliede het my van
 my heen getyt
 Ek is te na die Kerkliede
 gence. Ek het geen roef gepleeg mi

Solomon Mabaso

Tek. ja. van my. Kerkliede na Julia en
 anders.

Merkhaming dat my gence te Kerk
 op 20.8.77 om 12h 30



Summons No./Dagvaarding No. **P.7512/JJ**

COPY: To be handed to accused

AFSKRIF: Moet aan beskuldigde oorhandig word

WARNING.—If you intend paying admission of guilt, payment should be effected in order to reach the Clerk of the Court before the date of trial. A late receipt of payment could result in the authorization of a warrant for your arrest.

WAARSKUWING.—Indien u voornemens is om skulderkenning te betaal moet betaling daarvan geskied sodat dit die Klerk van die Hof voor die verhoordatum bereik. 'n Betaling wat laat ontvang word, kan tot gevolg hê dat 'n lasbrief vir u inbegtenis, name gemagtig word.

Case No./Saakno.....19.....

SUMMONS IN CRIMINAL CASE
Magistrate's Court

DAGVAARDING IN STRAFSAAK
Landdroshof

District—Distrik JOHANNESBURG		Regional division—Streekafdeling
Held at—Gehou te: JOHANNESBURG	Court—Hof 18 STAT	Date of trial—Verhoordatum 28 JUNE 1977

To the MESSENGER OF THE COURT:

Aan die GEREGBODE:

You are hereby required and directed in the name and on behalf of the State on receipt hereof to summon the under-mentioned persons) thereafter called the accused), that he appear personally before the above-mentioned Court on the date stated above as the date of trial at ~~XXXX~~ o'clock to answer and abide the judgment of the Court upon the charge(s) of the Public Prosecutor (prosecuting in the name and on behalf of the state); that the said accused is/are guilty of the offence(s) as set out hereunder.

Namens en ten behoeve van die Staat word u hiermee gelas om by ontvangs hiervan die persoon/persone hieronder genoem (hierna die beskuldigde(s) genoem); te verskyn om in persoon voor bogenoemde Hof te verskyn om 09:00 uur op die datum wat hierbo as die verhoordatum gemeld word, om verantwoording te doen voor die Hof en uitspraak af te wag insake die aanklag(te) van die Staatsaanklaer (wat in naam en ten behoeve van die Staat vervolgt); dat gemelde beskuldigde(s) skuldig is aan die misdryf/misdrywe hieronder uiteengesit.

8.30

Serve on the accused a copy of this summons and return to the Court what you have done thereon.

Beteken aan beskuldigde(s) 'n afskrif van hierdie dagvaarding en doen aan hierdie Hof verslag van wat u hieromtrent gedoen het.

Name—Naam:	(1) Zenith Printers (Pty) Ltd.	(2) Michael Norton
	(3) Joseph Thlolo	(4) Zubeida Mayet
Address—Adres:	(5) Reuben Ground Mabu Nkadimeng. (ADDRESSES AS PER ANNEXURE)	
Sex—Geslag	Race—Ras	Age—Ouderdom
		Identity No.—Persoonsno.

Particulars of charge(s):
Besonderhede van aanklag(te):

Accused is/are guilty of the offence of Beskuldigde(s) is skuldig aan die misdryf van.....		
in that upon or about the deurdat op of omtrent die and at or near en te of naby.....	day of dag van.....	19.....
the accused did wrongfully and unlawfully die beskuldigde(s) wederregtelik en onwettiglik.....	CONTRAVENE AS PER ANNEXURE (4 COUNTS)	

Admission of guilt of
Skulderkenning ten bedene van **NIL.** may be accepted.
mag aangeneem word

This document should please be produced to the Clerk of the Court on the morning of the date of trial. Hierdie dokument moet asseblief op die oggend van die verhoordatum aan die Klerk van die Hof getoon word.

Warning.—By ignoring a summons you are rendered liable upon conviction to a fine not exceeding R50, or in default of payment to imprisonment for a period not exceeding one month. Waarskoning.—By verontagsaming van 'n dagvaarding stel u self bloot aan 'n boete van hoogstens R50, of by wanbetaling, aan gevangenisstraf vir 'n tydperk van hoogstens een maand.

Date stamp of the issuing office
Datumstempel van kantoor van uitroeping
2 JUN 1977
A. J. S.

(1) ZENITH PRINTERS (PTY) LTD.

5th Floor

Diakonia House

80 Jorissen Street

JOHANNESBURG

(2) Michael Norton

1108 Bertram Flats

Westbury

JOHANNESBURG

Coloured Male Adult

(3) Joseph Thloloe

New Publishing Co.

62 Eloff Street

JOHANNESBURG

Black Male Adult

(4) Zubaida Mayet

14 Northern Place

Ext. 1

LEWISIA

Asiatic Female Adult

(5) Reuben Ground Mabu Nkadimeng

Post

420 Elizabeth House

Dritchard Street

JOHANNESBURG

Black Male Adult

8918A Orlando West.

(1) PRINTERS (PTY) LTD.

a corporate body carrying on business at Johannesburg as represented by its director/servant *Richard ...*
(Hereinafter referred to as accused No. 1 and/or the said corporate body).

(2) MICHAEL NORTON

(Hereinafter referred to as accused No. 2)

(3) JOSEPH ENOLOE

(Hereinafter referred to as accused No. 3)

(4) ZUBENIDA HAYET

(Hereinafter referred to as accused No. 4)

(5) PHUMBI SECUND MABU NKADIMING

(Hereinafter referred to as accused No. 5)

WHEREAS at all relevant times to this charge, accused No. 1 was a corporate body within the meaning of Section 381 of Act No. 56 of 1955 ;

AND

WHEREAS at all relevant times to this charge, accused Nos. 2, 3 and 4 were members of an association of persons other than a corporate body, namely, the "UNION OF BLACK JOURNALISTS" in the capacity of committee members within the meaning of Section 381 of Act No. 56 of 1955 ;

NOW, THEREFORE, the said accused No. 1, through a director or servant to the Public Prosecutor unknown, acting in the exercise of his powers, or in the performance of his duties as such director or servant or in furthering or endeavouring to further the interests of the said corporate body and accused Nos. 2, 3 and 4, either personally and severally or, by virtue of the provisions of Section 381(7) of Act No. 56 of 1955 either personally or through a member as aforesaid, to the Public Prosecutor unknown in carrying on the business or affairs of the said association or in furthering or in endeavouring to further its interests and accused No. 5 did unlawfully commit the offence(s) as set out in Annexure "B"

hereto:

CLERK OF THE COURT
KLEUR VAN DIE 2/v.....
JOHANNESBURG
- 2 JUN 1977
A 1 SHARE

A N N E X U R E "B"

MAIN COUNT:

That the accused are guilty of contravening Section 8(1)(a) read with Section 8(5), 8(4), 9, 43 and 47 of Act No. 42 of 1974 ; further read with the provisions of Government Notice Nos. 1617 and 1618 of 26 August, 1976 as published in Government Gazette No. 5274 of 26 August, 1976 and Section 263 bis, 285, 327, 328, 381(3), 381(4), 381(8) and 381(9) of Act No. 56 of 1955 (as amended) :

In that, during or about the period 1 June, 1976 to 26 August, 1976 and at or near Johannesburg, in the Regional Division of Transvaal, the said accused did unlawfully produce an undesirable publication or object ; namely "BULLETIN OF THE UBJ".

ALTERNATIVELY : 1st ALTERNATIVE COUNT:

That the accused are guilty of contravening Section 11(g) bis, read with Section 10 quin (1), 11(ii), 1, 12(3), 12(4)(a), 12(4) (c) and 12(6) of Act No. 44 of 1950 (as amended) ; further read with the provisions of Government Notice No. R510 of 1 April 1966 and Section 263 bis, 285, 288, 315, 327, 328, 381(3), 381(4), 381(8) and 381(9) of Act No. 56 of 1955 (as amended) ;

WHEREAS the provisions of paragraph 11(g) bis of Act No. 44 of 1950 are applicable to a person, namely LETOBE EZEKIEL MPAHLELE alias ZIKKE by virtue of a notice issued under Section 10 quin of Act No. 44 of 1950 ;

AND

WHEREAS such notice was published in the Gazette ;

NOW, THEREFORE, the said accused did, during or about the period 1 June, 1976 to 27 August, 1976 and at or near Johannesburg in the Regional Division of Transvaal, unlawfully, without the consent of the Minister nor for the purposes of proceedings in a court of law, record or reproduce by mechanical or other means or print, publish or disseminate a speech, utterance, writing or statement or an extract from or recording or reproduction of a speech, utterance, writing or statement made or produced

3/.....

A. J. SHALF

or purporting to have been made or produced any where at any time by the said LETOBE EZEKIEL MPAHLELE alias ZEKE, being a person as aforesaid.

ALTERNATIVELY : 2nd ALTERNATIVE COUNT:

That the accused are guilty of contravening Section 18(2)(a) of Act No. 17 of 1956 read with Section 263 bis, 285, 327, 328, 381 (3), 381(4), 381(8) and 381(9) of Act No. 56 of 1955 (as amended).

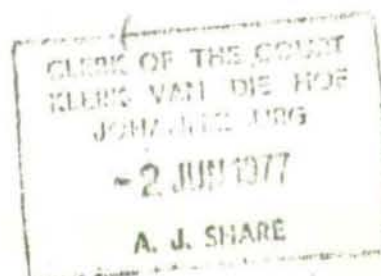
IN THAT, on or about 1 July, 1976 and at or near Johannesburg, in the Regional Division of Transvaal, the said accused did unlawfully and intentionally conspire with each other to aid or procure the commission of or to commit the offence of contravening Section 8(1)(a) read with Section 8(5), 8(4), 9, 43 and 47 of Act No. 42 of 1974 read with the provisions of Government Notice Nos. 1617 and 1618 of 26 August, 1976 as published in Government Gazette No. 5274 of 26 August, 1976.

ALTERNATIVELY : 3rd ALTERNATIVE COUNT:

That the accused are guilty of contravening Section 18(2)(a) of Act No. 17 of 1956 read with Section 263 bis, 285, 288, 315, 327, 328, 381(3), 381(4), 381(8) and 381(9) of Act No. 56 of 1955 (as amended).

IN THAT, on or about 1 July, 1976 and at or near Johannesburg, in the Regional Division of Transvaal, the said accused did unlawfully and intentionally conspire with each other to aid or procure the commission of or to commit the offence of contravening Section 11(g)bis, read with Section 10 quin (1), 11(11), 1, 12(3), 12(4)(a), 12(4)(c), and 12(6) of Act No. 44 of 1950 (as amended) ; further read with the provisions of Government Notice No. E510 of 1 April, 1966 relating to LETOBE EZEKIEL MPAHLELE alias ZEKE.

----- oOo -----



IN THE SUPREME COURT OF SOUTH AFRICA

(WITWATERSRAND LOCAL DIVISION)

In the matter between

CASE NO.

WALLACE MONTSITSI

1st Applicant

TITUS MOLOTO

2nd Applicant

GAY LINEO LANGA

3rd Applicant

and

THE MINISTER OF POLICE

1st Respondent

THE COMMISSIONER OF POLICE

2nd Respondent

AFFIDAVIT

I, the undersigned,

WALLACE MONTSITSI,

do hereby make oath and state:

1. I am the 1st Applicant and am a Kardex clerk employed by S.A. Phillips (Pty) Limited of Johannesburg, residing at 4771 Zone 4, Diepkloof, P.O. Khotso, Johannesburg.
2. The 2nd Applicant is Titus Moloto, a taxi driver, of Moletsane, Johannesburg.
3. The 3rd Applicant is Gay Lineo Langa, a housewife, of 465 Orlando West, Johannesburg.
4. The 1st Respondent is the Minister of Police in his capacity as such and as head of the South African Police Force.
5. The 2nd Respondent is the Commissioner of Police

in his capacity.

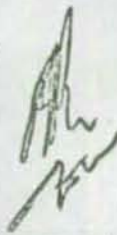
6. I am the father of Daniel Montsitsi, who was born on 24th May, 1952.

7. On the 11th June, 1977, my son was arrested and detained in terms of Section 6 of the Terrorism Act.

8. On 13th June, 1977 I went to Mr Shun Chetty and asked him to act on behalf of my son. I also requested the said Mr Chetty to seek permission for me to see my son. Until the date hereof I have, however, received no permission to see him. I have, since his arrest, sent my daughter from time to time to take a change of clothing to the police in order to hand the said clothes over to my son and also sent him fruit and toiletries. My daughter returned with the clothes with the report that the police had refused to accept such clothes.

9. On Wednesday, 22nd June, 1977 I was contacted by Mr Chetty and asked to come and see him. When I saw Mr Chetty he informed me of the nature of the report that he had received from one Richard De Villiers relating to my son. I was deeply distressed at the information that my son appeared to be in

- pain



pain and needed to be carried by two police officers, particularly since my son had always been a healthy, wellbuilt person who was not affected by illness or disease. Photograph Annexure "A" to the affidavit of Richard de Villiers is that of my son, Daniel.

10. As a result of the aforesaid, I requested Mr Chetty to contact the Security Police with a view to my being accorded an opportunity, however brief, to see my son and see that he was in fact well. I was informed thereafter by Mr Chetty that he had spoken to members of the Security Branch, including Col. Muller, and that permission had been declined, and that Col. Muller had said that my son was well and had been well throughout the period of his detention. This latter assurance on the part of Col. Muller has done nothing to allay my anxiety, as it stands in contradiction to the report of Richard de Villiers that my son had to be carried and appeared to be in pain at John Vorster Square.

11. I further state that I have been informed of the contents of the affidavits of Max Price and Richard de Villiers and respectfully submit, on the basis of information emanating from Oupa Moloto and Paul Langa, that a system of brutal assault is being applied to detainees during interrogation by members of the Security Branch. I further state that in the last few months I have read reports in the newspapers of large numbers of

- detainees

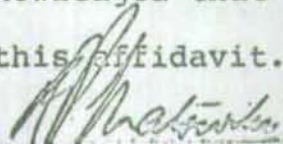


detainees who had died or committed suicide during the period of their detention by members of the Security Branch. As a father I am obsessed by the thought that my son is being subjected to assault and brutal treatment and that he may die, and it is for this reason that I asked Mr Chetty to seek, as a matter of urgency, an opportunity for me merely to see my son, if only for a few moments. This was refused and I have no alternative to approaching this Honourable Court for urgent relief. It is accordingly my submission that there is a substantial likelihood that my son has been assaulted and that further assaults will be inflicted on him unless the above Honourable Court accords an urgent relief. It is further my respectful submission that the matter is one of urgency and that the whole point of an application to seek the protection of my son's welfare and, indeed, his life, would be defeated were this application to be made in the ordinary course.

12. In the light of the above, I pray that it may please the above Honourable Court to grant an order in the terms set out in the Notice of Motion hereto.

Isaac Mombetsi

SIGNED and sworn to before me at JOHANNESBURG this 24th day of JUNE, 1977, the deponent having acknowledged that he knows and understands the contents of this affidavit.



CASE NO:

IN THE SUPREME COURT OF SOUTH AFRICA
(WITWATERSRAND LOCAL DIVISION)

In the matter between:

WALLACE MONTSITSI

1st Applicant.

TITUS MOLOTO

2nd Applicant.

GAY LINEO LANGA

3rd Applicant.

and

THE MINISTER OF POLICE

1st Respondent.

THE COMMISSIONER OF POLICE

2nd Respondent.

A F F I D A V I T

I, the undersigned,

TITUS MOLOTO,

do hereby make oath and say:

1. I am a taxi driver residing at 2069 Moletsane,
JOHANNESBURG.
2. I have three sons. One of them ALBERT MOLOTO,
also known as OUPA, aged 22 years.

Titus Moloto

3. One of my other sons is Dr. Phillip Moloto.
4. My son OUPA was arrested by members of the security branch of the South African Police in and during February, 1977 and has since been held in terms of s. 6 of the Terrorism Act.
5. Some time in February, 1977, I instructed Mr. Shun Chetty attorney of Johannesburg, to act on my behalf and on behalf of my son and I requested him to seek an opportunity for me to see my son.
6. Early in April, 1977, I was given permission to see my son. I saw him and spoke to him in the presence of two members of the security branch. One of the members informed me that I was not permitted to talk to my son about anything other than to ask how he is and to inform him how things were at home.
7. On that occasion, my son looked well. I asked him how he was and he said he is "alright". I then further had a conversation with him relating to members of the family.
8. I was allowed to see my son again on the 20th May, 1977 at John Vorster Square. On this occasion, he did not look well and he seemed

J. Moloto
31

miserable. I asked him how he was and he again told me that he was "alright" but when he told me this he closed his eyes as if to say to me that all was not well. He seemed unhappy and during our conversation tears came to his eyes. He told me that he had flu and that was making him feel not too well and that he had even wanted treatment for it but had received none and had even complained to a Magistrate. He also told me that he was not being given proper food but was only being given bread and water.

9. Prior to my second visit, I was permitted to hand to the police fruit, colddrinks and fish and chips which the police said they would hand over to him. Shortly before my second visit, on the 20th May, I was informed that I was no longer to bring any more food. I have not done so since.

10. On Wednesday, the 22nd June, 1977 I received a message in the evening that Mr. Chetty wished to see me. I saw Mr. Chetty in the morning and he told me what he had heard from certain students relating to my son OUPA. I was most perturbed at the information received and I went today to John Vorster Square and asked for permission to see my son. Permission was granted. I saw

W. J. M. M. M.
41

4.

him in the security branch offices at John Vorster Square in the presence of two members of the security branch. I had the impression that he was not looking well and seemed unhappy but he did not seem to be as bad as on the second occasion that I saw him. I again asked him how he was and he again used the same word that he was "alright". I saw no signs of injury on him. I asked him what he wanted me to bring him in the way of clothes and toiletries. He asked for certain miscellaneous items. The interview was very brief and I then left. During my interview with my son I scrutinised his eyes and his face carefully and I had an impression that he was depressed and unhappy. When I repeated my question and asked him whether he was sure he was alright, he repeated his answer simply saying that he was "alright". I did not ask him any further questions relating to possible assaults as I understood that that would not be permitted.

11. I have been informed of the contents of the affidavit of MAX PRICE and I am very upset at the possibility that he has been maltreated and that he may at any time in the future again be treated brutally. Whilst it is correct that my son said to me that he was "alright", I had the impression that he was unable to be candid with me, in the circumstances of our interview.

Myra J. Malato
51....

12. I refer to the affidavit of MAX PRICE and I identify the photograph in annexure "A" thereto as being the photograph of my son ALBERT MOLOTO otherwise known as "OUPA".

13. It is my respectful submission that there is a grave danger that my son may be dealt with unlawfully and with violence and that this could harm him gravely. I accordingly submit that the matter is one of urgency and I respectfully pray for the relief set out in the notice of motion hereto.

A. Moloto

SIGNED AND SWORN TO BEFORE ME AT JOHANNESBURG on this the *24th* day of JUNE, 1977, the deponent having acknowledged that he knows and understands the contents of this affidavit.

M. J. Lurie

COMMISSIONER OF OATHS.

Ex Officio.

PRACTISING ATTORNEY - R.S.A.

IN THE SUPREME COURT OF SOUTH AFRICA

(WITWATERSRAND LOCAL DIVISION)

In the matter between

CASE NO.

WALLACE MONTSITSI

1st Applicant

TITUS MOLOTO

2nd Applicant

GAY LINEO LANGA

3rd Applicant

and

THE MINISTER OF POLICE

1st Respondent

THE COMMISSIONER OF POLICE

2nd Respondent

AFFIDAVIT

I, the undersigned,

GAY LINEO LANGA,

do hereby make oath and state:

1. I am the 3rd Applicant in the above matter, residing at 7465 Orlando West, Soweto, Johannesburg. I am a housewife and am not otherwise employed. I am married to Paul Langa. We were married in 1972 and there are two children, two little girls, of our marriage, aged 4 years and 2 years.
2. My husband was arrested on 28th January, 1977 by members of the Security Police and detained in custody in terms of Section 6 of the Terrorism Act.
3. Early in February, 1977 I went to the office of Attorney Shun Chetty and instructed him to act on behalf of my husband and also asked him to seek permission for me to visit my husband.

4. Sometime in February, 1977 Captain Cronwright of the Security Police, John Vorster Square, asked me whether my husband suffered from a heart complaint. I was perturbed by this query and instructed Mr Chetty to write to the Security Branch requesting information as to the nature of his complaint and requesting an assurance that he was receiving proper medical treatment. In this regard I refer to the letter dated 7th March, 1977 written to the Divisional Commander, annexure "C(iii)" to Mr Chetty's affidavit, and the reply thereto, being annexure "C(iv)".

5. On the evening of Wednesday, 22nd June, 1977, I received a message that Mr Chetty wished me to call at his office urgently. In pursuance of this message I called at his office on Thursday, 23rd June and I was informed of the contents of the report received from Max Price. I was deeply distressed to hear that my husband had been tortured by the Security Police and had suffered electrical shocks and was unwell and I requested Mr Chetty to seek immediate assurances from the Security Branch that my husband in fact was being properly treated. In this regard I refer to the affidavit of Mr Chetty annexed to this application.

6. I further state that I have read the contents of paragraph 11 of the affidavit of the 1st Applicant and

I associate myself with the submissions made in that paragraph, and I accordingly pray that it may please this Honourable Court to grant the relief sought in the Notice of Motion to this application.

G. L. Langa

SIGNED and sworn to before me at JOHANNESBURG this 24TH day of JUNE, 1977, the deponent having acknowledged that she knows and understands the contents of this affidavit.

M. J. Fare

COMMISSIONER OF OATHS
PRACTISING ATTORNEY R.S.A.

THE STATE - versus - ZUBEIDA MAYET

14 Northern Place

Ext. 1

LENASIA

THAT THE accused is guilty of contravening Section 8(1)(d) read with Section 8(4)(b), 8(5), 43 and 47 of Act No. 42 of 1974;

WHEREAS the possession of a publication or object, namely BULLETIN OF THE UBJ has been prohibited under Section 9(3) of the said Act,

AND

WHEREAS such prohibition has been made known by notice in Government Gazette No. 1619 of 26 AUGUST, 1976 ;

NOW THEREFORE the said accused did upon or about 27 AUGUST, 1976 and at or near Johannesburg, in the Regional Division of Transvaal unlawfully POSSESS SEVERAL COPIES of the said publication or object.

----- oOo -----



Summons No./Dagvaarding No. **P.7513/JJ**

COPY: To be handed to accused

AFSKRIF: Moet aan beskuldigde oorhandig word

WARNING.—If you intend paying admission of guilt, payment should be effected in order to reach the Clerk of the Court before the date of trial. A late receipt of payment could result in the authorization of a warrant for your arrest.

WAARSKUWING.—Indien u voornemens is om skulderkenning te betaal moet betaling daarvan geskied sodat dit die Klerk van die Hof voor die verhoordatum bereik. 'n Betaling wat laat ontvang word, kan tot gevolg hê dat 'n lasbrief vir u inhegtenisname gemagtig word.

Case No./Saakno. 19.....

SUMMONS IN CRIMINAL CASE
Magistrate's Court

DAGVAARDING IN STRAFSAAK
Landdroshof

District—Distrik JOHANNESBURG		Regional division—Streekafdeling	
Held at—Gehou te: JOHANNESBURG	Court—Hof 18 STAT.	Date of trial—Verhoordatum 28 JUNE, 1977	

To the MESSENGER OF THE COURT:

Aan die GEREGBODE:

You are hereby required and directed in the name and on behalf of the State on receipt hereof to summon the under-mentioned person(s) (hereinafter called the accused), that he appear personally before the above-mentioned Court on the date stated above as the date of trial at 09:30 o'clock to answer and abide the indentment of the Court upon the charge(s) of the Public Prosecutor (prosecuting in the name and on behalf of the state); that the said accused is/are guilty of the offence(s) as set out hereunder.

Namens en ten behoeve van die Staat word u hiermee gelas om by ontvangs hiervan die persoon/persone hieronder genoem (hierna die beskuldigde(s) genoem); te dagvaar om in persoon voor bogenoemde Hof te verskyn om 09:30 uur op die datum wat hierbo as die verhoordatum gemeld word, om verantwoording te doen voor die Hef en uitpraak af te wag insake die aanklag(te) van die Staatsaanklag (wat in naam en ten behoeve van die Staat vervolg); dat genoemde beskuldigde(s) skuldig is aan die misdryf/misdrywe hieronder uiteengeset.

Serve on the accused a copy of this summons and return to this Court what you have done thereon.

Beteken aan beskuldigde(s) 'n afskrif van hierdie dagvaarding en doen aan hierdie Hof verslag van wat u hieromtrent gedoen het.

Name—Naam: Zubeida Mayet			
Address—Adres: 14 Northern Place Ext. 1 Lenasia			
Sex—Geslag Female	Race—Ras Asiatic	Age—Ouderdom Adult	Identity No.—Identifikasie

Particulars of charge(s):
Besonderhede van aanklag(te):

Accused is/are guilty of the offence of Beskuldigde(s) is skuldig aan die misdryf van.....	
in that upon or about the deurdat op of omtrent die.....	day of dag van.....
and at or near en te of naby.....	10
the accused did wrongfully and unlawfully die beskuldigde(s) wederregtelik en onwettiglik.....	CONTRAVENE AS PER ANNEXURE (1 COUNT)

Admission of guilt of
Skulderkenning ten bedree van **NIL** may be accepted
mag aangeneem word

This document should please be produced to the Clerk of the Court on the morning of the date of trial.

Hierdie dokument moet asseblief op die oggend van die verhoordatum aan die Klerk van die Hof geleë word.

Warning.—By ignoring a summons you are rendered liable upon conviction to a fine not exceeding R50, or in default of payment to imprisonment for a period not exceeding one month.

Waarskuwing.—By verontagting van 'n dagvaarding sal u self bloot aan 'n boete van hoogstens R50, of by wanbetaling, aan gevangenisstraf vir 'n tydperk van hoogstens een maand.

Date stamp of the issuing office
Datumstempel van kantoor van uitreiking

8.30

PERSVERKLARING

VIR ONMIDDELLIKE VRYSTELLING

Suid-Afrika is van voorneme om nog vanjaar doelgerig tot die internasionale kongresmark toe te tree, het mnr. G.W.T. Behrens, Sekretaris van Toerisme en Voorsitter van die Raad van Beheer van die Suid-Afrikaanse Toeristekorporasie (SATOER) gesê toe hy die publisering, deur die Suid-Afrikaanse Kongresburo van sy Departement, van Suid-Afrika se eerste omvattende kongresbemarkingsbrochure aangekondig het. Hierdie brochure bring die uitstekende fasiliteite en dienste wat beskikbaar is vir die suksesvolle reëling van kongresse in Suid-Afrika sterk na vore. Dit bevat ook besonderhede van die beskikbare fasiliteite en dienste by al die groot sentra in Suid-Afrika, en beklemtoon die geskiktheid van die land as 'n vergaderplek vir die hele spektrum van kongresbesigheid, met inbegrip van internasionale kongresse, verenigingsvergaderings, professionele en tegniese seminare, maatskappyvergaderings, gespesialiseerde skoues en uitstallings en motiveringsreisprogramme.

"Suid-Afrika word al vir baie jare besoek en waardeur as 'n baie gewilde toerist-bestemming. Die bekendstelling van Suid-Afrika as 'n ideale vergaderplek vir alle soorte internasionale vergaderings, bring natuurlik ook die onbegrensde moontlikhede van voor- en na-kongrestoers sterk na vore".

Mnr. Behrens het voorts die versekering gegee dat afgevaardigdes van alle lande in Suid-Afrika welkom sal wees en dat hulle vry sal wees om te geniet wat die land hulle aanbied. Afgevaardigdes na internasionale kongresse kan inderdaad verseker wees van 'n besondere gulhartige verwelkoming wat alle besoekers bebeurt val.

Die Suid-Afrikaanse kongresbemarkingsbrochure work aan duisende adrese in die internasionale kongressfeer, beide plaaslik en in die buiteland, versprei. Belangstellendes kan 'n kopie verkry deur by hulle naaste Nasionale Toeristeburo aansoek te doen.

Uitgereik deur die Departement van Inligting op versoek van die Departement van Toerisme.

PRETORIA

20 OKTOBER 1977

Collection Number: AD1901

**SOUTH AFRICAN INSTITUTE OF RACE RELATIONS, Security trials Court
Records 1958-1978**

PUBLISHER:

Publisher:- Historical Papers, University of the Witwatersrand

Location:- Johannesburg

©2012

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of the collection records and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of a private collection deposited with Historical Papers at The University of the Witwatersrand.

30th August, 1977.

Accused No 1.

(1)

On the 5th August, 1977, I was in a classroom no. 3 at Orlando West Jnr. Secondary School, at ± 9.45 am playing cards with four other colleagues (the four are now my co-accused) when we saw a group of white police officers clad in camouflage uniform enter our school premises.

(2)

There were several dog-handlers among them who had leashed police dogs with them. When we saw the police coming onto the school premises, we hid ourself under the desks inside the classroom.

(3)

Two police men brought two dogs into the classroom. I was pulled from under a desk by one of the dogs. If shown the policeman who was handling the dog that bit me, I would recognize him.

(4)

As the dog pulled at my leg, I decided and did come out from under the desk. I was then beaten on the head by one police officer - he used a steel-part of a desk. (client shows two separate scars on his head of \pm 2 cm length.

(5)

See notes of dog bites as provided by Mr. Horace Van Rensburg.

(6)

I was then taken to the Orlando Police Station. I was taken to Baragwanath Hospital on the 6th August, 1977, for where I received treatment as an outpatient.

(7)

I appeared in the Soweto Courts on the 23rd August, 1977, when my matter was remanded for trial on the 16th September, I was there informed that I was being charged with public violence.

(8)

Before the Police arrived, students milled around the school yard. There was no violence or threat of violence. It was only when the police arrived that chaos broke up as students

ran in all directions, seeking safety from the police. Even then, there was no stone throwing or any form of violence.

(9)

To my knowledge we were the only persons to be arrested on that day.

(10)

I am presently out on bail of R40.00. I am not required to report to any police station, and have made no statement to the Police.

30th August, 1977.

Accused No. 2.

(1)

I have read accused no 1's statement to Defence Attorney's and understand its contents. I agree with number one accused on all material facts; with the following additions:

(2)

Ad par 6 of number 1 accused's statement;

From our school we were transported to Vocational Training Centre in Dube Village, Soweto where we were checked up by a Medical Practitioner. (I don't know what his name was) who then advised that we be taken to hospital. We were instead taken to Orlando Police Cells and kept overnight.

(3)

I made no statement to the Police. I am presently out on R40.00 bail and I am not required to report to any police station.

30th August, 1977.

Accused No. 3.

(1)

I have read Accused number one's statement to defence attorneys and understand its contents. I agree with number one accused with regard to all material facts. with the following additions:

(2)

Ad paragraph 3 of the Accused no 1's statement.

There were more than 2 dogs that were brought into the classroom. I can't remember the actual number.

(3)

I was not treated at the Baragwanath Hospital.

NORMAN TWALA (19 years)

30th August, 1977.

Accused No 4.

(1)

I have read accused no'1's statement to Defence Attorneys, and understand its contents. I agree with number one accused on all material facts - with the following additions.

(2)

Some of our teachers, Mr. P Mnzama, and Mrs. Ndlovu looked on as the police set dogs on us and assaulted us inside the class room.

(3)

I received treatment at the Baragwanath Hospital on the 6th August, 1977 (Saturday) as an outpatient.

(4)

I made no statement to the Police and was released on the 23rd August, on R40.00 bail. I am not required to report at any police Station.

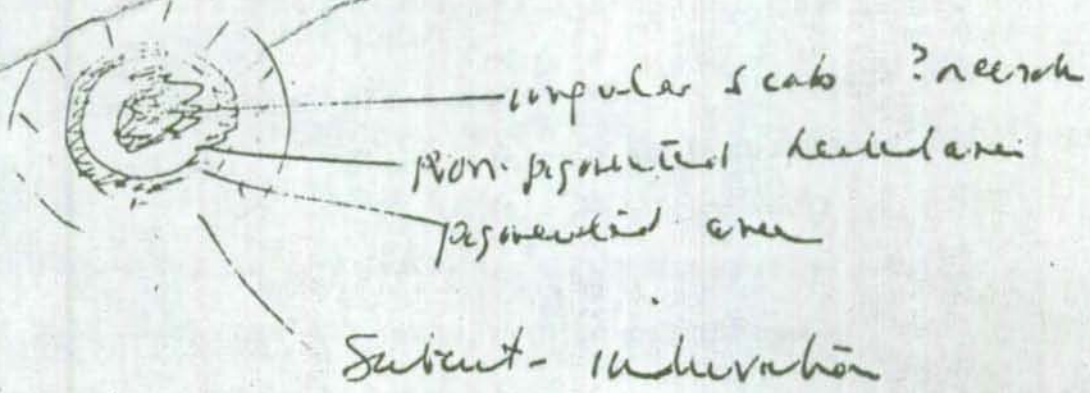
Wuna isabalala Acc. no ①

Rt arm . 2-2 healing lesions on Rt forearm
on vertical aspect
area of induration around necrotic centre

~~Rt leg~~ Several healing

Right leg 13 or 14 healing lesions on Rt
Thigh and leg.
Some are superficial + linear

1 large lesion dorso-lateral aspect of mid
Thigh has a few irregular scabbed centre -
a non-pigmented healed area surrounding it,
a darker pigmented area of skin around the
periphery - and the ~~margin~~ ^{around the periphery} indurated
area extends from the margin of the lesion
subcutaneously for about 1 cm. diameter



Consistent with dog bites

J. Brown

H.E.A.N 7. linear scars and scabs - healed - consistent
id. " 10/10/10 view

Joseph Mahlanghu. age 19 yrs Accused in (2)

Right arm several healed lesions

Left arm



Several small punctate healed lesions

1 large gaping lesion on radial aspect of left forearm. Healed around periphery - centre shows granulation tissue & some exposed muscle. Healing by secondary infection

(Both legs show lesions - linear and punctate)

Consistent with dog bites



Healed at periphery
Granulation tissue
S. Browdy

Right arm. Healing lesions Dorsal aspect Rt upper arm.
2 or 3 small lesions Right forearm.

Rt Hand 3 lesions on dorsum of hand.
one $\pm \frac{1}{2}$ cm in diam. raised with
pigmented undurated area and a
scabbed depressed centre.



L. shoulder: 5 or 6 healed lesions -
The scars are irregular, depigmented
centres with pigmented borders.

L. Forearm. numerous linear scars depigmented
with a few small circular scars.

Rt lower leg: large lesion about $2\frac{1}{2}$ cm in
diameter - raised, scabbed centre
fairly deep linear scars back
of leg - depigmented line surr by
hyperpigmentation along periphery.
1 punctate lesion inner border.

Left lower leg. long linear scars fairly deep.
These consistent with tearing type of wound
consistent with the story that the dog pulled him
out from under the door with his teeth.

PASCALIS ZUKU. age. 18.

Photograph 24-28.

Skull. Scar on left side of vertex...
Healed. ~~with~~

Rt forearm. multiple scars on right forearm
linear - look like sets of teeth
marks that have torn across the
skin of the arm.

Left forearm
similar scars to (R) - but ~~only~~
fewer - looks like only one set of
teeth marks.

Left leg
1 healed ^{lesion} scar on left leg -
oval defect on skin -

Rt.

Vivian TWALA:

States he was bitten in (R) Thigh by a police dog -

On Dorsum and lateral aspect of R. Thigh are
9 healing lesions and 2 small healed lesions.

4 have the appearance of 'puncture type wounds' where
healing has taken place on the periphery.

The others are linear scars varying in length from $\frac{1}{2}$ cm
to 2 cm in length, and about 3-4 mm in width.
They are irregular.

These are consistent with the dog bites.

Photographs 1-5.

Browde

Collection Number: AD1901

**SOUTH AFRICAN INSTITUTE OF RACE RELATIONS, Security trials Court
Records 1958-1978**

PUBLISHER:

Publisher:- Historical Papers, University of the Witwatersrand

Location:- Johannesburg

©2012

LEGAL NOTICES:

Copyright Notice: All materials on the Historical Papers website are protected by South African copyright law and may not be reproduced, distributed, transmitted, displayed, or otherwise published in any format, without the prior written permission of the copyright owner.

Disclaimer and Terms of Use: Provided that you maintain all copyright and other notices contained therein, you may download material (one machine readable copy and one print copy per page) for your personal and/or educational non-commercial use only.

People using these records relating to the archives of Historical Papers, The Library, University of the Witwatersrand, Johannesburg, are reminded that such records sometimes contain material which is uncorroborated, inaccurate, distorted or untrue. While these digital records are true facsimiles of the collection records and the information contained herein is obtained from sources believed to be accurate and reliable, Historical Papers, University of the Witwatersrand has not independently verified their content. Consequently, the University is not responsible for any errors or omissions and excludes any and all liability for any errors in or omissions from the information on the website or any related information on third party websites accessible from this website.

This document is part of a private collection deposited with Historical Papers at The University of the Witwatersrand.