

ANNEXURE "A"UNION OF SOUTH AFRICA.

Department of Justice,  
Palace of Justice,  
PRETORIA.  
4th September 1950.

Sir,

Having been directed by the Honourable the Minister of Justice in terms of Section 4 (10) of Act 44 of 1950, you are hereby afforded a reasonable opportunity in terms of the proviso of the above mentioned section, to show why your name should not be included in a list of persons who are or have been office bearers, officers, members or active supporters of the Communist Party of South Africa which has been declared an unlawful organisation by Section 2 (1) of Act 44 of 1950.

Should you desire such reasonable opportunity you are requested to submit in writing such representations as you desire to make to reach us at the above address on or before the 25th September, 1950.

Evidence has been placed before me to show that you were a member of the Central Executive Committee of the Communist Party of South Africa.

I have the honour to be,  
Sir,  
Your obedient servant,

Sgd. A.J. DE VILLIERS LOUW.

Liquidator : Act 44 of 1950.

Sam Kahn Esq., M.P.,  
5, Valdora House,  
Grove Avenue,  
Claremont,  
CAPE TOWN.

*Annexure "B", Constitution.*



T. H. SWITCHER & CO.,

Attorneys-at-Law,  
Conveyancers, etc.

Kieberley House,

34, Shortmarket Street,

(Greenmarket Square)

CAPE TOWN.

9th September, 1950.

THS/RF

J. De Villiers Louw, Esq.,  
Department of Justice,  
Palace of Justice,  
PRETORIA.

Dear Sir,

RE: AT 44 of 1950 - (SAN KAHN, ESQ., M.P.)  
YOUR REF. 250/5

Your communication addressed to Mr. S an Kah, M.P., purporting to be a notice in terms of Section 4 (Sub-Section 10 of Act 44) of 1950, has been placed before us with instructions to reply thereto.

We have to inform you that your appointment as a liquidator under the Act is challenged by Mr. Kahn who is about to make an application to the Supreme Court for appropriate relief.

It will be impossible by virtue of the Rules of Court, for an application notice whereof would have to be given to you and the Minister of Justice to be heard and determined before the 25th September, by which date, in terms of your notice, our client is required to make such representations as he may deem fit in regard to the allegations made against him. That being the case, we are directed to enquire from you whether you will furnish our client with an undertaking that, pending the final determination of his aforesaid application, you will not take any steps to place our client's name on a list such as is referred to in your letter or act in implementation of any powers you may purport to exercise as a liquidator.

In the event of such an undertaking not being given to us on or before the 14th instant, it will become necessary for our client to apply to the Supreme Court for an interim

interdict/...



interdict restraining you from purporting to act as  
aforesaid.

We also desire to be favoured with a copy  
of your letter or a document of appointment and of the  
terms of the direction made to you by the Honourable,  
The Minister of Justice, referred to in your letter.

Lastly, and without prejudice to our  
client's submissions regarding the validity of your  
appointment, we would ask you to indicate to us on what  
facts you base the allegations made in the last paragraph  
of the letter addressed by you to our client. We would  
also ask you to inform us whether, if called upon to do  
so, you are prepared to give particulars of the evidence  
mentioned by you in the last paragraph of your letter and  
whether an opportunity will be given to our client, if he  
so desires, to test the accuracy of such evidence, to  
cross-examine witnesses who depose thereto and to lead  
evidence on his own behalf.

Kindly let us have your reply before the 14th  
instant.

Yours faithfully,

T. H. SWITCHER & CO.,

Per:



ANNEXURE "F"

T. H. SWITCHER & CO.,

Attorney-at-law,  
Conveyancer, etc.

Kimberley House/Cebou,  
34, Shortmarket Street,  
(Greenmarket Square)  
CAPE TOWN.  
6th September, 1950.

The Honourable, The Minister of Justice,  
C.R. Swart, Esq.,  
Department of Justice,  
Palace of Justice,  
PRETORIA.

Dear Sir,

We enclose a copy of a letter today addressed by us  
to Mr. J. De Villiers Louw, for your information.

Yours faithfully,

T. H. SWITCHER & CO.,

Per:

Posted 9.9.50.



UNION OF SOUTH AFRICA

DEPARTMENT OF JUSTICE,  
DEPARTEMENT VAN JUSTISIE,

PALACE OF JUSTICE,  
PALAIS VAN JUSTISIE,  
PRETORIA.

13th September, 1950.

Dear Sirs,

RE: ACT 44 of 1950 (SAN KAHN, ESQ., K.P.).

I have the honour to acknowledge receipt of your letter, reference TRS/RF dated 9th instant, and note contents thereof.

I propose to continue to carry out my duties in terms of Act 44 of 1950.

I have the honour to be,

Sirs,

Your obedient servant,

SGD. J. DEVILLIERS LOWY

LIQUIDATOR : ACT 44 OF 1950.

Messrs. T. H. Snitcher & Co.,  
34, Shortmarket Street,  
Greenmarket Square,  
CAPE TOWN.



THE NATAL MERCURY - AUGUST 12th 1950.

MALAN SAYS :

KAHN TO GO.

Otjivarongo  
(N.W.A.), Friday.

One of the effects of the Suppression of Communism Bill, in regard to persons who professed Communism on or before May 8, would be that Mr. Sam Kahn would disappear from Parliament. The Prime Minister, Dr. Malan, said that in reply to a question at the meeting held in Otjivarongo today.

-(S.A.P.)



ANNEXURE "I"

EXTRACT FROM THE CAPE TIMES, THURSDAY 14th SEPTEMBER 1950.  
BEING REPORT ON CONGRESS OF NATIONALIST PARTY OF TRANSVAAL.

**'NAKED' MEMBERS.**

".....The Minister of Justice, Mr. C. R. Swart, replying to a resolution asking the Government to take strong action against communism said: "The Government has declared war on communist activities not only in Korea but here in South Africa".

Mr. Swart was loudly cheered when he assured the delegates that, after the known communists had been listed and had been given an opportunity of showing why their names should not be on the list, he would call on the listed persons who were members of Parliament or a Provincial Council to resign their seats."

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