

18-12-58

B2/126

Dear George,

Thank you very much for your letter, which found me at Fort Hare just at the end of my examination work for the year. I came back from the Treason Trial in the middle of October, just in time to put the finishing touches to my work for the year. The few messages I got from overseas about that time seemed to indicate that the news about the Treason Trial had been somewhat misunderstood. The Crown did not abandon the case against us. They withdrew the indictment which they had presented to the Court and which the Defence had succeeded in showing was defective in several respects. Before the Court quashed the indictment as everybody expected the Court would do, the Crown withdrew it, naturally reserving the right to bring up a new indictment at a later stage. Now they have come forward with a new idea. They have divided the 91 accused into two groups, one of 30 and one of 61. By examining the names of the persons in the two groups one can see no 'pattern' at all in the choice. My son Joseph and I happen to be in the second group, but we could not explain why. The impression which you have that possibly the first group includes "hardcore suspected Communists" is as far as I can judge quite wide off the mark. I think we must and see what happens at the Trial where the Crown will have to disclose the basis for their selection. The first group are expected to appear in court on January 19, 1959 and the second group on April 20.

The tragic thing about the whole thing is that it is going not only to increase the legal costs of the Trial but also the suffering of the Accused that goes along with a protracted trial such as this. You ask how much money is needed and for what purposes? Of course it is difficult to give even a rough estimate of the cost of a matter like in which there are so many imponderables. Thus one of the ways in which costs are increased consists of the frequent adjournments of the case. During such an adjournment you have to decide what you are going to do with the Accused, whether to let them go back to their homes or let them stay in Pretoria or Johannesburg. In either case a certain amount of expenditure is involved. Meantime the Defence Counsel are busy working on the next phase of the case, and so their fees accumulate. But I should say before we are through with this case it will have cost something in the neighbourhood of ~~£200,000~~ £200,000 in legal fees, maintenance and support for the dependants of the Accused, maintenance and support for the Accused while on the Rand and travelling expenses for the Accused between Johannesburg and their homes during long adjournments.

The trouble is that the Treason Trial is not the only mass trial going on in South Africa at the present time. There are a number of such cases in different parts of the country, but mainly in the Transvaal in connection with the application of the pass laws to women. Many of these women have had to spend varying periods of time in jail because no funds were available for bail or for the fines imposed upon them. The disruption of family life due to the imprisonment of so many women is better imagined than described. Efforts are being made to raise funds for these other cases, without much success. Anything that your Committee could do in this regard would be welcome. Perhaps if you were to communicate with Blaxall he might be able to suggest the best form of assistance for the pass cases, but in the meantime the heaviest burden remains the Treason Trial.

I was glad to hear that you were going to be able to attend the Accra. From reports in the Press it seems to have been a very successful conference. Some of our people did manage to get there. I

I hope you did manage to meet some of them. We should have liked to send some of our top leaders there but it would have been impossible to get passports. These facilities are refused even to quite harmless youngsters. My second son John Knox has just been refused a passport to go to the United Kingdom where he wants to go to pursue his medical studies at Birmingham University. He has been admitted at Birmingham but the Union Government will not let go, presumably because his father is who he is. Otherwise we are keeping quite well. My son Joe is now practising as an Attorney in Durban. We are expecting his family to be with us for Christmas. I saw Dr Njongwe the other day and he asked me to send you his greetings when I write. Do convey our best wishes for a Happy Christmas and a Prosperous New Year to all our friends.

Sincerely yours,