'MOUNTAINOUS NUMBER OF DOCUMENTS'

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The Treason Trial Could Last Five Years, Says Maisels

IF THE TREASON TRIAL was allowed to proceed on the basis which the Crown expected it to, the court could be occupied for five years or more, said Mr. I. A. Maisels, Q.C., when he carried on his attack for the third day against the indictment. There was a mountainous number of documents covering a period of more than four years and it may become necessary for each of the 91 accused to be represented by separate counsel, he said.

Mr. Maisels said it was extremely difficult with so many accused for the defence or the judges to disentangle acts which each accused was alleged to have done.

"It was a collosal and unfair burden to place on the court and counsel for the accused. It is no far-fetched situation that this case may go on for years." Mr. Maisels said this trial was not the same thing as the preparatory examination.

"It is not merely the introduction of Crown evidence with little or no cross-examination.

"There are 91 accused and 152 co-conspirators which gives us 243 likely witnesses. This court could be occupied with their evidence on this basis for years.

"Now it is all very well to do that if all the people were in the affair from the beginning. But H. Barsel, Fish Keitsinb, Aaron Mahlangu, J. Makwe, T. Mmusi, Johannes Modise, S. N. Nathie, Nimrod Setake and Aley La Guma are alleged to have done nothing before 1955 in respect of any document before court or any speech at a meeting.

FROM HOMES

"These people will have to listen to evidence of innumerable speeches on which none of the accused could be held responsible of treason on any basis of law.

"The accused were taken away from their homes and must listen to speeches which have no basis of high treason."

Mr. Maisels said the Attorneys-General of each province could have charged each of the accused in his own province.

"There is no reason why this should not be done and it should have been done."

This morning Mr. Maisels went on with his attack.

Mr. Maisels referred to the defence notice of exception to the indictment and said that although only one main charge of high treason was mentioned in the indictment, from its wording it must be concluded there were a number of separate charges alleged.

"In a trial for treason evidence must be supplied of proof of each overt act. The Crown must establish the overt acts alleged."

The original indictment said each accused acted in concert with each of the other accused and with common purpose.

Now the Crown had become bolder and was alleging that people who had taken part in a meeting some months or years previously and at which some of the accused were not present were also party to the same charge of treason.

IN CONCERT

The Crown was now saying that even people not present but who have done some earlier act were acting in concert with those in a later act.

An accused was entitled to say at the end of a trial that he had been acquitted or convicted on one or other of the acts of high treason or acts in the alternative charges, which acts had been laid against him, said Mr. Maisels.

Mr. Maisels, in reply to a question by Mr. Justice Rumpff, said it was the defence submission that if there was a charge of high treason, the various overt acts alleged were separate counts of high treason.

Mr. Maisels referred to the speech alleged to have been made on October 26, 1952, by J G Matthews at which Letele was present.

He quoted from an extract of the speech in the indictment:

". . . I would like to issue a warning to those people who like to speak of breaking this country. . . . Out of the 2.00,000.-000 Africans we are prepared to lose a few, but White South Africa cannot afford to lose five. Therefore, let violence be put aside. It is not a solution. The Sten guns and aeroplanes are not a solution. It is a social problem.

"Let them try one thing they have not tried so far, to create a true people's democracy in South Africa, in which all men, irrespective of race, creed or colour can live together. On the day we describe you will have peace and harmony."

Mr. Maisels: I submit, your lordship, that this speech is incapable of being construed as high treason.

Mr. Maisels said there never had been a massed high treason trial in this country.

Hundreds took part in the Jameson raid, but only the leaders were charged. Hundreds took part in a conspiracy during the 1914 rebellion — there was no difficulty afterwards with separate charges.

ENDS ATTACK

Mr. Maisels said three of the accused had been convicted under the Suppression of Communism Act for speeches mentioned in the indictment. Because of the manner in which the indictment was framed, these accused were deprived of the right to put forward the claim that a man convicted for a crime could not be convicted again for that same crime.

Mr. Maisels wound up his attack on the main charge by quoting numerous speeches and writings listed in a schedule of the indictment, and saying that the Crown had not, when requested, given any indication of what construction should be placed on these speeches and writings. He said that the Crown should make clear what their reason was for including them in the indictment.

Mr. A. Fischer, Q.C., then rose to attack the alternative charges.

(Proceeding.)

(See also page 9)

he Durban branch of the ...versity Women's Association

"I do feel that you are a little unnecessarily sensitive about what other people say about you," he continued. "This generally infers a sense of inferiority, or that consciences are not quite clear.

"It ill behoves outsiders to come in and tell you how to solve your problems, but I cannot help but admire Archbishop De Blank's courage in being so outspoken on the apartheid question.

DEVOTED

"Whatever he may or may not be, he is a man who is utterly single-minded and truly devoted And where he has enunciated principles, I would feel that he was right."

Where apartheid was spontaneous and willing then it was perfectly natural, but when it was enforced by law, then he felt it was wrong.

You have had voluntary apartheid in Durban for more than 100 years and has anyone been miserable?"

Boy Prisoners Escape After Wild Mutiny

ANTWERP, Wednesday. — Twenty boys escaped from a reform school at Mol, near Antwerp, in a wild mutiny and night-long battle with police, two of whom were injured, it was disclosed last night. All but five of the boys have been recaptured.

The screaming, shouting mass of 80 young prisoners hurled their beds out of windows at the police, smashed furniture and barricaded doors.

A police source said the mutiny occurred after two boys, one a Native, escaped over a wall during a Sunday afternoon football match.

During the sultry, oppressive night that followed the two escapees signalling their presence near the institution to the other inmates by a series of whistles, it was stated.

Then pandemonium broke out. Some of the internees grabbed keys from one of the guards, and let out boys shut up in solitary confinement. Police reinforcements were then called by the director. —Sapa-Reuter.

Missing Yacht Is Safe

TANANARIVE (Madagascar), Wednesday. — The 78-year-old French author and explorer, Henri De Monfreid, has arrived at Tamatave on the eastern Madagascar coast in his three-ton yacht Rodali, with three companions, after being missing for eight days.

Monfreid told reporters that the Rodali put out

£100 damage ... his ship last January by putting metal and tools in the ship's propellor gear. The ship was repaired and sailed without him.

Johnson, who pleaded not guilty to the charges, said his wife was so upset that he was afraid to leave her. — Sapa-Associated Press.

Gold Mines Face Pay Demands

JOHANNESBURG, Wednesday. — The Mechanics' Union Joint Committee, acting on behalf of six other trade unions, has submitted to the Gold Producers' Committee of the Chamber of Mines wage demands involving about £10,000 a week for the 7,000 artisans in the gold mining industry in South Africa.

Mr. T. P. Murray, the secretray of the Mechanics' Union Joint Committee, said in Johannesburg yesterday that artisans in the gold mining industry were the worst paid men in South Africa.

DEDUCTIONS

"Their minimum wage is £14 18s. a week, including cost-of-living allowance. After deductions, their take-home pay is usually £13 15s. We want an increase of 30s. a week for all artisans."

Mr. Murray said that his union had submitted the demands on behalf of the Amalgamated Engineering Union, the Amalgamated Society of Woodworkers, the Amalgamated Union of Building Trade Workers, the S.A. Boilermakers' Society, the S.A. Electricians' Association and the Iron Moulders' Society. — Sapa.

ONLY 18 p.c. PASSED THE MATRIC.

From Our Parliamentary Correspondent

CAPE TOWN, Wednesday. — According to a survey conducted by the Council of Scientific and Industrial Research last year only 18 per cent of 20,985 Europeans who were 18 years old had passed matriculation, Mr. E. G. Malan (U.P., Orange Grove) told the Assembly yesterday afternoon.

Mr. Malan was replying to an argument put forward by the Minister of the Interior Dr. Donges, in moving the second reading of the teenage vote Bill that the average standard of education of White 18-year-olds was Standard 10.

Dr. J. H. Steyn (N.P., Potchefstroom) said modern youth were no worse than any other generation of youth. Every generation criticised its youth. This was not because the youth were inherently bad, but because people were able to see things in a different light as they became older.

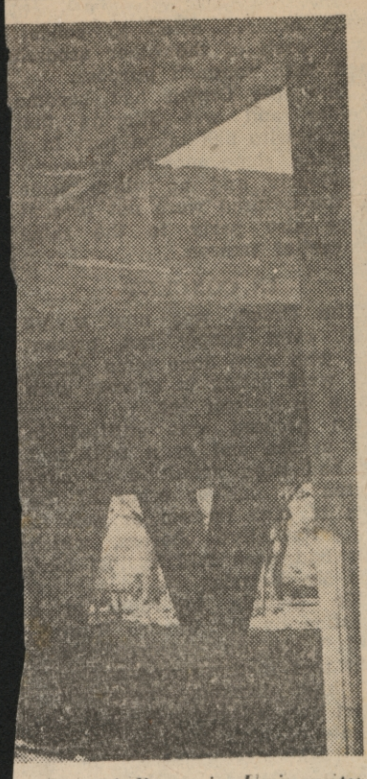
...egion.

TERRORIST ATTACKS

A total of 17 people were killed and 59 injured in terrorist machine-gun and knife attacks throughout Algeria over the week-end.

The attacks brought terrorism in the towns and activity by insurgent bands in the mountains to their highest peak for three months.

It was announced in Paris yesterday that General De Gaulle would make a 10-day, 14,000-mile tour of French Africa, Madagascar and Algeria this month to prepare for the referendum on September 28 on his proposed new constitution —Sapa-Reuter.



...ection of Pretoria University When completed late next ... in building design.