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Trial Quiet After The Tension Yesterday

AFTER yesterday's early surprise and the tension that lasted throughout the rest of the day, the treason trial fell almost flat when it resumed in Pretoria today.

Mr. H. C. Nicholas, Q.C. for the defence, continued the defence application to quash the remaining charge of high treason and the proceedings went sedately along without interruption.

There was the usual 7.30 a.m. queue of Natives awaiting admission to the court, but by noon there were only a handful of Europeans in the public gallery. As every day of the case so far, the non-White seats were all taken.

Mr. Nicholas continued to explain why the defence regarded the indictment as embarrassing to the defence and why it should be squashed.

RAND MEETINGS

He mentioned meetings on the City Hall steps of Johannesburg, and asked why some speeches made with the permission of the Town Clerk should be legal and the identical speech made without his permission should be held treasonable.

Earlier, he had said that following the Crown's contentions a position might arise where a member of the Nationalist Party made a legitimate speech in support of a republic, but the same speech made by somebody else was said to be treasonable.

CHARTER

Earlier, Mr. Nicholas said the Freedom Charter as set out in Schedule E of the indictment was a document which set out the political principles of the Congress of the People.

"In our submission, it is merely a document of political aims and principles. It is not different from a document involving the political aims and principles of any other political parties."

There was no suggestion of sedition, violence or force in it.

QUOTATION

Mr. Justice Rumpff quoted an extract from a speech made at the Congress: "They think that they are the only people created by God to come and rule the people of South Africa. It is not like that. It is now time that the people should take over, the people who are not allowed to bring out their own views on the government of South Africa."

"What does that mean?" Mr. Justice Rumpff asked.

"It means, my lord, that people who have no say should have a say in the government of the country."

Mr. Nicholas said he would say that the words "take over" meant taking over the government.

"That is a view the speaker is entitled to have. It shows that he may have in mind the use of force at some future stage."

Mr. Justice Rumpff: But would that not be incitement?—No, my lord. It is an expression of opinion. It is not an incitement for anyone to do anything.

(Proceeding.)