

BLOEMFONTEIN CASE THEY ASK FOR MERCY

BLOEMFONTEIN — Three young men who received sentences ranging from the death penalty to 12 years' imprisonment appealed to the Appellate Division here today.

Anthony James Balomenos (21) was sentenced to death. Mr Justice Theron in the 1st Supreme Court on August 23 for the murder of Mr Ngeveni, a night watchman at a block of flats in Maitland, Johannesburg. Richard Mark Brooker (18) and a 17-year-old youth were sentenced on August 24 by the same judge to effective sentences of 12 years' and 12 years' imprisonment respectively. Brooker was convicted with Balomenos and the youth on counts of armed robbery, attempted robbery, counts of theft and one count of murder and sentenced to a total of 31 years' imprisonment. But as parts of the sentence will run concurrently, Balomenos will serve only 15 years, the youth was sentenced to a total of 24 years' imprisonment.

The appeal is being heard by Justice Botha sitting with Justice Wessels and Mr Justice Jansen.

It was submitted for Balomenos that the trial judge erred in overestimating the importance of the untruths told by Balomenos.

It was further submitted that the trial judge erred in finding that Balomenos handed a firearm to Brooker in the car, that he erred in rejecting Balomenos's evidence that the S&W revolver was in a holster in the car's cubbyhole.

The trial judge erred in finding that Balomenos knew a firearm was loaded and that he erred in finding that Balomenos authorised Brooker to shoot the watchman.

The grounds on which Brooker appealed were that the sentence produced a sense of shock in that Brooker at the time of the commission of the crime in July 1970 was only 17 years of age and that the Appellate Division may well find that the trial judge erred in finding that Balomenos was a leader in the various gangs and that Brooker had been led astray by the older youth and that the sentence could be reduced.

YOUTH

The grounds on which the 17-year-old youth appealed were that the trial judge erred in finding that the youth was sane at the time of the shooting, that it should be found that he was

not aware that the watchman had been shot and was therefore not an accessory and that the shooting fell outside the common purpose to which the youth was a party.

Mr Bernard Nelson (pro Deo counsel for Brooker) said that Brooker was 17 years of age when the crimes were committed. The sentence was out of all proportion when compared to the sentence in the case of the State v Whitehead and Van der Merwe, who were convicted of theft of an armoured van containing R241 000 and had their sentences of 14 years' imprisonment reduced to 10 years; and the case of the State v Cohen in which Cohen, who was convicted of the murder of his wife, received a sentence of 12 years' imprisonment.

Mr W. Oshro, QC, Mr F. Zwarenstein and Mr M. Henson appeared for Brooker. Mr Nelson appeared pro Deo for Brooker and Mr A. V. Langa appeared for the youth.

People in search of work

Pretoria Bureau

IN SPITE of the manpower shortage there are still people looking for work in South Africa.

A bulletin released by the Department of Labour in Pretoria today shows that 3 361 Whites, 3 343 Coloured people and 1 534 Asians — men and women — were registered as job seekers at the end of September.

Johannesburg has the longest list of White men looking for employment, followed by Durban and Pretoria. And there are more White women looking for work in Durban than any other major centre in South Africa.

The bulletin also shows that there is more unemployment among semi-skilled and unskilled White men than other occupational groups.

18 die on roads: 70

Mitchell replies to Nats

(From Page 1)

Government nor its Press has told us why we cannot have a judicial inquiry into Mr Timol's death, or why there cannot be a revision of the detention-without-trial legislation.

Government threats against the Press were doing irreparable damage to South Africa — "up to now it has been one of this country's proud boasts that we have a free, independent, objective Press.

"Now the Prime Minister is showing us up to the world by threatening to turn on this Press."

Referring to an attack on him by Rapport, which accused him of spreading "scandalous" stories about the Security Police and said that decent people would become ashamed of being seen in his company, Mr Mitchell said: "This sort of vicious personal attack shows exactly in what difficulties the Nationalists are."

"In public life one expects this sort of thing — but it is a measure of the serious difficulties facing the Nationalist Party."

Paul Sauer Dam

Own Correspondent

PORT ELIZABETH—The Paul Sauer Dam on the Kouga River, Port Elizabeth, has been acclaimed as the most outstanding civil engineering project for 1970 by the South African Institute of Civil Engineers.

GIVE ARMS TO TRAFFIC COPS: CALL

Pretoria Bureau

A PROPOSAL that fire extinguishers be made compulsory in all motor vehicles, is to be discussed at the yearly meeting of the Road Safety Council which started in Pretoria today.

The motion, introduced by the Bloemfontein Road Safety Association, says that fire frequently causes death in road accidents.



Cracks in the ground at Amphitika Island, where there was a hydrogen bomb test, one hour after the hydrogen bomb test. (Page 4)

Cyclone v fear cholera

NEW DELHI—India's heartbreak from the cholera today as the Government and people bring aid to an estimated 8-million people in 10 days ago.

State Health Minister F. K. Fatima last night issued a new warning of a possible cholera epidemic in the disaster area. The death toll stood at 19 000 last night.

"I cannot rule out the outbreak of cholera because until now we have not been able to provide drinking water to the people," he said.

At the same time, the Government has ordered the distribution of 100 million tablets of a cholera vaccine.

He said the Government will distribute 100 million tablets of a cholera vaccine, which could be used to prevent cholera. The Government could not be asked to provide a vaccine of such a large quantity, he said. The Government has ordered the distribution of 100 million tablets of a cholera vaccine.

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ANNOUNCEMENT

700 ft. LEADERSHIP