

Noord-Kaap

*Bygedra deur
Japie Schreuder,
Noord-Kaap Balie*

Waarnemende regters

Gedurende die laaste termyn van 2000 het Van den Heever SC waargeneem as regter. Geen waarnemende aanstellings is gemaak vir die eerste termyn van 2001 nie.

Algemene jaarvergadering

Ons Balie sien daarna uit om die algemene jaarvergadering van die Algemene Balieraad van SA durende Julie 2001 aan te bied. Daar word reeds beplan om onder andere te voldoen aan die behoeftes van diegene wat lief is vir die natuur. Sonder om die aap uit die mou te laat, glo ons dat dit vir elkeen wat dit bywoon, 'n onvergeetlike geleentheid sal wees.

Regshulp

Regshulpwerk bly steeds 'n kopseer. Dit is onbegryplik waarom die Regshulpraad nie sy verpligtinge na behore wil nakom nie. Verklarings in die media deur regshulpbeamptes dat die betaling van rekeninge op datum is, word in die praktyk as verkeerd bewys deurdat daar 'n gedurige soektog na regspraktisyns is wat bereid is om die werk te doen. Probleme het dan ook in enkele sake ontstaan deurdat daar nie mense beskikbaar was nie.

Port Elizabeth

*Contributed by Patrick
Scott, Port Elizabeth*

New members

Port Elizabeth welcomes two new members in the persons

of Jodene Coertzen and Mthomasebe Booi who successfully completed pupillage in November 2000. Laetitia Pienaar also passed her Bar examination, but has not commenced practice.

Pupils

There are at present eight pupils at the Port Elizabeth Bar.

Cocktail function

The members of the Port Elizabeth Bar subpoenaed the attorneys to a cocktail function which was held at the President's Suite, St Georges Park, on 3 November 2000. The function was well attended both by members of the Bar and the attorneys from Port Elizabeth and surrounds, and the evening was a great success, evidenced by the fact that the party was still going strong at 22h30, not bad for a cocktail function.

Christmas function

The Port Elizabeth Bar gathered at Stone Castle Bushcamp to celebrate the year-end on 22 November 2000. A succulent spit braai, together with various other delicacies, was enjoyed by all who attended with weather being kind for once. Unfortunately the function was not very well attended but those who did not make the effort lost out on a most enjoyable evening with colleagues.

Annual dinner & AGM

The annual general meeting of the Eastern Cape Society of Advocates was held in Port Elizabeth on 23 February 2001, followed by the annual dinner.

Acting appointments

JP Horn SC is at present acting on the ECD Bench and

will continue to do so until the end of this term.

BJ Pienaar has an acting appointment for the month of March 2001.

Johannesburg

*Contributed by Pieter Pauw
SC, Johannesburg*

Bar Council

The Bar Council is as follows: Willem van der Linde SC (chair), Altus Joubert SC (vice-chair), Martin Brassey SC, Hilton Epstein SC, Gerrit Pretorius SC, Arnold Subel SC, Willie Vermeulen SC, Sharise Weiner SC, Tim Bruinders, Helen Constantinides, Fione Dippenaar, Karin Green, Colin Lamont, Patric Mtshaulana, Pieter Pauw, Margie Victor.

The honorary secretary is Fayeeza Kathree and her assistant is Julian Joyner.

New silks

The following members were appointed as senior counsel during November 2000: Johan Coetzee, Jan Engelbrecht, Alistair Franklin, Paul Kennedy, Pieter Pauw, Barry Roux, Richard Solomon, Mike van der Nest, Nick van der Walt, Johan Wasserman. See also page 20 of this issue.

General

The move to Sandton is gaining new impetus. Apart from the existing groups in Arbitration House (also known as Maisels Chambers) and Sandown Village, three more groups are moving into the building (it was known as Air Products House) adjacent to Arbitration House. The three groups will be headed by Fanie Cilliers, Pieter Henning and Roland Sutherland. In addition the Bar Council has approved the building adja-

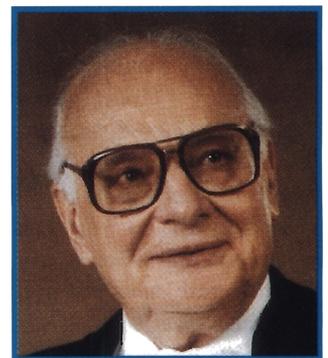
cent to Air Products House (currently occupied by Nedbank) as approved chambers. The move to this building has not yet been planned. There will always be a presence in the central business district. Whether the Bar will have accommodation in Innes Chambers or Schreiner Chambers or both, is not certain at the moment. There is also a move afoot to open chambers in the Carlton Centre. Ishmael Semenya is leading this initiative.

Consultation is currently taking place between the Bar Council and members in respect of the future location of amongst others, the library and the administrative staff. The first phase of the consultation will end on 12 April. All interested parties such as BLA, Nadel and BAFO are involved.

We remember ...

The late Aaron Mendelow QC

*Contributed by Margie
Victor, Johannesburg Bar*



Aaron Mendelow QC

On 27 November 2000 Aaron Mendelow QC, a member of the Johannesburg Bar for more than 50 years, passed away at the age of 91. His death marked the end of an era and the passing away of one of the doyens of the legal

fraternity. He appeared in a number of illustrious cases. In his book *The Amazing Case of the Baron von Schauroth* Benjamin Bennett referred to Aaron as one of the most forceful cross-examiners. In describing the effects of Aaron's cross-examination of Rossouw, Bennett wrote:

"Extracts from close on a 1000 pages of transcript, quoted in subsequent pages showed that when he had completed his marathon 35 hours of questioning, nothing remained of Rossouw's version of events or defence but the ashes of the lies on which he based them."

Over the years Aaron had many juniors who became distinguished senior counsel or judges. Among them were Lord Steyn, now in the House of Lords, Sir Sydney Kentridge SC, and QC of the English Bar, former Chief Justices Pierre Rabie and Ismail Mahomed, three judges of the Supreme Court of Appeals, Ms Leonore van den Heever, Ralph Zulman and the late John Milne, Judge Norman Addleson of the Eastern Cape Bench, Judge R Leon, and advocate David Gordon.

He was renowned for his sense of humour, ready wit, jokes and anecdotes. His life was one of a celebrated raconteur. His life was filled with endless energy, and as his nephew, attorney Charles Mendelow, said at his funeral that his life was akin to the paintings of Chagall, filled with brilliance, buoyancy, colour and light. On 6-November 1999, on the occasion of his 90th birthday, the Society of Advocates, Witwatersrand Local Division, honoured him at a function, presented him with an illuminated scroll, and had the following to say:

"We, the members of the

Johannesburg Bar Council, acting on behalf of the Society of Advocates (Witwatersrand Division) present this address to honour you, and to wish you well, at the celebration of your 90th birthday.

You have practised on the roll of attorneys from November 1930 to February 1945. You were called to the Bar on the 26th September 1945. You commenced practice at His Majesty's Chambers and thereafter Innes Chambers. Silk was conferred upon you in 1959.

You have, throughout your life, sought to uphold the law and the pursuit of justice. Your personal qualities of humour, courage and intellect have brought you to the highest eminence in our profession, and you were one of South Africa's leading trial counsel. Your excellence and dedication have reflected with great distinction on the profession of the law. You are currently South Africa's oldest trial counsel still practising in the Supreme Court of Appeal, the High Court of the Witwatersrand Local division, the Transvaal Provincial Division, and other courts.

On behalf of the Bar, we honour your illustrious attainments and we wish you health, good cheer and happiness for the future."

In the early 1930's he challenged all the traffic by-laws of Johannesburg and got them declared *ultra vires*. Also, in the 1930's, he acted on behalf of black property owners of Sophia Town, Martindale and Newclare where, for several years on an annual basis, he would go down to Cape Town, make representations to the then government and manage to persuade the government of the day to postpone actions for the expropriation of black property owners. He has been

mentioned in over 200 reported cases over the years. He appeared as a junior to advocate Archie Shacksnovis SC for the successful appellant in what is possibly the most frequently cited case in the law reports: *Room Hire Company (Pty) Ltd v Jeppe Street Mansions (Pty) Ltd* 1949 (3) SA 1155 (T) He became quite an expert in the field of handwriting, poisons, firearms, heart and brain injuries, on psychiatric and psychological questions and other technical matters. During the 1980's he appeared in an inquest, which took place at Odendaalsrus, into the death of a young black youth aged not quite 18, who was arrested by the police at around noon on the Saturday and by 4 o'clock that afternoon, he was carried out of the police station, virtually a corpse, dying the next day of brain damage. Through a relentless and superb cross-examination he destroyed the policeman's explanation that the young man suffered an epileptic fit, and fell over backwards banging his head on the floor. The policeman's version was nothing but a tissue of lies.

When asked of him what his hobby was, he said he was a collector. "Some people collect stamps, some people collect coins, I collect people," he said. "I must show you my collection one day, I have a wonderful collection of people." And that was indeed a central characteristic of Aaron Mendelow. He was always surrounded by people. He was extremely helpful to junior members of the Bar for advice. His door was always open to them. He would drop everything he was doing to assist. Once Lord Denning remarked of him during a visit to Aaron's chambers

that his chambers, where papers and briefs lay metres high, was the last remaining Dickensian set of chambers.

Apart from his talents at law, Aaron did sterling services for almost three decades for the Jewish community where he became the national vice chairman of the South African Jewish Board of Deputies. He is survived by four exceptional children: Arthur, a leading orthopaedic surgeon in the United States of America, Pam, a speech therapist, Gill in the USA, a former journalist, and Clive, who was previously an advocate at the Johannesburg Bar, and is now in business in the United States of America.

Vrystaat

Bygedra deur Germa Wright, Vrystaatse Balie

Gedurende die eerste termyn van die jaar 2001 het geeneen van ons lede op die reg-bank waargeneem nie. Daar is wel vir gemelde tydperk twee waarnemende regters in die Vrystaat aangestel, t w mnr Mojalefa Hans Rampai, 'n prokureur van die firma Andrews, Podbielsky en Grimsell te Welkom, en adv Radhakrishna Balrajh Goordeen Choudree, lid van die Natalse Balie.

Waarnemende hoofregter HJO van Heerden het in Desember 2000 die tuig neergelê na meer as vier dekades in die regsberoep. Hy het gedurende sy loopbaan waardevolle bydraes gelewer op verskeie terreine van die reg en word wyd gerespekteer as 'n juris van besondere gehalte. Appèlregter Van Heerden is opgevolg as waarnemende hoofregter deur regter JJF Hefer wat op daardie tydstip diens verrig het as waarnemende adjunk-hoofregter. Beide appèlregters