Eastern Cape Bar Gqeberha

Contributed by **Chuma Mcoseli**

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A FEW NOTES ABOUT THE PAST

by **Dup De Bruyn SC**

In view of the 150th anniversary of the Eastern Cape Society of Advocates, I was requested to write a "short piece" about the earlier days of the Bar in Port Elizabeth.

I joined the ECSA in October 1971 with my chambers in Port Elizabeth. At that time we were about 14 counsel in Port Elizabeth including Sextus de Wet, Lionel Melunsky, Hennie Erasmus, Hannes Erasmus, Alan Solomons and Mike Claassens, all of whom eventually took silk and were later elevated to the Bench. We also had two KC's *viz*. Gorden Davis KC and Porter-Mathew KC. Other members included Steve Rein, Bernie Pohl, Gerrie Maree and Conrad Cubitt.

Our first chambers were in the Barclays Bank Building on Main Street, midtown, Port Elizabeth. From there we moved to the Trust Bank Centre in North End, diagonally across the "New Law Courts". We were warned by a very senior attorney Mr Ivan Wilke to stop calling the North End Courts the "New Law Courts" because if we did not do so, we may not have had the lovely court building that we now have in Bird Street.

The Trust Bank building was a glass building with no windows that could open, relying on a central air conditioning system. This system normally packed up during the summer months of January to April, and one year when we eventually refused to pay our rent because it was impossible to work in the building, the Bar members were summarily ejected.

We moved for a short period to the Capitol Building in North End and then on to Oasim on the hill next to St George's Park. The Bar chambers are now divided between Oasim and the PE Club Chambers in Bird Street. The number of members at the PE Bar is now sitting at 81.

A strange situation existed when I joined the bar in 1971 *viz*. that no counsel in Port Elizabeth had their own personal secretary. We had a switchboard operator, Mrs Harvey, and counsel either wrote their own pleadings in long hand or dictated them, to then have them typed by their various typists who worked from home. Counsel was not allowed to prepare a final signed pleading. A draft had to go to the attorney, who would then retype it and send it back to counsel to sign!

> "OUR FIRST CHAMBERS WERE IN BARCLAYS BANK BUILDING IN MAIN STREET, MIDTOWN, PORT ELIZABETH. FROM THERE WE MOVED TO THE TRUST BANK CENTRE IN NORTH END."

I soon had my own secretary in chambers and prepared my pleadings in final form, signed them and sent them to the attorney concerned.

There was an immediate complaint lodged against me for touting. Fortunately, that complaint landed in an appropriate place.

The Port Elizabeth Court in 1971 was still a circuit division of the Eastern Cape Division of the Supreme Court. It

Lindsay Bridge

often happened, especially during the December holidays, that the duty judge would be in Grahamstown when an urgent application was lodged. If the papers were not too voluminous, and the matter not too involved, the registrar in Port Elizabeth would read the papers over the phone to the duty judge in Grahamstown, who would then speak to counsel over the phone and discuss any queries he may have had, and request from counsel as to whether there was any reason known to counsel why the application should not be granted. If there was none, the duty judge would then grant the interim order over the telephone. Such was the trust between judges and counsel.

One of the benefits of a circuit court was that it provided the opportunity, especially for junior counsel, to go on circuit to places such as Graaff-Reinet and Mthatha doing *pro deo* criminal work. We were also lucky in Port Elizabeth in that motion court sat on Tuesdays and no civil trials were set down for Tuesdays. One could therefore do both a civil trial and keep your motion court work.

Juniors in Port Elizabeth did not generally receive instructions in civil matters in the Supreme Court and we cut our teeth on magistrates' court work and *pro deo* criminal trials. The advantage of that was that one learned how to think on one's feet in court and to develop whatever cross-examination skills you may or may not have had.

Port Elizabeth became a local division after the Rumpff Commission's recommendation in the early 1970s, whereafter circuits eventually fell away.

When I joined in 1971 our judge president was A.J. Jennett, a brilliant lawyer and a person who did not suffer fools. He was also very much opposed to the death penalty.

I remember sitting in court one day listening to a judgment by Jennett JP with assessors in a murder trial. The judgment was along the lines that the judge president and his assessors had no doubt that the accused was guilty of murder. They also had no doubt that should they find the accused guilty of murder the death sentence would have had to be imposed in compliance with the law as it then was. They however felt very strongly that the death sentence was not warranted in that case and therefore the accused was convicted of culpable homicide. With the information that I had about that case I can respectfully state that to my mind justice was done.

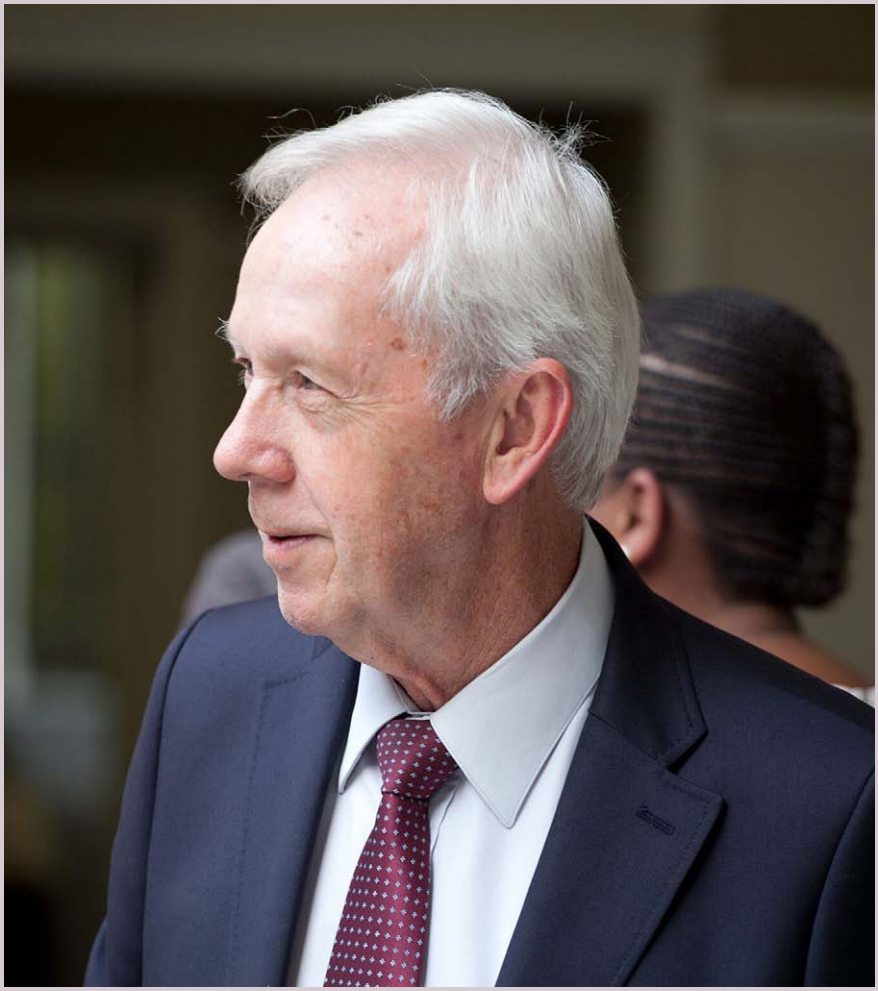
In 1971 my wife and I rented a flat on Western Road. It was small and cost us R25.00 a month. That was the exact fee at that time for a divorce particulars of claim which normally took about an hour or so to draft. One divorce particulars of claim therefore paid my monthly rent.

As far as I am aware we all now live happily ever after in Port Elizabeth.

Having been instructed to provide a "short piece" I herewith conclude. There are too many stories to tell and for those who for some strange reason wanted to read this piece an hour is no longer worth only R25.00.

AFT ECSA Members attending the Bar Dinner on 20 February 2026

Keynote speaker retired Judge Pickering.



A TRIBUTE TO
RICHARD BUCHANAN SC

by **Albert Beyleveld SC**

Richard Buchanan SC has resigned as a member of the Eastern Cape Society of Advocates. He is in the process of retiring and is currently finishing off certain matters in which he already holds a brief. As he has resigned as a member from the Eastern Cape Society of Advocates, he has also vacated his chambers after due notice was given.

Buchanan SC was admitted as an advocate in July 1976 and admitted to the Society in 1981. Silk was conferred upon him in August 1992.

He has enjoyed an illustrious career at the Bar and is well respected not only by colleagues, but also by members of the judiciary. His appearances for instance in the Supreme Court of Appeal and the Constitutional Court are too numerous to mention.

He has also served on the Eastern Cape Bar Council and is a past chairman.

Over the years, he has exhibited an aggressive propensity to mentor and assist juniors. There are many juniors who have themselves developed over the years who owe a lot to Buchanan SC.

Our Society extends an appreciation for what he has done over the years and wishes him good fortune and health in the coming years.

NEW MEMBERS

BRENNAN HONSBEIN

Date of joining the Bar:
24 November 2025.
Practised as an attorney before joining the Bar.

LUFEFE KALIPA

Date of joining the Bar:
17 December 2025.
Practised as an attorney before joining the Bar.