

The Mendelow Tales

Although *Consultus* is intended to point the way to the future, it is often of great assistance to know the way from the past. It has occurred to the Editorial Committee that advocates who tell us something about the past are an endangered species and it is felt that the atmosphere and the legends as well as the tales of the past are just as important to the future of the legal profession as are the law reports and the textbooks. The general public may regard the legal profession as slaves of precedents – previous decisions of the Courts – but it is important to remember that those decisions were brought about by human beings of flesh and blood who moved in human circles and have many tales to tell. We have been fortunate in locating one such person who has been co-operative enough to tell us about those days, and is certainly well qualified to do so, in the shape of Aaron Mendelow QC. In this issue we publish the first instalment of his series.

I entered the legal profession at the age of seventeen through the creaking and undistinguished door of the attorney's articulated clerk. At that time the law lectures for articulated clerks were still being delivered in what was euphemistically called the "Tin Temple". This was a row of corrugated iron classrooms on the northern side of Plein Street stretching from the western back of the old SASMT (the old School of Mines and Technology - the forerunner of the University of the Witwatersrand and later the Johannesburg Technical College, at the corner of Eloff and Plein Streets) westward right up to Rissik Street where the Plein Street open space and park is now located.

The lecturers were,

- in Roman Dutch Law a rising and promising junior at the Johannesburg Bar, advocate WH Ramsbottom;
- in Law of Evidence another rising and promising junior to the Johannesburg Bar named Oliver D Schreiner;
- in Mercantile Law professor James Colin Murray, then one of the senior partners in the firm of attorneys Steytler, Grimmer and Murray,
- and in Criminal Law yet another promising and rising young junior advocate Harry Rissik who later left the Bar and became a partner in the leading firm of attorneys Van Hulsteyn, Feltham and Ford.

The Judge President at the time was the Honourable Mr Justice Curlewis, the grandfather of the present Judge David Curlewis.

The leading members of the Johannesburg Bar were Saul Solomon KC, S S Taylor (Toby Taylor) KC, Tilson Barry KC and Russell MacWilliam KC, with Harry Morris the undisputed top counsel in the field of criminal courts. To me, as a humble first-year articulated clerk, these were supernatural human beings with a status in the legal stratosphere as attainable to me then as is the planet Mars to me now. Toby Taylor left the Bar to become a London director of the Anglo-American Corporation at what was then said to have been a rate of remuneration as enormous as it was dazzling.

It may be surprising to readers to learn that the usual meeting-place for first-year articulated clerks was not the Rand Club but the office of the clerk of the Magistrate's Court, where that particular species of aristocracy would foregather to obtain the signature of the Clerk of the Court that was so essential to the validity of a civil summons about to be issued for the recovery for amounts as large as up to £50. The incumbent of the office at that time was Mr R McConaghy but it was a temporary replacement during one of his absences on his annual leave, one F J H de Kock, who led to the imposition upon me of a sobriquet which was to follow me right throughout my career in the ensuing

decades. At that time Afrikaans was hardly heard either in or anywhere near the courts. But Mr F J H de Kock took a great delight in trying to find out who was and who was not able to speak the language. I recall on one auspicious occasion when I arrived just as I had seen my employer do, with a file under my arm and looking as important as I thought he looked, and asked Mr de Kock to affix his signature. He took one look at me and said:

"Praat jy Afrikaans?"

"Beter as jy!"

"Waarvandaan kom jy?"

"Ek kom van die plaas Rooiwal af."

"Rooiwal. En wat is jou naam?"

"My van is Mendelow."

"Mendelow! Wat se soort van is dit? Waar kom jy aan so 'n naam?"

"Man, ek is mos 'n lid van die hoog-aangeskrewe, vooraanstaande, welbekende Afrikaanse familie, die Louw familie. Jy ken mos die Louw familie. Daar's mos Piet Louw, Fanie Louw, Eric Louw, Boy Louw en Mendel Louw."

He then and there gave me the sobriquet "Koos Louw", and from then onwards I became known as Koos Louw and right up to this day even the present Acting Judge President of the Transvaal, the Honourable Mr Justice Eloff, still refers to me when it is informal enough for him to do so, as Koos Louw. And that is the name that followed me throughout the years. ■