

A. SA CMS
MCH91-6a-9-12

FURTHER PARTICULARS - NO. 3.
SUPPLIED

IN THE SUPREME COURT OF SOUTH AFRICA
(CAPE OF GOOD HOPE PROVINCIAL DIVISION)

In the matter of

THE STATE

versus

1. EDWARD JOSEPH DANIELS
2. DAVID GUY DE KELLER
3. ANTONY ANDREW TREW
4. ALAN BROOKS
5. STEPHANIE KEMP

FURTHER PARTICULARS AT REQUEST OF ACCUSED NO. 3

A. Ad the Main Charge.

- 1 (a) It is alleged that accused No. 3 entered into the conspiracy by joining the organization called the National Committee for Liberation or N.C.L. as a member or active supporter in the Cape Peninsula, which organization to his knowledge had as its aim the overthrow of the South African Government by means of acts of malicious injury to property thereby causing inconvenience, confusion and disruption. The other accused and conspirators were all members or active supporters of the said organization in the Cape Peninsula except Dennis Higgs and Hirson who were members of the said organization in Johannesburg. The organization changed its name to African Resistance Movement or A.R.M. on a date unknown to the State.
 - (b) The Date when accused No. 3 is alleged to have joined the conspiracy is unknown to the State.
 - (c) It is alleged that accused No. 3 joined the conspiracy before the 18th June, 1964.
2. It is not alleged that accused No. 3 considered or planned any of the acts referred to in paragraph 3 of the schedule of particulars to the indictment.

3. (a) & (b) .../

3. (a) & (b). It is alleged that accused No. 3 possessed some of the explosives referred to in paragraph 5 of the schedule of Particulars to the indictment while such explosives were kept at 19A Dorp Street, Cape Town. The exact quantity is unknown to the State as well as the period during which the explosives were kept there.

(c) It is further alleged that accused No. 3 possessed the explosives listed in paragraph 5 of the schedule of particulars to the indictment through the medium of Lynette van der Riet, Ria Miller McConkey and Michael Schneider who kept the explosives as follows on behalf of the organization in the execution of the common purpose.

Lynette van der Riet kept the 50 lbs and 74 sticks of Ammon Dynamite, 36 capped fuses, 13 Electric delay Action detonators, 15 electric detonators, 2 bundles of safety fuse and 9 fuse igniters at her flat at Cambridge Flats, Main Road, Rosebank up to the 4th July, 1964.

Ria Miller McConkey kept the bottle of Picric acid, bottle of Ammonium Nitrate, zinc dust, potassium chlorate and other chemicals from which explosives could be made at her flat 19 Orpheus Court, Main Road, Rondebosch, up to the 4th July, 1964.

Michael Schneider kept all the explosives listed in paragraph 5 of the schedule of Particulars to the indictment at Garage No. 2, 105 Monreith Flats, Hall Road, from the 4th July, 1964 to the 6th July, 1964.

4. It is not known whether accused No. 3 prepared time bombs and shape charges.

5. (a) It is alleged that accused No. 3 belonged to a cell.

(b) The State is unable to state who the members of the cell were or to allege any of the acts or activities which

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the said cell carried out.

The State is unable to allege the date when accused No. 3 joined the cell or the period of membership.

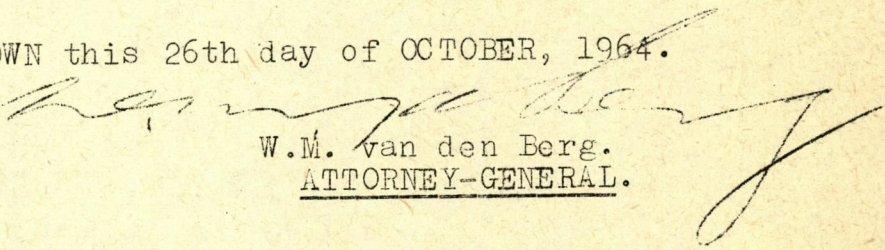
B. Ad the alternative charge.

1. (a) It is alleged that accused No. 3 became a member or active supporter of the said organization before the 18th June, 1964, and remained a member until the 8th July, 1964. The exact date when he became a member or active supporter is unknown to the State.

(b) See Section 322 Act 56 of 1955.

2. Evidence will be led at the trial concerning the aims and objects of the said organization. Such evidence will include documents and the inference to be drawn from the possession of explosives and other articles used in the making of time bombs as well as the facts of the acts described in paragraphs 2 and 3 of the Schedule of particulars to the indictment. Photostatic copies of those documents which could with convenience be reproduced by this method have already been supplied and the other documents can be inspected by arrangement with the State.

Dated at CAPE TOWN this 26th day of OCTOBER, 1964.


W.M. van den Berg.
ATTORNEY-GENERAL.

1. The Registrar,
Supreme Court,
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2. Messrs. MacCallums,
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