

# TRENGOVE B6.37 QUESTIONED BY JUDGE

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in his possession. They were not in his (Slovo's) possession. I do not want to interfere in his argument, but I think my learned friend should check his facts.

Mr. Trengove: It is irrelevant if we prove it or not that the documents were found in his possession. The documents show that the accused was intimately connected with the preparation of the conference.

"It is not necessary to set out each and every fact because when one gets to point of inference, where evidence and fact are so closely related, it is not desirable to set out every fact."

Mr. Justice Rumpff said it may be a good answer to tell the defence to refer to all the facts—a blanket answer, referring to all the accused—but what is your answer if they ask for facts relating to each accused?"

Mr. Trengove replied by quoting a decision of Mr. Justice Rutherford who had held that it was not necessary to give facts in relation to each of a number of accused.

"As knowledge and connivance are shown, it is enough."

## WRONG READING

Mr. Justice Rumpff: But where are the facts which you base this connivance?

Mr. Trengove said these facts were set out in the indictment and further particulars.

"My learned friend says this of our further particulars; that they say to the accused: 'My dear fellow — you can't expect us to tell you what the case is against each of you.'"

That is a wrong reading of our case."

Mr. Justice Rumpff. Do you accept that it is desirable to give as much information as possible in relation to each accused.

Mr. Trengove: Yes, my lord, we accept that. That is why we have given so much detail

(Lunch adjournment)