

The Defense *Post 5/23/72* Opens Case in Davis Trial

SAN JOSE, Calif., May 22 (UPI)—The defense opened its case in the Angela Davis murder trial today by disputing prosecution testimony that she was in San Rafael, Calif., the day before the courthouse shooting that killed four persons.

A San Francisco attorney testified he drove Miss Davis to Berkeley at about the time she was reported seen near the Marin County Civic Center.

Attorney Marvin Stender said Miss Davis called him between 9 and 10 a.m. on Thursday, Aug. 6, 1970, met him at a parking lot and rode with him to an address in Berkeley. He said he left her "within a few minutes of noon."

Stender testified on the first day of the defense case against kidnap, murder and conspiracy charges arising out of the Aug. 7, 1970, gun battle.

During the prosecution's case, which was concluded last week, several witnesses testified that Miss Davis was with Jonathan Jackson in a service station across the street from the Marin County Civic Center about 11 a.m. on Aug. 6. The two were allegedly attempting to get help in starting a yellow van such as was used the next day to transport the hostages in the escape at-

temp.

An employee of the newspaper People's World, Juanita Wheeler, testified that Miss Davis spent "four or five" nights at her San Francisco apartment. Mrs. Wheeler also said that on the last day of the visit, presumably Aug. 7, although she said she was not certain, People's World Editor Carl Bloice borrowed her car to drive Miss Davis to the airport.

The prosecution theory of the case, presented in 26 trial days of testimony, had Miss Davis driving to the airport in a Volkswagen borrowed from a Kansas City woman by Jonathan Jackson, who was killed in the gun battle.

The first defense witness was Susan Castro of San Francisco, who said she had lunch with Miss Davis on Aug. 4 and went with her to the Soledad brothers defense headquarters in San Francisco's Portrero district, where they were joined by young Jackson.

Miss Castro said Jackson took part in discussions of security for the building, intimating that he might have taken Miss Davis' guns for that purpose. Four guns purchased by Miss Davis were used in the gun battle.

The prosecution theory is that Miss Davis became involved in a plot to free the Soledad brothers because she had fallen in love with George Jackson.