

Court Admits Davis'

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SAN JOSE, Calif.—Judge Richard E. Arnason ruled today that Angela Davis' love letters to George Jackson could be used by the prosecution in her murder-kidnap trial to try to prove she helped plot the Marin County Courthouse kidnappings.

Arnason said five letters from the 28-year-old militant Communist to the slain black

revolutionary, along with an 18-page "diary" found in Jackson's cell after he was killed at San Quentin Prison, could be used as evidence.

The judge barred, however, two pages of sample text secretly typed by a sheriff's deputy on Miss Davis' typewriter, presumably to prove that the diary was done on the same machine.

The letters involve a key part of the state's charges that Miss Davis helped plan and furnished guns for the Aug. 7, 1970, courthouse kidnappings which resulted in four deaths.

Prosecutor Albert W. Harris Jr. has said she was in love with Jackson, one of the three Soledad Brothers accused of killing a guard at Soledad State Prison, and that she

Love Letters

plotted the kidnaping to try to force his release.

The defense has charged that four of the letters, taken from Miss Davis' Los Angeles apartment during a nationwide search after the shoot-out, were seized without the proper warrant.

They said the attorney-client relationship had been violated when another letter from Miss Davis was taken by Soledad officials from an envelope ad-

mitted to Jackson by his attorney.

The 18-page document, described as a "kind of a diary" but not signed, was found in Jackson's bloody cell after he was killed at San Quentin after a rampage last August in which three guards and two trustees were beaten and stabbed to death.

On the letter seized at Soledad Prison, Arnason said:

"It is established that in-

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mates have no rights or privacy to invade. The violation of the attorney-client privilege is not applicable because the privilege belongs to the client and not the attorney. And it does not relate to Miss Davis."

On the "diary," the judge ruled there was no showing by the defense that it was Miss Davis' property, and the arguments presented "were not applicable to third-party papers."