

Times Reporter Returns to Trial

By Don West
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SAN JOSE — A black reporter for the New York Times was re-admitted to cover the trial of Angela Davis today after being banned because he was allegedly found in possession of marijuana.

Earl Caldwell, 37, was released on his own recognizance after three hours in jail yesterday. Arraignment has been set for Monday, March 20, at 9 a.m.

Sheriff Lt. Don Tamm, who lifted Caldwell's press credentials after his arrest yesterday, returned them this morning when the reporter arrived at the courthouse.

Caldwell promptly called his editors in New York, and later went into the courtroom. Spokesmen for the Times said they had told him to go back to work when they were advised the credentials had been returned, but said they had "nothing to say at this time about his status" beyond that.

Sheepishly

"Hell, I wasn't even supposed to be working today," Caldwell sheepishly told fellow newsmen as he emerged from the jail.

Caldwell was arrested at the doorway to Miss Davis' trial as he was going through search procedures with the 29 other reporters to be seated at yesterday afternoon's jury selection.

Caldwell had placed all of his belongings in a basket preparatory to going through a metal detector, through which all spectators at the trial must pass.

Deputy Fred Marburg spotted a metal container for 35 mm film among Caldwell's belongings, opened it and discovered vegetable material inside. Identified later as marijuana by offi-



EARL CALDWELL
Marijuana charge

cers, the material was subjected to laboratory tests last night.

Caldwell told officers the film holder had been in a Manila file folder he had picked up while rushing to the trial. The folder was supposed to contain information for a background for a story he planned to write about this city.

Previous Case

Caldwell previously made headlines in November of 1970 when he refused to testify before a Federal grand jury in San Francisco investigating the Black Panthers. A hearing is now pending before the U.S. Supreme Court, which agreed in a decision last May to hear the case involving Caldwell's refusal to turn over notes from interviews with Panther members.

The only other material discovered and confiscated in search procedures at the courtroom door since Miss Davis' trial started Jan. 30 was a small bottle of whiskey found on a newsman last Thursday. No charges were filed and the reporter was not identified by officers.