

## Reporter Cleared of Pot Charge

New York Times reporter Earl Caldwell, 37, was acquitted yesterday by a San Jose judge of a misdemeanor charge of possessing marijuana.

Municipal Court Judge Gerard J. Kettmann, who heard the two-day case without a jury, concluded that "nobody but a damned fool would walk through security at the Angela Davis trial carrying marijuana."

Caldwell was arrested March 6 during the routine twice-a-day search required of those entering the San Jose courtroom in which Miss Davis was being tried. A deputy found what was described as a small quantity of high grade marijuana in a brown accordion folder Caldwell offered for inspection.

Judge Kettmann commented: "There is some probability that somewhere along the line this (pot) was planted on him, possibly by a radical group, who knows? It certainly didn't get in his folder by itself. I have to find him not guilty."

Caldwell, testifying in his own behalf, said he had smoked marijuana in the past, but had abstained for the last two and a half years because of his case now pending before the United States Supreme Court involving a journalist's right to protect news sources.

Four fellow reporters testified for Caldwell: Elizabeth Coleman of Newsweek's San Francisco bureau, Jean Wiley of the Third World media, Cathie



EARL CALDWELL  
Times man acquitted

Calvert of the San Jose Mercury News and Reginald Major of the San Francisco Sun Reporter.

Miss Wiley, Miss Calvert and Major all spoke of the "extremely hectic and chaotic conditions" in the basement press room, and the accessibility of Caldwell's folder-file.

Miss Coleman said she had been at many affairs attended by Caldwell during the last 18 months and declared that he had always refused marijuana cigarettes that were offered him.

Caldwell is to spend the summer teaching at the Columbia School of Journalism.