

She Loses Move

Indictment of Angela Stands

Angela Davis lost her bid to squash the indictment charging her with murder and conspiracy in the 1970 Marin County Civic Center shootout.

Superior Judge Richard Arnason of Contra Costa County ruled in Marin yesterday there was no merit to the contention of the former UCLA philosophy instructor that the grand jury which indicted her was unconstitutional because blacks, the poor, and the young had deliberately been excluded from jury membership.

"The court," said Judge Arnason, "does not find sufficient basis for finding any Marin judges (who select grand jurors) have conscientiously, deliberately, arbitrarily discriminated against any definable class."

However, it appeared actual trial was no closer to its scheduled September 27 beginning date because of other motions filed by attorneys for Miss Davis.

These include requests for a change of venue, for further continuance, and for an order instructing prosecution attorneys not to interfere with pre-trial defense questionings of possible witnesses.

All motions will be argued tomorrow before Judge Arnason in Marin County.

Yesterday's marathon court session in the county center, which was the scene of the bloody shootout, also featured an appearance by convict Ruchell Magee, co-defendant with Miss Davis.

Magee won a minor victory in a court order directing San Quentin warden Louis Nelson to return his legal papers within five days.

Magee, shackled to a chair, complained that all his documents had been taken from him after the frustrated August 21 prison breakout by fellow convict George Jackson. As a result, Magee said he had missed deadlines for pursuing his many appeals before the United States Supreme Court.

Deputy State Attorney General Albert W. Harris admitted that all documents of first floor inmates in San Quentin's Adjustment Center had been scooped up after the aborted break and are currently being perused by the Marin County District Attorney's staff as possible evidence.

Judge Arnason then ordered the return of papers and said he will hold a further hearing within two weeks to determine whether the San Quentin custodial situation is interfering with Magee's rights of appeal.