

Magee Note To Angela Revealed

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Angela Davis received a letter from Ruchell Magee less than a month before the bloody Aug. 7, 1970 shootout at the Marin Civic Center left them jointly charged with murder, kidnap and conspiracy. The Examiner has learned.

This first indication that there was ever any prior communication between Magee and Miss Davis was disclosed in Marin Superior Court yesterday by prosecutor Albert W. Harris Jr.

The letter was among several items seized during what the Davis lawyers termed an illegal search of the former philosophy instructor's Los Angeles apartment on Aug. 18, 1970.

An FBI inventory of items seized at the apartment at 164½ East 35th Street was filed with the Court by Harris.

Among the items listed

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was a letter written July 3, 1970 by Ruchell Magee and addressed to John McTernan, the lawyer representing Miss Davis in her attempt to keep her job in UCLA.

The letter, according to FBI agents, was enclosed in an envelope addressed to Miss Davis by McTernan's office.

Contents of the letter were not revealed and its significance in the criminal proceedings cannot be assessed.

Letters

At the time the letter was written, San Quentin inmates were allowed correspondence with only a few persons approved by the Warden's Office and some of that mail was read by prison officials.

Inmates were, however, allowed to send a sealed letter — not to be read by prison authorities — to any lawyer and it was not uncommon for prisoners to communicate with others on the outside through a lawyer.

Observers speculated that this could be seen as, at the least, an attempt by Magee to make contact with Miss Davis at a time previous to the escape attempt.

Escape Attempt

Miss Davis is accused of buying the guns used in the abortive escape attempt which left Marin Superior Judge Harold Haley and three others dead.

Magee is charged with slaying the judge with a blast from a sawed-off, 12-gauge shotgun.

Also listed as items seized from Miss Davis's apartment were three letters written to "George" and signed "Angela," stuffed in a cardboard box in a hall closet. Two of the letters bore June, 1970, dates.

Soledad brother George Jackson was a close friend of Miss Davis and the brother of Johnathan Jackson, who brought guns into the Marin courtroom and triggered the escape attempt.

Hostages

The state charges that the hostages taken from the courtroom that day were to be bartered for the freedom of George Jackson, who was slain Aug. 21 of this year in an escape attempt which took the lives of three guards and two inmate tier tenders.

Also reportedly seized in the apartment was a book titled "U.S. .30 Carbines" with a name "Mike D." on the cover, letters from the Department of Corrections, a camera and some undeveloped film.

A similar inventory, filed with Los Angeles Municipal Court after the search of Miss Davis's car in Los Angeles August 19, 1970, disclosed some unusual notations on a sheet of paper found in the 1959 Rambler.

The sheet contained some

penned directions, a telephone number, and some impressions of notations made on a previous sheet. When lifted, the impressions included such words as "Canada, underground," the affidavit said.

Also in the car, officers allegedly found a pharmaceutical prescription bearing Johnathan Jackson's name, one 7.62 bullet and one .38 bullet.

Miss Davis and her lawyers also asked that these items of evidence be suppressed as fruits of an illegal search.

Her challenge to prosecution evidence was to continue before Judge Richard E. Aronson in Marin Superior Court today with arguments about the admissibility of items seized when Miss Davis was captured in New York City last October.

Border Crossing

Testimony yesterday concerned the detention of Miss Davis and Jonathan Jackson when they crossed the border from Tijuana to San Diego July 30, 1970, and the confiscation of printed material found in the trunk of Miss Davis's car that night.

Customs agent Thomas Hardin said that he ordered approximately 80 copies of

The People's World, 30 copies of a book entitled, "Mass Psychology of Fascism" and several pamphlets from the "Free the Soledad Brothers" Movement "detained" as possible subversive material.

"One of my duties is to protect the United States from the introduction of any treasonous literature . . ." Hardin explained.

He said that after discovering the material, still not knowing the car's owner was the well known Angela Davis he asked her:

"Are you a Black Panther or what?"

Hardin said that she replied that she was a Communist and that suspecting a "joke" he asked whether she had a card to prove it.

"She produced her driver's license," he said.

Hardin and other officers of the border station said that Miss Davis and Jackson told them that they were first cousins."