

Bail Predicted for Angela

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SAN JOSE—Angela Davis' attorneys are confident the black revolutionary will be freed on bail tomorrow.

They also praised the State Supreme Court's decision to strike down the death penalty in California, saying after meeting with Miss Davis in her jail cell yesterday it will make it "much easier to get a fair and impartial jury" at her trial beginning Feb. 28.

Superior Judge Richard E. Arnason has set tomorrow for the bail hearing, saying if it should be granted, it

would be accompanied with certain restrictions.

"We expect Judge Arnason to grant Miss Davis bail," said defense counsel Margaret Burnham.

"We will not ask for and we will fight any delays for the Feb. 28 starting date. We want to go to trial then."

The former UCLA philosophy instructor and avowed Communist has been in jail since three months after the Aug. 7, 1970, Marin County Civic Center gun battle in which four men, including a judge, were killed.

Miss Davis is charged with murder, kidnaping and conspiracy in connection with the violence.

Her attorneys contend that since there are no more capital offenses, Miss Davis must be released.

Miss Burnham said last week's Supreme Court decision striking down the death penalty as **unconstitutional** in California was a "tremendous release for the defense."

"It means we no longer have to death qualify the jury," she said. "To death

qualify a jury makes it a prosecution prone jury."

She was referring to a process whereby the prosecution, which earlier indicated it would seek the death penalty for Miss Davis, explains capital punishment to the jury panel and then attempts to eliminate jurors opposed to it.

Miss Davis' sister, Fanie Jordan, said yesterday the court's decision "will shake this state's judicial system to its very roots with the loss of its most terrible weapon."