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2 Stories

By Angela

Witness

SF Examiner
By Stephen Cook
Examiner News Staff

SAN JOSE — A witness who gave differing accounts to the defense and prosecution occupied the stand today at the trial of Angela Davis.

Cedell Bradford, a young, bearded black man who saw part of the shootout at the Marin County Civic Center was called by Assistant Attorney General Albert W. Harris Jr. as a prosecution witness.

The substance of his appearance centered around a statement, recorded by a stenographer, that he gave to an Attorney General's investigator last Jan. 24.

Different Version

"I heard someone shout, 'Look out!' I heard what sounded like a shotgun and the sound was sort of muffled as if it was fired from inside the truck," it read.

But it developed that on Aug. 10, 1971, he had given a defense investigator a signed, sworn statement which included these words:

"I heard someone shout,

—Turn to Page 18, Col. 1

—From Page 1

'Look out!' I saw a San Quentin guard fire a shotgun into the van."

The conflict was not resolved, but under a barrage of questions in direct, cross and redirect examination, Bradford's explanation was essentially that he had a clearer recollection now.

Referred to Attorney

Harris brought out that Bradford had been referred by defense counsel to San Francisco attorney Edward Bell "as a possible counsel if I wanted counseling as far

as any questions I had regarding this case."

Bradford also implied he lost a job with the Marin Probation Office when, after he gave television interviews as to what he had seen at the shootout, "several policemen came and questioned me about things I didn't know about."

Ronald Retana, a sheriff's lieutenant, also testified today, supporting an earlier account given by Assistant Coroner Eugéné Fontaine.

Saw Magee's Hand

Fontaine had said that after the shooting died down, he opened the van door and saw the hand of Ruchell Magee, the only one of the escaping convicts who survived, moving toward the shotgun taped to the neck of Superior Judge Harold Haley, who was killed.

Retana said he, too, had seen that. He also testified he had heard such words as "Soledad" and "revolutionaries" uttered by the would-be escapers while they were still in the courthouse — generally confirming earlier prosecution testimony.

Retana was one of a series of witnesses today who identified various weapons taken from the gateway van after the shooting.

All had been part of a chain in which the guns were removed from the van by Fontaine, handed to Retana, passed to Bowen Bridges and placed by Bridges in the locked trunk of his patrol car. The only key was given to Lt. Earl Cummesky, who took the weapons to the sheriff's office for tagging and locking as evidence.

'Doors Flew Open'

Cummesky testified he was walking in the corridor outside Judge Haley's courtroom on the day of the shootout when the "doors suddenly flew open."

"I was told, 'Hey, you! Come in here!'" he related. "I looked at the party and noticed a blue steel automatic pistol pointed at me, and I

went in."

He said he learned later that "the party" was Magee, who subsequently relieved him of the sports coat he was wearing.

Cummesky also identified a spent 30-caliber cartridge which had been found in the parking lot in an area where previous witnesses said Jonathan Jackson had fired a shot.

The courtroom proceedings were interrupted for half an hour this morning by a conference of the attorneys for both sides in the chambers of Superior Judge Richard Arnason.

Yesterday's testimony by a stream of San Quentin correctional officers pictured the Marin Civic Center parking lot as transformed into a giant shooting gallery where few of the shooters were certain of the target.

All arrived at the scene in time to watch Jonathan Jackson, 17, and convicts James McClain, Magee and William Christmas emerge from the building with Judge Haley, Assistant District Attorney Gary Thomas and three woman jurors hostage.

All remembered setting roadblocks at the two parking lot exits with prison cars, as ordered by San Quentin Sgt. James J. Murphy. All saw the little yellow rental van come down the driveway toward a roadblock and stop.

Several of the guards were with officer John Matthews, an expert marksman who had handled guns since age five.

Though four testified they fired on the van containing abductors and hostages, only Matthews was certain he had human targets.

Not so certain was Correctional Officer Eugene L. Osborne, who said he was 100 yards behind Matthews when he took three shots with a .38 caliber pistol with a two inch barrel, a weapon more commonly used for close range firing.

On cross examination,

Branton asked:

"After the cease fire was yelled out, didn't you take two shots at that van?"

His answer: "Could be."

Officer John A. Hicks, on the job only two days, said he was lying prone against an embankment across the roadway from the parking lot when "there was some shooting."

Fires at Van

He fired "four or five shots . . . in the general direction of the van" with his .30 carbine, he recalled.

Officer Melvin C. Curry, who had been a guard four days, was about 10 yards closer to the van — lying in the roadway behind the blockade which several fellow officers were using for cover.

Curry "fired twice at the front of the van" with his handgun.

"And you were firing over the heads of the people hiding behind those cars?" he was asked on cross examination.

"It's a possibility," he said.

James Brown, a state personnel consultant who was part of a panel interviewing job applicants in a room three stories above the van, offered dramatic testimony that not all the shots fired by the guards struck the van.

Indeed, one bullet crashed through the window and into the room, he said. And he had proof — a tape recording of the job interview in progress at the time.

Women Scream

In the background of sound on the tape, played for the jury, were the sounds of the 19 second gunshot series. The sequence ended with a bang, a crash of glass and screams by women in the room.