

Angela Juror III,

By Stephen Cook
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SAN JOSE—A woman juror who sat through the first seven weeks in the trial of Angela Davis was excused today for medical reasons.

Superior Judge Richard Arnason acted after receiving a letter from her doctor, and receiving agreement from prosecution and defense that no questioning was necessary.

Groundwork

The juror, a San Jose housewife who occupied the No. 4 seat in the jury box, was replaced by the No. 1 alternate, a white-haired retired engineer who immigrated to this country from Denmark.

Three alternates remained as Deputy Attorney General Robert Harris Jr. went ahead with his groundwork to establish the authenticity of letters allegedly written by Miss Davis to George Jackson.

He was challenged by the defense after presenting one witness.

Attorney Leo Branton Jr. objected to introduction of the letters on the ground they were hearsay, irrelevant and immaterial, and an invasion of Miss Davis' privacy in violation of "many" constitutional rights.

Arguments

Judge Arnason sent the jury home for the day, retir-

ing to his chambers to read briefs on the issue from both sides. He planned to hear oral arguments later in the afternoon.

Jackson was a member of the so-called "Soledad Brothers," a trio that was being held at San Quentin for trial on charges of murdering a guard at Soledad prison.

The state charges that Miss Davis, moved by love for Jackson, supplied arms for an escape attempt by three other convicts at the Marin County Courthouse on Aug. 7, 1970. The purpose allegedly was to take hostages to exchange for the release of Jackson and his comrades, but the attempt ended in the deaths of four persons.

Handwriting

Jackson died about a year later in an incident at San Quentin prison which also took the lives of three guards and two convict-trustees.

Harris put Sherwood Morrill, a state handwriting expert, on the stand this morning for the purpose of authenticating the letters. He was not cross-examined.

Defense lawyers stipulated that three letters found in Miss Davis' Los Angeles apartment and one to Jackson at Soledad prison were in her handwriting.

Morrill's attention was then directed to what Harris

called an 18-page letter, and what the defense called a diary, that was found in Jackson's cell at San Quentin after his death.

The letter was typewritten, and Morrill testified that all the sheets came from the same machine. Another prosecution witness last week testified that Miss Davis' thumbprint was found on the second page.

But the defense succeeded last week in persuading Judge Arnason to rule that typewriting specimens taken from a machine in Miss Davis' cell in the Marin County jail, where she was held at the time, were inadmissible.

Signature

Morrill also identified the signature of Jonathan Jackson, George Jackson's younger brother, who smuggled guns into the Marin courtroom for the abortive escape attempt, on a variety of documents.

They included the visitors' register at the east gate of

Excused

San Quentin on July 27 and 28, and on Aug. 3, 4, 5 and 6 of 1970.

He testified that on Aug. 4 and 5, a signature beneath Jackson's, purporting to be that of a Diane Robinson of Los Angeles, had been written by Jackson.

Names

On July 26, the name of Penelope McKenzie appeared on the register beneath Jackson's. Morrill said both signatures in this instance were written by the same person, but that the penman was not Jackson.

He also identified Jackson's signature on the rental receipt for the yellow van used in the escape attempt, and on the register of the Holland Motel in San Francisco, on Lombard Street near the Golden Gate Bridge approach.

The witness was unable to testify conclusively concerning a postscript supposedly written by young Jackson on the letter to his brother at

Soledad that was penned by Miss Davis. He could not, he said, rule out the possibility that it was penned by Jackson; neither could he confirm that it was.