

MAY 4 1972

NYTimes

DAVIS TRIAL TOLD OF BORROWED CAR

State Seeks to Establish a
Link to Escape Attempt

By ROBERT A. WRIGHT

Special to The New York Times

SAN JOSE, Calif., May 3—
The Angela Davis murder-conspiracy trial heard today from a prosecution witness who said that Jonathan Jackson borrowed her car three days before the attempted breakout at the Marin County Courthouse on Aug. 7, 1970, in which Jackson and three others were killed in a gun battle.

The witness, Mrs. Mabel Magers told the jury that she gave Jackson her 1965 Volkswagen on Aug. 4 and did not see it again until some three weeks later. Mrs. Magers said she had retrieved her car from a parking lot at San Francisco International Airport, to which she had been led by Mrs. Georgia Jackson, mother of 17-year-old Jonathan.

The prosecution has implied that Miss Davis drove the car to the airport on the day of the Marin Court incident and has said it will prove she was waiting there to escape with Jackson by air.

Miss Davis, a black former philosophy instructor at the University of California, Los Angeles, is accused of plotting the release of Jonathan Jackson's older brother, George from San Quentin Prison.

Assistant Attorney General Albert Harris Jr. asserts that Miss Davis, an avowed Communist, engaged in the conspiracy because of her love for George Jackson, one of the three so-called Soledad Brothers, who was slain in the prison in August, 1971.

Met Jonathan Jackson

Mrs. Magers, of Kansas City, said she had met Jonathan Jackson in the San Jose home of Mrs. Joan Hammer, where she lived for about a year until September, 1971. At that time Mrs. Magers testified that she also saw in the house a person "that seemed to be Angela Davis" from photos she had seen.

The Hammer family is well known from activities in San Jose affairs. Mrs. Hammer's daughter, Betsy, was the wife of James Carr, who was shot to death last month outside the Hammer house. Carr was a former cellmate of George Jackson.

Mrs. Magers, who is about 30 years old, said she had seen Jonathan Jackson several times in the Hammer home and elsewhere, including a time when she drove him and Mrs. Hammer to San Quentin to visit George Jackson.

Under questioning by Mr. Harris, Mrs. Magers said she was led to her car at the airport by Mrs. Jackson in late August or early September. Mrs. Magers said she had paid a \$43 parking lot ticket to pick up the car.

In the afternoon session, two employees of a San Francisco pawn shop testified that they had sold Miss Davis a 12-gauge shotgun with a serial number identical to that on a prosecution exhibit of the sawed-off shotgun used in the Marin County Courthouse shootout.

Another witness, a salesman for a Hertz Rent-a-Car station in San Francisco, testified that he had rented a yellow van to Jonathan Jackson, who identified himself with a driver's license, in August, 1970. It was in a yellow van that young Jackson and his companions died in attempting to take hostages from the Marin Courthouse.