

MISS DAVIS LINKED TO SHOOTOUT SITE

Gas Station Operator Says
She Was With Jackson

By EARL CALDWELL
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SAN JOSE, Calif., May 4—The prosecution in the Angela Davis trial called its 76th witness today, a husky gas station operator who said the defendant was at the Marin County Civic Center the day before the escape attempt she is accused of helping to plot.

The witness, Alden F. Fleming, said that while he had observed Miss Davis for only a few minutes he had been able to identify her because of "the fairness of the complexion" and "the Afro hair."

Mr. Fleming said that Miss Davis was accompanied by a youth whom he identified as Jonathan Jackson. He said that they had stopped at his service station when a yellow van they were traveling in broke down.

Mr. Fleming said that at one point he had a brief conversation with the woman. He said that the the time he was standing "about four feet" away from her

Mr. Fleming was one of four witnesses caued by the state today who saaid that the had seen Miss Davis and Jonahan Jackson at the gas slation.

Mr. Feming was the first and his estimony was the most dramatic. However, under cross-examination he identified a series of photographs as being pictures of the defendant only to find out later that on one of his selections he had identified the wrong person.

The estimony from Mr. Flemfar in the ttrial that Miss Davis has been placed at the Civic Center, where four persoons, including a judge were killed.

The judge was among the courtroom in the Civic Center. The hostages were taken after a youth, said to have been Jonathan Jackson, smuggled guns past baailiffs.

Problem on Identity

The hostages were taken from the courtroom, according to the prosecution, by Jackson and three black convicts who had been involved in a ttrial thesr, the State says they weere to be used lated to demand the freedom of the black black convicts known as the Soledad Brothers. The state contends that Miss Davis supplied the guns and helped organize the plot.

The judge, Jonathan Jackson and two of the convicts were involved were killed while at-

tempting to leave the Civic Center in a yellow van—the same one Mr. Fleming identified as the vehicle he saw Miss Davis in the day before.

He said that the defendant and Jackson had stopped at his station when the van broke down. He said that his son, Peter, had gone to a parking lot near the Civic Center where the van had stopped and got it operating again. In later testimony, the son also identified Miss Davis as being at the service station the day before the shootout.

However, under cross-examination he admitted that 11 days after the shootout and months later during an appearance before the grand jury he was unable to identify Miss Davis as the woman with the man he said was Jonathan Jackson.

Mr. Fleming was shown nine photographs and asked to select the woman he had seen with young Jackson.

He selected four of the photographs as being pictures of Miss Davis. One of those, it turned out, was a picture of Miss Davis' sister, Fania Jordan.