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ALDEN FLEMING
Angela trial witness
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A Story of Angela the 'Day Before' SFChronicle By Carolyn Anspacher

A San Rafael service station operator stepped down from the witness stand in the San Jose courtroom where Angela Davis is on trial for murder, kidnap and conspiracy, and pointed a steady forefinger at the 28-year-old black militant.

She was the woman. Alden Francis Fleming testified, whom he had seen in his Mobil service station about 10:30 a.m. on Aug. 6, 1970, 24 hours before the Marin Civic Center escape attempt and shooting in which four persons were killed. He was one of three witnesses who placed Miss Davis in the station.

Fleming's service station is less than a block from the Marin Civic Center. He testified that on that morning a "tall, fair-complexioned colored woman with Afro hair," accompanied by a "handsome boy" he took to

be her brother came to the station. The "handsome boy" he identified as Jonathan Jackson, the 17-year-old protagonist in the escape attempt, who was slain in the ensuing shooting.

Fleming said the young man told him their rented van had stalled in the Civic Center parking lot and

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"asked if we could help."

"He was very vague about what was wrong with the van and I gave him a phone book and suggested he call the Hertz people," Fleming said. "He didn't seem to know what to do. He had to go out to talk to the lady who was standing outside my office by the outer gasoline island."

Fleming said he accompanied the youth outside and stood by while they talked. It was then agreed that Fleming's son, Peter, should drive a truck over to the stalled van and try to "jump" the battery.

A little later, he testified, the yellow van was driven into the station and the man and woman got out. They turned down an offer to have the van checked by a mechanic, Fleming said. The young man paid a \$6 service charge and the couple drove off.

It was into such a yellow van, on the following day, that Jackson and three armed San Quentin convicts herded five hostages. That van became the death wag-

on for four of the nine.

Fleming testified under the examination of Assistant Attorney General Albert W. Harris Jr. that immediately after he heard of the shooting and that a yellow van was involved, he called the Marin Sheriff's office to report that such a vehicle had been in his station the day before.

He said he quickly identified Jackson as the "handsome boy" who had been in, but it was not until August 15 that he opened the paper and saw a photograph of Miss Davis who then was being sought in connection with the bloody episode. He testified he also reported this identification to the sheriff's office.

"I want you to look around this courtroom and tell me if you see in here the woman who was in your gas station on Aug. 6, 1970," Harris ordered Fleming.

Fleming got up, left the witness stand, and walked to within a few feet from where Miss Davis was sitting next to her investigator, Kendra Alexander. The two bear a remarkable resemblance one to the other, and for the last week, have been

dressing almost identically. Yesterday both were in bright prints, tinged glasses and long dangle earrings.

Without a word, Fleming pointed to Miss Davis, and returned to the stand.

Under cross examination by Defense Attorney Leo Branton Jr., Fleming clung tenaciously to his identification of Miss Davis. He said he dealt professionally with many blacks, but considered her light skin a "rarity." And he also considered her "unusual," he said, because of her features — "her large eyes and high cheek bones, and with a face not as strong or as heavy as most colored people have."

He said he looked at her for "maybe a minute or longer" but couldn't describe what she was wearing because he is color blind.

Fleming, however, could not remember having seen Miss Davis' look-alike, Mrs. Alexander, who drove into his service station April 21 of this year with another defense attorney, Howard Moore. Mrs. Alexander, too, is very fair skinned and fine featured.

Fleming said he remembered Moore's visit but didn't notice Mrs. Alexander because he was busy with other customers at the time.

He picked Miss Davis' picture from seven pictures shown him before court. One of the women photographed was Kathleen Cleaver, wife of fugitive Eldridge Cleaver, now in Algeria.

Fleming's 25-year-old son,

Peter, who drove young Jackson and the woman identified as Miss Davis to the Marin Civic Center and who started the stalled van, likewise seemed very sure of himself under direct examination. He remembered her as "tall, slender, with a pretty good build on her, an Afro hairdo and sun glasses."

Asked to pick Miss Davis out, he pointed directly at her.

However, when questioned by Branton, young Fleming acknowledged that on Aug. 17, 1970 he couldn't "positively" select Miss Davis' picture from a sheaf of photos and neither was he certain of her identity when he testified before the Marin County Grand Jury.

Michael Vonada, a Marin county fireman who happened to be in the Fleming station on Aug. 6, 1970, identified both Jackson and Miss Davis. He said he helped Jackson find the Hertz phone number and then went outside where he came across a "good looking young black woman" who had "spaces between her teeth."

CIGAR

He testified she was smoking a medium sized black cigar; that he said "hi" to her, and that she returned the greeting. Vonada, too, picked Miss Davis out in the

courtroom.

Dennis Bosch, the Fleming auto mechanic, testified he had seen the yellow van in the service station, and remembered two people — a "good looking young black with sharp looking clothes" and a black lady — "tall, slender, fair complexioned with Afro hair; wearing a black mini-skirt and boots." Unaccountably, he was not asked to identify Miss Davis.

The day's remaining witnesses were Gordon C. Farrell, a San Quentin correctional officer, who testified that the morning of August 6, 1970, and again the following morning, he saw a young man, subsequently identified as young Jackson, enter the Marin courtroom of Superior Court Judge Harold J. Haley, who was slain that day.

And Judge Haley's former bailiff, James H. Layne, testified young Jackson also visited the courtroom after 3 p.m. on August 6 and left when informed the trial of San Quentin convict James McClain had been recessed early.

Layne said Jackson, whom he again saw the next day, when the courtroom was taken over by the convicts, was wearing a knee length coat and carrying a small black "AWOL" bag.

The Davis trial will be in recess until Monday.