

Davis Juror Reports Unanimity in Talks

SAN JOSE, Calif., June 5 (AP)—The jurors who acquitted Angela Davis on murder-kidnapping-conspiracy charges had no major disagreements on her innocence from the start of their 13 hours of deliberations, the forewoman has disclosed.

Mary Timothy spoke of the lack of discord while attending a festive party last night celebrating the verdict yesterday.

A Mexican-American on the jury said that he had related to defense arguments about the persecution of blacks.

Another source said the all-white jury had voted at least three times before handing in its verdict after the 13-week trial. On the first ballot, taken Friday afternoon shortly after they began deliberating, the jurors' vote was nine for acquittal and three undecided. There were no votes for conviction during the balloting, the source said.

"There were no arguments, just discussion," said Mrs. Timothy, 51 years old, a Stanford University medical research assistant who is the wife of a Palo Alto lawyer. "It was unanimous. We talked for quite a while."

Mrs. Timothy refused to discuss the jury's thinking in reaching the verdict. She explained that this might have an

effect on the upcoming trial of Ruchell Magee, a convict who was indicted on the same charges as Miss Davis.

Miss Davis was found innocent of engineering an escape attempt from the Marin County Courthouse on Aug. 7, 1970, in which a judge, two convicts and their accomplice were slain. She had spent 16 months in jail before she was freed on \$102,500 bail five days before the trial began Feb. 28.

The tall, black Communist hugged and kissed members of the seven-women, five-man jury when they met for the first time at a news conference shortly after the verdict was announced. The jubilant Miss Davis termed the acquittal "a people's victory"—not a triumph for American justice.

At the private post-verdict party, the lone Mexican-American on the jury, Louis Franco, told lawyers that he had been moved by the defense's final arguments, which centered on persecution of blacks in America for centuries.

The prosecutor, Albert Harris Jr., an Assistant State Attorney General, declined to comment on the verdict.

During the private celebration at the home of friends here, Miss Davis toasted her

acquittal and the jurors with champagne.

All but three of the jury members were at the private party. Miss Davis said that the jurors had received her warmly and had brought along their husbands and wives to meet her.

Robert Seidel, 69, the oldest member of the jury, said, "This was no slipshod decision."

"I would say we had very few disagreements and they were of a minor nature," he added. "There was no table-pounding or anything like that. It was on a very civilized level."

The verdict came after one of the longest, costliest and most controversial criminal proceedings in California history. It spurred a worldwide movement that rallied to the cry "Free Angels?"

Miss Davis credited that movement for her acquittal.

"As we've said continually, the winning of an acquittal would be a people's victory," she said. "It shows a people's struggle victorious."

Miss Davis said she had not changed her bitter feelings about American justice. "The very fact of an acquittal means that there was no fair trial—because a fair trial would have been no trial at all," she observed.