

A Little Angela Evidence

By Jim Brewer

The State was forced yesterday to reveal a tiny segment of its elaborately prepared case against black militant Angela Davis, who is charged with murder, kidnap and conspiracy in the Aug. 7, 1970 gun battle at the Marin county Civic Center.

The legal stitchery came to light in the Marin courtroom of Superior Court Judge Richard Arnason during a pre-trial hearing in which Miss Davis' attorneys sought to suppress evidence obtained during a search of her car at the Mexican border eight days before the shootout.

The defense contended that the decision by U.S. Customs Inspectors at the San Ysidro crossing to search Miss Davis' car and detain her was illegal, and therefore any physical evidence seized or any material evidence obtained under interrogation is illegal.

With Miss Davis in her 1959 Rambler as it entered the United States from Tijuana at 11:30 p.m. the night of July 30, 1970, was 17-year-old Jonathan Jackson, one of four killed during the Marin escape attempt.

Fruits of the U.S. Customs search of the Davis car were a receipt of purchase of a firearm in Los Angeles in 1970; a 9mm bullet found in Miss Davis' handbag, and a stack of printed material, which one of the inspectors described as "run-of-the-mill militant publications" he thought had "possibly subversive titles."

Among the publications he found in the car trunk, said Inspector Thomas Hardin, were "numerous copies of the People's World," pamphlets on the so-called "Solead Brothers" trial, and a book, "The Mass Psychology of Fascism" by Wilhelm Reich.

Inspector Robert Murrel,

\$6840 Bottle Of Wine

London

A New York antique dealer paid a record \$6840 for a big bottle of wine yesterday because, he explained, his wife asked for wine to celebrate their 10th wedding anniversary.

"I asked her what she wanted, and she said a bottle of wine," said Paul Manno.

The bottle was a 1929 Chateau Mouton Rothschild, believed to be the only one left of its vintage and class. A jeroboam, it holds the equivalent of four normal bottles.

A spokesman at Sotheby's auction said the previous record price for a bottle of wine was \$5000, paid in San Francisco last June for an 1846 Chateau Lafite Rothschild.

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the day's first witness, said he was on the primary entrance lane at the San Ysidro border station and he routinely stopped the Davis car as he did one-third of all autos crossing the border.

He said he asked Miss Davis to open the car trunk, again a "routine" request, and when he saw the stacks of material inside, he referred the auto to a secondary inspection lane for further search.

He denied steadfastly he had stopped the car solely because of the lateness of the hour, and the "unusualness" of blacks crossing the border at that time. (These were the reasons subsequently advanced by the State Bureau of Criminal Investigation and Identification.)

Murrel said "it is not un-

sual for blacks to cross the border at any hour of the day or night."

Thomas Hardin, the second inspector, testified that after looking at the literature in the trunk he felt it his "duty to protect the United States from any treasonous literature . . . that advocates the violent overthrow of the government." He said he told Miss Davis he would have to confiscate the material, notify the FBI and issue her a receipt.

During his questioning of Miss Davis in his office, Hardin said he asked Miss Davis if she was a Black Panther, and she replied she was a Communist.

It was at that point, he testified, that she said young Jackson was her first cousin, and produced both her driver's license and Jackson's.

He saw, he said, that Jackson was a minor, and because it is illegal for juveniles to go back and forth across the border without parent or guardian, he called San Diego police. Beyond that, he said, San Diego has an 11:30 p.m. curfew law for juveniles.

The day's final witness was San Diego patrolman Jerry Hoover who questioned Miss Davis and Jackson about their relationship, but allowed them to proceed. Their detention took about 45 minutes.

At no time during the hearing was it disclosed why Miss Davis and Jackson had been in Mexico, how long they had been there, or where they had gone. But the companionship of the two, just eight days before the shootout, was established.

Judge Arnason will hear arguments today on two other defense motions for suppression of evidence—one involving search of her car found abandoned in Los Angeles on August 11, the other involving the August 18 search of her Los Angeles apartment.