

## All-White Jury, With 8 Women, Seated for Angela Davis Trial

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SAN JOSE, Calif., March 14 — An all-white jury was seated today for the murder, kidnaping and criminal conspiracy trial of Angela Davis.

After nine days, the questioning of prospective jurors ended abruptly this morning when the black militant rose in the courtroom and announced that she was ready to proceed with testimony.

"I do not think that further delay in the jury selection process will affect in any way the composition of the jury," she said, "and, because we have confidence in the women and men presently sitting in the box, I am happy to say that we presently accept this jury."

A moment later the prosecution said that it, too, would accept the temporary panel and, with that, Judge Richard E. Arnason of the Superior Court administered the oath and the jury was seated.

Judge Arnason then began the process of selecting alternate jurors. It was suggested that four alternates be impaneled.

### Eight Women on Panel

With the sudden acceptance of the jury, speculation was that opening arguments might come as early as next week.

This morning, with the prospective jury of eight women and four men in the box, Miss Davis rose from the defense table and began to speak.

"We have long contended, Judge Arnason," she began, "that it would be virtually impossible for me to receive a fair trial in Santa Clara County. As you know, we have made a number of change of venue motions challenging the ruling that the case be tried in this county."

"As I look at the present jury, I see that the women and men do reflect the composition

of this country. There are no black people sitting on the jury.

"Although I cannot say that this is a jury of my peers, I can say that, after much discussion, we have reached the conclusion that the women and men sitting on the jury will put forth their best efforts to give me a fair trial."

At a recess that Judge Arnason granted moments later, defense attorneys said that they agreed last night, after a long meeting, to accept the temporary panel. One attorney, Howard Moore, said, "I'm as satisfied as I d'be with any jury in Santa Clara County. I think we got a pretty good jury."

Both the prosecution and the defense denied that any deal was involved in the sudden agreement to accept the jury. Albert Harris Jr., the prosecutor, said it had only been "understood that if they would accept it we would accept it." Mr. Harris said there was nothing unusual in such an arrangement.

Although the jury was accepted, the national committee involved in the defense of Miss Davis again attacked the prosecution for using one of its peremptory challenges yesterday to remove the one black person from the temporary panel.

Franklin Alexander, a national coordinator of the committee, accused the prosecutor of wanting to try Miss Davis, a black woman who is a avowed member of the Communist party, before an all-white jury.

Mr. Harris replied, "We have not sought an all-white jury. We did not want it. All we want is a fair jury."

While there are no blacks on the jury, there is one Mexican-American, Luis Franco,



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**AFTER JURY WAS ACCEPTED:** Angela Davis, rear, and Howard R. Moore Jr., lawyer, beside her, with reporters outside courthouse in San Jose, Calif. They listened to Albert Harris Jr., in foreground, prosecutor in Miss Davis's trial for murder, kidnaping and conspiracy.

who was seated yesterday after the prosecution used one of its challenges to remove Mrs. Janie L. Hemphill, the one black who had been seated as a prospective juror.

When jury selection began Feb. 28, the defense expressed doubt that 12 impartial jurors could be found and said that, even if they could, it would at best take several months.

As it turned out, only 41 prospective jurors were examined. Most of those turned

down were rejected either because of their strong feelings about Communism or because they felt they had been too prejudiced by pretrial publicity. The prosecution used only four of its 20 peremptory challenges and the defense, two.

The charges against Miss Davis grew out of an attempt to use a judge, an assistant district attorney and two jurors as hostages to free three black convicts from San Quentin Prison. The judge and the other

hostages were taken from a courtroom in Marin County, where the prisoners were involved in a criminal proceeding.

Miss Davis was accused of purchasing guns that were smuggled into the courtroom and helping plot the escape attempt, which ended with four persons, including the judge, being killed in an ensuing gun battle. California law holds accessories to a murder equally guilty with the participants.