

N4F
4-18-72

A Shotgun That Miss Davis Purchased Is Identified as One That Killed Judge

By EARL CALDWELL
Special to The New York Times

SAN JOSE, Calif., April 17—
A shotgun purchased by Angela Davis just two days before an escape attempt at the Marin County Civic Center in August, 1970, was identified today as the weapon used to shoot a judge who was taken hostage by the convicts involved.

The testimony that linked the gun purchased by Miss Davis to the shooting of Superior

Court Judge Harold Haley came from Fred H. Wynbrandt, a ballistics expert.

The shotgun had a sawed-off barrel and had been smuggled into the courtroom by 17-year-old Jonathan Jackson. It was then taped to Judge Haley's neck and used to take the judge hostage as Jackson attempted to free three San Quentin convicts who were involved in a criminal proceeding in the judge's courtroom.

Inside a rented van outside the courthouse, as the group was attempting to get away, Judge Haley was shot twice, once with a shotgun in the head and again in the chest with another weapon.

Wadding Found

Mr. Wynbrandt said that marking on plastic wadding found in the judge's head wound identified it as having come from the sawed-off shotgun.

Miss Davis, who is on trial on murder, kidnapping and conspiracy charges, is accused of helping plan the seizure of hostages and of purchasing guns for it.

When she delivered the opening statement for the defense several weeks ago, she admitted that she had purchased a number of weapons, but she said then that the weapons she bought were "totally unrelated to any illegal activities."

The significance of the testimony from Mr. Wynbrandt was that it pinpointed the Davis shotgun as the one that was used to fire a blast into

Judge Haley's head. There were two other shotguns in the van at the time the judge was killed.

Mr. Wynbrandt also said that a .357 Magnum handgun was the weapon used to shoot the judge in the chest.

Judge Haley was shot twice. According to the prosecution, the handgun was in the hands

of William Christmas, one of the convicts. The sawed-off shotgun, according to state witnesses, was in the hands of Thomas, an Assistant District Attorney in Marin County, was not destroyed when the judge was shot. The two shots that struck the judge were fatal. The judge was taken to a hospital but died two weeks later. The state contends that the judge would have survived if the state could prove that the judge would have been in the courtroom and that the judge was taken to the hospital. Mr. Wynbrandt, the state's ballistics expert, said that the judge's wound was a "blow-through" wound. He also said that freedom fighters black communist James Jackson, the former leader of the Black Liberation Movement, and Christmas had been Soledad Brothers.

