

Jackson Friend Angela Witness

By Stephen Cook
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SAN JOSE — A young blonde from Kansas City who admitted to a "warm and affectionate" relationship with the late Jonathan Jackson was introduced as a prosecution witness today in the trial of Angela Davis.

But the proceedings came

to a temporary halt when defense attorney Howard Moore Jr., on cross-examination, asked her:

"Now, I don't want to embarrass you or your family, but didn't you spend the evening of Aug. 6, 1970, with Jonathan Jackson in the Holland Hotel in San Francisco?"

The witness, Mabel Magers, hesitated, and her attorney, Sidney L. Willens of Kansas City, who accompanied her to court, rose to ask for a conference at the bench.

That led to a lengthy recess, and a conference of attorneys in the chambers of Superior Court Judge Richard Arnason.

When it was over, Miss

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Magers answered the question with a clear, "No!"

And, in response to a series of prosecution questions she said she had never heard of the Holland Hotel until this morning, had never been at that or any other hotel with Jonathan Jackson, and was not with him at the Marin County Civic Center or San Quentin Prison on Aug. 6, 1970.

The defense question electrified the courtroom because the date named was the evening before Jonathan Jackson, 17, invaded a Marin County courtroom in the Civic Center with guns the state claims were supplied by Miss Davis.

In the ensuing action, young Jackson, Marin Superior Judge Harold Haley and two convicts were killed.

The state charges they took five hostages with the intent of offering them in exchange for the freedom of Jonathan's older brother, George, and that Miss Davis became involved because of her love for George.

Prosecutor Albert W. Harris Jr. has placed Miss Davis with Jonathan Jackson on Aug. 5, when he visited his brother at San Quentin, and he has stated that Jonathan was at the Holland Hotel on Aug. 6 — but there has been no hint that anyone else was with him.

Cross Examination

Moore wasted no time in getting to the point when he took Miss Magers on cross-examination.

"You had occasion to refer to yourself as Mickey Jackson?" he asked.

"Yes."

"That was because of your warm and close relationship with Jonathan Jackson, is that correct?"

"Perhaps correct. I was returning a compliment."

"The relationship was warm and affectionate, is that right?"

"Yes."

It was then that Moore asked the question that stopped the show, and the trial was temporarily recessed.

Loaned Car

In her direct testimony, Miss Magers said that on Aug. 4, 1970, she loaned her beige 1965 Volkswagen to Jonathan Jackson. She didn't get it back until late August or early September, she said.

The circumstances of the recovery, as Miss Magers related them, were somewhat obscured by the fact that Harris' questions were structured to avoid having her give hearsay testimony.

She was asleep in a bedroom at the home of Joan Hammer here, where she had been staying, Miss Magers said. Suddenly she awakened to find Mrs. Georgia Jackson, mother of Jonathan and George, standing beside the bed.

"Did you have a conversa-

tion with her?" Harris asked.

"Yes."

"What was the subject matter?"

"My car."

Two or three days later, she said, she drove to San Francisco Airport with Mrs. Hammer, a friend of Miss Davis and George Jackson, and her daughter, Betsy.

They met Mrs. Jackson and another person whom she didn't know, Miss Magers continued, and they followed Mrs. Jackson's car into the parking garage where it eventually stopped at her car.

In it, she said, she found some newspapers and some trash, which included a paper Coca Cola cup and an empty cigar box. When she removed the car from the garage, she had to pay a parking bill of \$33, she added.

Miss Magers said she first

met Jonathan Jackson in mid-July, 1970, at the Hammer home when Miss Davis was there, also, to pick up some art objects that were to be used in a fund-raising function in San Jose.

All the others were active in the movement to win freedom for the "Soledad Brothers," who included George Jackson and two other convicts accused of murdering a guard at Soledad Prison.

She saw young Jackson twice when he stopped by the Hammer home, Miss Magers said, and met him once at San Quentin when she drove there with Mrs. Hammer who was visiting George Jackson.

Soledad Rally

She drove him to the airport on July 28, and met him on Aug. 2 at a rally for the Soledad defendants in San Francisco, kissing him goodbye on that occasion, she said.

But during all that time she never knew where he was living, what he used for transportation, or what activities he was engaged in.

she added.

Harris, who has presented 69 witnesses, has indicated he will be ready to rest his case against Miss Davis late next week or early in the following week.

Superior Judge Arnason and all lawyers in the case have commented on the rapid pace of the trial, once scheduled for four to six months.

Defense attorney Moore has estimated the trial, now in its ninth week, will end around the first of June.

Witnesses Waiting

According to the list of prosecution witnesses read to jurors at the start of the trial, Harris still has 39 witnesses waiting in the wings.

If the prosecutor's sense of timing is accurate and he prevails in legal arguments, one of his last witnesses will be San Jose lawyer John Thorne, attorney for the late George Jackson.

Judge Arnason ordered both sides yesterday to give him further written arguments by Monday on the legality of Thorne's testimony.

Harris claims Thorne told him Sept. 29, 1970, that Miss Davis called him the night of Aug. 5, 1970, said she was in San Jose with Jonathan Jackson and added that they were in route to Santa Cruz

to pick up some things.

The state claims that Miss Davis, accompanied by Jonathan, bought the 12-gauge shotgun that killed Judge Haley at 5 p.m. Aug. 5 and that it was sawed off between then and Aug. 7.

In two days of hearings outside the presence of the jury, Thorne has confounded Harris' attempts to have him repeat his alleged statement about the telephone call with alternate claims of an attorney-client confidentiality privilege and a bad memory.

Judge Arnason told Harris that, as he reads the law, the prosecutor can ask Thorne about the date, time and general subject matter of any such conversation but that, he as judge, cannot read or consider the content of Thorne's earlier statement for fear it could disclose to him matters protected by the confidentiality privilege.

With the five duge ordering him to answer and threatening contempt of court proceedings, Thorne said he did not have such a conversation Aug. 5, but admitted telling Harris he had.

He was mistaken and his later comments in the same interview confirm that mistake, he said.