

Angela Trial

Wrangle Over Lineup Photos

By Stephen Cook

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SAN JOSE — A wrangle over the admissibility of photographs previously shown a prosecution witness marked the resumption of the trial of Angela Davis here today.

It ended with the pictures — a "lineup" that presumably included pictures of Miss Davis and other women — being shown to the witness and his selection of one.

That, he said, was the woman he saw at a Mobil Gas Station across the road from the Marin County Civic Center the day before the Aug. 7, 1970, shootout that ended with the deaths of four persons.

Neither courtroom spectators nor the jury had an immediate opportunity to see the picture he chose, but the witness, Michael Bonada, a Marin County fireman, had earlier pointed Miss Davis out in the courtroom.

He testified last Thursday that he had gone to Alden Fleming's service station for gas, and that while he was there he walked out of the office, saw a light-complected black woman, and said "Hi" to her.

She acknowledged the greeting, he said, and they stood only a few feet apart for two or three minutes.

Bonada said he remembered the woman as having a noticeable gap between her front teeth, and as smoking a medium-sized cigar — both descriptive of Miss Davis.

His testimony supported that of Fleming, his son Peter, and Dennis Bosch, an attendant at the service station — all of whom said, in effect, that they saw Miss

Davis that morning in company of Jonathan Jackson.

Jackson, 17, was the youth who smuggled guns into the courtroom of Marin Superior Judge Harold Haley to spark the fatal escape attempt.

The state charges Miss Davis supplied the weapons, doing so because she loved Jonathan's elder brother, George, and hoped the escapers would take hostages who could be exchanged for his freedom.

Young Jackson appeared in the courtroom of Judge Haley that morning, and twice that afternoon, according to other witnesses. On the following day, he appeared again, produced four guns, and the escape attempt began.

Bonada testified Thursday he did not come forward im-

mediately with his story because he had gone to Alden Fleming first after seeing Miss Davis' picture on television.

He said he was visited by an Attorney General's investigator in December, 1970, and shown a lineup photo from which he made an identification. It was the same lineup that was the subject of today's in-chambers discussion, which lasted an hour before the trial resumed.

Supporting evidence that Jonathan Jackson, at least, had been at Fleming's station that morning came

from James J. Finnegan, senior security agent for Pacific Telephone.

He testified to a company record of a call made from the station, collect to the Hertz car rental service in San Francisco, by Jonathan Jackson at 10:44 a.m. Aug. 6. Fleming had previously testified that Jackson made such a call.

Finnegan also testified that a telephone number found on a slip of paper in Jackson's pocket after his death in the shootout was that of a pay booth at the American Airlines pier at San Francisco Airport.

He showed a photograph of the booth, one of a bank of four behind a partition near the American ticket counter. The prosecution contends that Miss Davis, who flew from the airport to Los Angeles at about 2 p.m. the day of the shooting, was awaiting for a call at that booth.

On extensive cross-examination, defense attorney Howard Moore Jr. developed that the booth in question is near the ticket counter and that a caller using the phone would have been visible from the counter.