

Witnesses Give Angela Key Alibi

By Carolyn Anspacher

The Angela Davis defense produced a series of alibi witnesses yesterday, including one who all but accused Jonathan Jackson of stealing the weapons used in the fatal Marin Civic Center shootings.

The prosecution contends that Miss Davis conspired with and armed the 17-year-old Jackson to seize hostages in the Marin courtroom of Superior Court Judge Harold Haley, planning later to exchange them for Jackson's elder brother, George, a San Quentin inmate.

Instead, on Aug. 7, 1970, a gun battle erupted and four were slain, including Judge Haley and the younger Jackson.

The case is being heard in San Jose before Superior Court Judge Richard Arnason.

L.A.

Valerie Mitchell, a young black who is also known as "Tamu" (which means "Sweetness" in Swahili), testified that until July of 1970 Miss Davis lived with her at 215 West 45th street in Los Angeles. Then, she said Miss Davis moved out of her apartment because it had become the "center" of activities for the Che Lumumba Club and the Soledad Brothers Defense Committee.

The Che Lumumba Club, Mrs. Mitchell explained, is a Communist party organization of "young black activists."

PARTY

Mrs. Mitchell, who said she is still a member of the Communist party, identified a gun rack produced by defense attorney Leo Branton Jr. and said it customarily was stored in a closet in her apartment.

And she identified three guns, two carbines and a Browning automatic. (admittedly purchased by Miss Davis) as "looking like the weapons" kept in the rack.

All members of the Che Lumumba Club including herself and Miss Davis used the weapons for target practice, Mrs. Mitchell testified.

On August 1, Mrs. Mitchell said, Jonathan Jackson came to her apartment ostensibly to run off some material on her mimeographing machine, and she left him alone there. When she returned home, she said he was gone.

The next day, August 2, Mrs. Mitchell said she came to San Francisco for the opening of Soledad House, returning home early on the third.

WEAPONS

On Saturday, August 8, the day after the Marin shooting, Angela Davis and Franklin Alexander, then head of the Che Lumumba Club, came to the apartment together, she testified.

"They seemed excited and concerned," she said. "They asked me if the weapons

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were still in the rack and I said I didn't know. I opened the closet and the two carbines were gone.

"Then I checked the drawer in the bottom of the rack and the Browning was missing. When they saw the guns were missing, Franklin said 'Oh, S—' and Angela said 'Oh, no!'"

"Franklin asked me what had happened and I said I didn't know. Then he showed me a newspaper with a picture of Jonathan with the carbine. I think it was the same carbine we owned with the collapsible stock.

"They asked if Jonathan had been there, and I said he had come by on Saturday. Then they left, and the next time I saw Angela was in the Marin County Jail." (Miss Davis fled Los Angeles on August 14 and was arrested in New York by the FBI on October 13)

QUIZ

Under cross examination, Mrs. Mitchell testified that even after she moved out of her apartment, Angela kept books and clothing there, and occasionally spent the night there.

Mrs. Mitchell testified that on two occasions — after the Marin shooting — she was questioned by investigators for the Attorney General's office, and, on grounds of self-incrimination, declined to answer any questions beyond giving her name and address.

Attorney Bratton said Miss Mitchell had taken the Fifth Amendment on advice of counsel.

The defense is attempting to prove that Miss Davis not only had no knowledge that young Jackson brought three of her four guns to the Bay Area, but beyond that, she had no opportunity to conspire with the youth in the days immediately preceding the Marin shootout. She is charged with murder, kidnap and conspiracy.

The day's first witnesses gave testimony rebutting key prosecution witnesses who tied Miss Davis directly

into the Marin tragedy.

Susan Castro, 29-year-old executive director of the Model Cities Day Care Center in San Francisco, testified that on Aug. 5, 1970 she lunched with Miss Davis and then drove her to the newly-opened Soledad House, leaving her there about 2:30 p.m.

This contradicts testimony of three San Quentin guards who testified that at 11:30 a.m. that day Miss Davis and young Jackson came to the prison, she was signed in as a "Diane Robinson," and waited in the visitors room while the Jackson brothers conferred.

They left at 2:15 p.m. and at 5 p.m., witnesses testified, Miss Davis bought a gun at a San Francisco pawnshop. It was this gun, its stock and barrel sawed off, that was used to kill Judge Haley.

Miss Castro, who is white, said she had been deeply involved in the Soledad Brothers Defense Committee and some weeks before August 5 had met Miss Davis who shared her concern.

Under cross examination by Assistant Attorney General Albert Harris Jr., she could remember no one specifically whom she had seen at Soledad House when she visited there with Miss Davis.

She said she had long known Juanita Wheeler, at whose Willard street apartment she had lunched with Miss Davis.

She acknowledged that when visited by FBI agents in September of 1970, she had refused to open her door and said she would see them at her attorney's office.

"They declined," she said.

EDITOR

People's World editor, Carl Bloice, a good friend of Miss Davis, testified he drove Miss Davis to the Airport August 7 to catch a 3 p.m. plane.

He testified he carried her luggage to the main first floor PSA ticket counter and

while she bought her ticket for a 2 o'clock flight he checked her suitcase.

ATTORNEY

Finally, attorney Marvin Stender, "unofficial legal adviser" for the Soledad Defense Committee, testified he saw Miss Davis on August 6, and in fact, had driven her to Berkeley about 11:30 a.m. He deposited her about noon at an Oregon street address, and then went off to do some work in the Boalt Hall law library.

He said he picked her up at a Second and Mission street parking lot, which was midway between his office and the People's World.

He testified both Jonathan Jackson and Miss Davis had visited his Berkeley home, but never together and what they had in common was their mutual interest in the fate of the Soledad Brothers.

He said his wife, Faye, also an attorney, and San Jose lawyer John Thorne were associated in the Soledad defense.

Stender said he had not informed authorities of his having acted as Miss Davis' chauffeur on August 6 but had discussed it with the Davis defense team. "I was led to the conclusion the Assistant Attorney General was not interested in hearing the truth," he said.
