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## DAVIS CASE ENDED; SHE IS NOT CALLED

### A Soledad Brother Testifies on Last Day for Defense

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SAN JOSE, Calif., May 24—

The defense in the murder, kidnapping and conspiracy trial of Angela Davis rested today without calling the defendant.

The decision was disclosed after Fleeta Drumgo, one of the black convicts known as the Soledad Brothers, had testified as a surprise witness.

The defense called only 11 witnesses and presented its case to the jury of seven women and five men in just three days.

The prosecutor, Albert Harris Jr., indicated that he would call at least one rebuttal witness, and Judge Richard E. Arnason said that testimony would be taken on Friday if possible.

Final arguments are expected to begin early next week, and barring the unforeseen the issue could go to the jury by the end of the week.

There had been speculation that Miss Davis would testify if the defense felt that it was necessary. But its answer came at 3:41 P.M. this afternoon when a defense attorney, Leo Branton, announced that "Subject to the offering of exhibits, you honor, the defense rests."

#### No Knowledge of Plan

Drumgo testified that he knew nothing of an alleged plan to force the release of the Soledad Brothers from San Quentin Prison.

Drumgo and George Jackson, who was shot and killed at San Quentin last August, and J. Clutchette, who is still imprisoned at San Quentin, were known as the Soledad Brothers.

The three became controversial figures in 1969 shortly after they were indicted for the killing of a white guard at Soledad Prison.

In the trial of Miss Davis, the state contended that the hostages taken from the Marin County courtroom in August, 1970, were to be used as ran-

som for the release of the Soledad Brothers.

The prosecution contended that Miss Davis provided the money that was needed and the guns that were used in the courtroom seizure. Her motive, the prosecution argued, was her love for Jackson.

Drumgo today said that he had not even learned of the escape attempt and the taking

of hostages until he had heard it on the prison radio. He said that it was not until later, when he read the newspapers, that he learned that there was supposed to have been a plot involving the Soledad Brothers.

Over the objections of the prosecutor the jurors were told that Drumgo and Clutchette, the two Soledad Brothers who stood trial for murder, were acquitted just a few months ago by a jury in San Francisco.

The defense ended its case with the testimony of Charlotte Gluck, office manager in the philosophy department at the University of California at Los Angeles, where Miss Davis taught until July, 1970, when she was dismissed because of her membership in the Communist party.

#### Hostile Calls Cited

She testified that after the defendant's membership in the Communist party was disclosed she received numerous telephone calls and letters, most of which were hostile or threatening.

Before Drumgo testified the defense offered as a witness Dr. Robert Buckout, an associate professor of psychology at the California State College at Hayward.

Dr. Buckout said that the eyewitness identifications used to link Miss Davis with Jonathan Jackson, George Jackson's brother, on the days before the courtroom seizures were tainted. He said that the witness who said that he had seen Miss Davis near the scene was color blind and he said that was a factor. He also criticized the pictures that were shown witnesses who identified Miss Davis.

He said that the pictures were such that they made identification easy. "The ideal test," he said, "is to make it difficult enough to be confusing."

Four persons, including Jonathan Jackson, were killed in the shooting that followed the courtroom seizure.

Guns registered to Miss Davis were smuggled into the courtroom where the hostages were taken by Jonathan Jackson. She said, however, that she had not provided the guns for the incident.

The state attempted to show that she and Jonathan Jackson traveled together during the week of August, 1970, that ended with the shootout. Dr. Buckout's testimony was designed to answer those witnesses who said that they saw Miss Davis with Jackson just before the shootings.