

Magee's Trial Maneuverings

By Harold Sreeter

Preliminary legal maneuvering in the trial of Ruchell Magee, accused of killing Marin County Superior Judge Harold Haley, began under heavy security today in a San Francisco Hall of Justice courtroom.

As he has done in his frequent courtroom appearances before, Magee took the occasion to lecture the judge and to insist that he be allowed to act as his own counsel.

Superior Judge Morton R. Colvin, however, told the 33-year-old Magee that he was incompetent to handle his own defense and noted that "co-counsel" had already been named.

Marin Shootout

Magee generally acted as his own attorney during this morning's session, however, while co-counsel Robert Car-

row of Novato sat beside him saying nothing.

Magee is charged with murder, conspiracy, kidnap and assault by a life-terminer in connection with the Aug. 7, 1970, shootout at the Marin County Civic Center which left Haley and three others dead.

Angela Davis, Magee's former co-defendant before their trials were split, was acquitted Sunday of charges stemming from the same incident.

Magee, who has educated himself in matters of law while in prison, has held up the trial for more than a year by filing a continual stream of motions in state and federal courts.

When Judge Colvin ruled him incompetent to act as his sole counsel this morning, he cited errors in past briefs as his reason.

Magee, however, said he had filed still another motion to correct the errors and told the judge, "At this time, I feel you are a little off course."

Motion Read

Most of the morning session, with occasional polite interruptions by the defendant, was devoted to reading the motions already presented on a variety of matters.

Colvin said he would give the state attorney general's office 10 days to answer, then give another 10 days to the defense before arguments start.

He did, however, set June 18 as the cutoff date for filing of new motions.

Flown to the Hall of Justice from San Quentin by a National Guard helicopter, Magee was faced with the same strict security measures that were in effect for

the recent "Soledad Brothers" trial.

It is the so-called Soledad Brothers — Fleeta Drumgo, John Clutchette and the late George Jackson — that the state claims were the motive for the Marin courthouse escape attempt. Haley and several jurors were to be held hostage for their release, the state contends.

Bullet Proof

Drumgo and Clutchette were acquitted in the earlier trial of murdering a Soledad Prison guard in January, 1970.

The Magee trial, as were today's preliminaries, will be held in the same courtroom as the earlier trial.

That room is fitted with a bulletproof shield that separates the trial principals from spectators.

Colvin also reiterated a "gag rule" order handed

down in Marin County Superior Court 18 months ago banning statements to the press.

The prosecutor in the case is Eric Collins of the state attorney general's office. Marin County District Attorney Bruce Bales withdrew from both the Magee and Davis cases because of his close friendship with the late Judge Haley.