

## MISS DAVIS CALLS TRIAL A FRAME-UP

Seeks a Role as Co-Counsel  
in Her Own Defense

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Special to The New York Times

SAN RAFAEL, Calif., Jan. 5—Angela Davis, accused of murder, kidnapping and criminal conspiracy, declared her innocence at her arraignment today and said she was "the target of a political frame-up."

Her request to speak came as a surprise, and often her words were lost in the shouted objections of Albert W. Harris Jr., Assistant State Attorney General.

Miss Davis, a black militant and professed Communist, also asked that she be granted permission to act as co-counsel in her own defense.

She said that "a system of justice which virtually condemns to silence the one person who stands to lose most would seem to be self-defeating."

Miss Davis said that she was not only "innocent of all charges" but that her appearance in the courtroom was "unrelated to any criminal act."

### Basis of Charges

The charges against her are based on the state's contention that she supplied the guns that were used last August in an attempt to free three San Quentin convicts who were on trial here by taking a judge, two jurors and an assistant district attorney from the courtroom as hostages.

When the attempted escape was aborted, four persons, including the judge, were killed.

This was Miss Davis's second appearance in court here. Today she was flanked by five attorneys, including Howard Moore Jr. of Atlanta, who will be her chief defense counsel.

Miss Davis walked into court today smiling, and immediately waved a clenched fist salute to the spectators, who included her father, a brother and a sister.

The proceeding was made somewhat tense by the appearance of Ruchell Magee, the lone survivor of the shootout, who also was scheduled for arraignment on charges of murder, kidnapping and criminal conspiracy.

Magee was brought into the courtroom in chains and bound to his seat. At the outset of the proceeding, he became involved in an argument with Judge Joseph G. Wilson over his right to be heard.

Near the end of the proceeding, when Magee continued to insist on being heard, he was removed from the courtroom.

But the most dramatic moment in the crowded and heavily secured courtroom occurred when Miss Davis rose to speak.

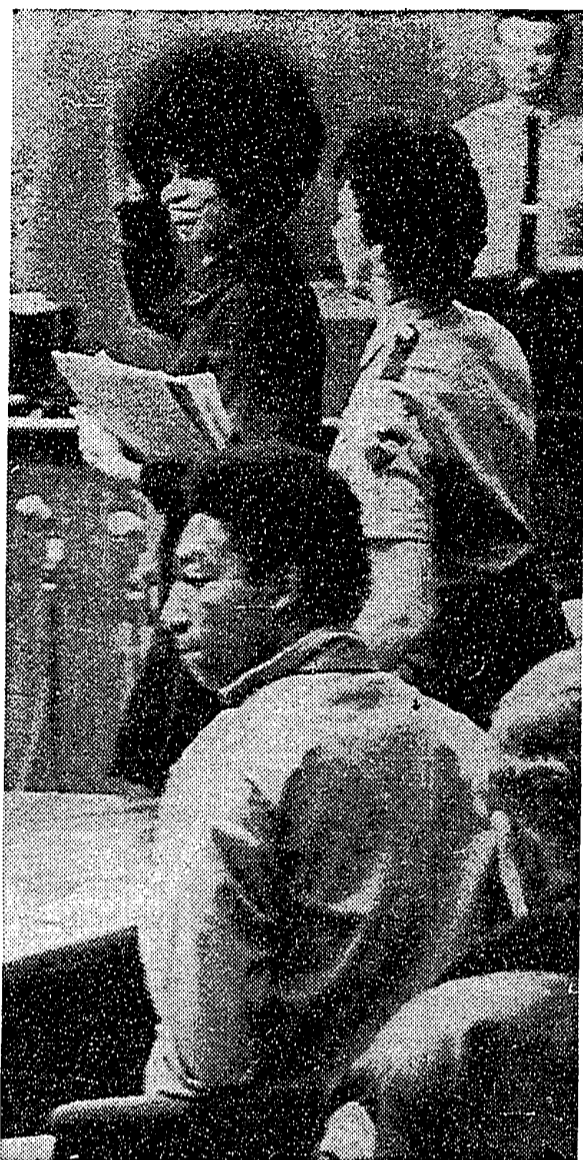
She wore a dark blue dress, had her hair in the familiar Afro style, and stood with her fingers resting on the defense table.

She spoke in a voice that was clear and forceful and often ignored the objections of the prosecution to her statement, which she had written in longhand.

Mr. Harris's basic objection was that, if Miss Davis wanted to be heard, she should be sworn and should speak from the witness stand. Her attorneys objected and the court upheld their arguments.

Miss Davis began her remarks by saying: "I now declare publicly, before this court and before the people of this country, that I am innocent of all charges which have been leveled against me by the State of California.

"I am innocent, therefore I



Associated Press

**ARRAIGNED IN CALIFORNIA COURT:** Miss Angela Davis giving black power salute with right arm as she arrives in Marin County courtroom. Ruchell Magee, lone survivor of shootout there last August and also a defendant in the case, is bound to his seat, at the center.

maintain that my presence in this courtroom today is unrelated to any criminal act. I stand before the court as the target of a political frame-up which, far from pointing to my culpability, implicates the State of California as an agent of political repression."

Miss Davis added that "in order to insure that these political questions are not obscured, I feel compelled to play an active role in my own defense."

She said that "as the defendant, as a black woman and a Communist, it is my duty to assist all those directly involved in the proceedings as well as the people of this state and the American people in general to thoroughly comprehend the substantive issues at stake in my case." Miss Davis asserted that "these have to do with my political beliefs, affiliations and my day-to-day efforts to fight all the conditions which have economically and politically paralyzed black America."

In her plea to act as co-counsel, Miss Davis said: "If the court denies our motion to include me as co-counsel in this case, it will be aligning itself with the forces of racism and reaction, which threaten to push this country into the throes of fascism."

After Miss Davis spoke, one of her attorneys, Michael E. Tigar of Los Angeles, gave legal arguments to support the request that she be permitted to act as co-counsel.

Allan Brotsky, another of Miss Davis's attorneys, made motions to the court asking that the indictment against Miss Davis be set aside and another that she be freed on bail.

The defense was granted 30 days to file written arguments and the prosecution 15 days to answer those arguments. The court is expected to reconvene

for action on the motions early next March.

While the arraignment proceeding was taking place, dozens of Miss Davis's supporters stood in hallways outside, unable to gain admission to the courtroom.

At the same time, several hundred other supporters demonstrated on a dusty knoll about 200 yards from the courthouse.

### 'Lack of Evidence' Cited

In asking for the dismissal of the indictment against Miss Davis, the defense cited what it called a lack of evidence against her.

It said that the only evidence brought before the grand jury was that Miss Davis visited George Jackson, one of the Soledad Brothers in San Quentin; that she accompanied Jonathan Jackson on visits to San Quentin to see his brother, and that she purchased four weapons that were lawfully registered.

It was Jonathan Jackson who smuggled the guns into the courtroom last Aug. 7 and set the stage for the shootout by demanding that the prisoners be freed and ordering that hostages be taken. A number of the weapons the Jackson youth used were allegedly purchased by Miss Davis, a 26-year-old former philosophy instructor at the University of California at Los Angeles.