

# Supreme Court decision grants Angela Davis bail

SAN JOSE, Calif. (AP) — Black militant Angela Davis was freed on \$102,500 bail Wednesday night after 16 months imprisonment while awaiting trial on charges of conspiracy, kidnap and murder.

Assistant Atty. Gen. Albert Harris Jr. told newsmen after a closed-chambers hearing that Superior Court Judge Richard Arnason had set bail at \$102,500.

The judge also ordered that Miss Davis' trial on murder, kidnap and conspiracy charges open here Monday as scheduled, Harris said.

Earlier, Miss Davis' chief attorney, Howard Moore Jr., left the hearing and told newsmen and about 100 supporters of the black revolutionary: "We got what we came for."

The group responded with a loud cheer and Moore departed, saying he was going to prepare necessary legal papers.

The defense won the hearing on bail on grounds that the California Supreme Court last week ruled the death penalty unconstitutional. Under state law, capital crimes such as murder have been nonbailable offenses.

Harris told newsmen that the prosecution agreed that Miss Davis would be eligible for bail if the high court decision stood.

In no case, Harris argued,

should Miss Davis be freed before the decision became final in 30 days.

He said that the attorney general's office plans to ask the Supreme Court to rehear its decision filed last Friday.

Asked how Arnason responded to the prosecution argument, Harris said: "He feels no good purpose will be served by delay."

"I think what he is doing is contrary to law," Harris said, but he added that the state plans no appeal.

Miss Davis, 28, is charged in the Aug. 7, 1970, shooting that claimed four lives at the courthouse in San Rafael, north of San Francisco.

She is accused of furnishing four guns used in the shooting. The four victims were a judge, two convicts and a youth who helped the convicts in an escape attempt.

Harris said Arnason stipulated that Miss Davis could be freed on the posting of \$2,500 cash and a \$100,000 bond.

The National United Committee to Free Angela Davis had announced before the hearing it was prepared to post bail.

"We have Miss Davis' bail ready should it be set today. We also have a place for her to live. All arrangements are confidential," the committee said in

a statement.

The committee said that Miss Davis had decided to grant no news interviews for at least three weeks.

Harris said the judge stipulated that Miss Davis could not leave the San Francisco Bay Area while on bail. Specific boundaries were not immediately defined.

Prior to the state Supreme Court ruling, Harris had opposed several defense petitions seeking bail for Miss Davis.

He had argued that California law prohibits bail in capital cases where there is a strong presumption of guilt or evidence the defendant might flee.

Arnason denied bail on that basis last June 15. However, immediately after the state court announced its death penalty ruling, Arnason said it "certainly changed entirely the restrictions I felt were compelling when I ruled on the bail."

Miss Davis was arrested Oct. 13, 1970 in a New York City motel and was returned to California two months later.

After a long series of pretrial hearings in the courthouse that was the scene of the shootings, her trial was ordered moved from San Rafael to San Jose, 50 miles south of San Francisco.

Miss Davis then was moved to the Santa Clara County women's jail facility at Palo Alto, north of San Jose on the San Francisco Peninsula.

# Vote recount ok'd by U.S. Supreme Court

WASHINGTON (AP) — The Supreme Court Wednesday cleared the way for a recount of Sen. Vance Hartke's narrow victory over former Rep. Richard Roudebush in 1970.

The five-two decision held a second counting of contested ballots in 11 Indiana counties would not usurp the Senate's authority to be the final judge of the qualifications of its members.

Justice Potter Stewart rested his majority opinion on the constitutional provision that the states prescribe the times, places and manner of holding the elections. "A recount does not prevent the Senate from independently evaluating the election any more than the initial count does," he said.

Roudebush, now an official with the Veterans Administration, said the ruling was expected and it pleased him.

"Not to allow a recount would be inconceivable to me because there would be no local method of investigating any election irregularities," he said.

Hartke, campaigning in New Hampshire for the Democratic presidential nomination, was expected to issue a statement later.

A democrat, Hartke retained his seat over Republican Roudebush by a plurality of 4,383 votes out of more than 1,730,000 cast—a margin of about one vote a precinct.

Two weeks later Roudebush asked for the recount in 464 precincts scattered through 11 counties including populous Marion County Indianapolis. However, a federal district court granted Hartke an injunction. He was seated by the Senate for a third term "without prejudice" to the outcome of Roudebush's appeal.



## Transcendental Meditation

First introductory lecture  
12:30, EMU — room will be posted  
Second introductory lecture  
8:00 p.m., 221 Allen Hall

Thursday,  
February 24

## News Roundup

From AP Reports

WASHINGTON — House-Senate conferees agreed Tuesday to a \$3.2-billion appropriation for foreign aid and related agencies. Sen. William Proxmire, D-Wis., called the figure a real disappointment, but Rep. Otto Passman, D-La., described it as fine. The bill would appropriate \$2.6 billion for military and economic assistance itself, and \$72 million for the Peace Corps which is a split between the Senate's \$77.2 million and the House's \$68 million. It would restore \$86 million to the United Nations' own foreign-aid program for which the House had cut all 1972 money.

BERLIN — East Germany will grant West Berliners visits beyond the wall for eight days at Easter and another eight days over Pentecost, the East Berlin government announced Tuesday. The action will come in the form of an East German implementation of the four power Berlin accord and the details incorporated in separate all-German followup agreements. This means: For the 16-day total, West Berliners will be able to visit East Berlin for the first time in six years and East Germany proper for the first time since 1952. They may begin making application March 13.

WASHINGTON — The Environmental Protection Agency proposed Tuesday to require the sale of unleaded low-octane gasoline at most of the nation's gas stations by 1974. At the same time it proposed a phased reduction in the lead content of regular and premium grades of gasoline. The agency provided 90 days for comment on the pending regulations and said it would hold public hearings before making them effective. The EPA estimated the rules would increase gasoline prices by about 1.65 cent per gallon by 1980, over today's prices, for regular gasoline. But it said many of today's users of premium would eventually switch to lower grades and end up paying less per gallon.

PARIS — The Western European press provided massive coverage of President Nixon's journey to China, and the historic visit drew generally favorable editorial comment. But the Soviet bloc remained chilly. The Communist press played down coverage except in independent-minded Yugoslavia and Romania. The Yugoslav press has given top priority to the visit, with extensive front page reports, background coverage and reports of Western reaction. Romanian press coverage has been prominent, but without official comment. Interest was high in the Middle East and some Arab commentators called the trip a Chinese victory. Many African papers ignored the visit.

HARRISBURG, Pa — Prosecution testimony in the anti-war conspiracy trial of the Harrisburg Seven focuses Tuesday on a Philadelphia slum building where the government says members of the group plotted raids on three draft centers in that city in early 1970. An FBI agent testified that a car belonging to one of the seven defendants, the Rev. Joseph Wenderoth, was parked outside the building on one occasion. There also was testimony that a diagram discovered in the house was a blueprint of the vicinity where one of the raided draft centers was located.

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