

# Thomas recreates Marin County courthouse shootout at Davis trial

SAN JOSE, Calif. (AP) — A prosecutor crippled by a bullet in the Marin County courthouse shootout said publicly for the first time Wednesday that he shot four abductors, three of whom died.

In a voice quivering with emotion, Deputy Dist. Atty. Gary Thomas, 34, testified from a wheelchair at the Angela Davis trial about the Aug. 7, 1970, shootout.

Thomas, 34, recreated the scene in a van outside the courthouse as the armed men tried to flee the San Rafael courthouse with himself, a judge and two jurors as hostages.

He said the van, with Jonathan Jackson, 17, at the wheel, began moving, then suddenly stopped.

Jackson put his hand out the driver's side window, he said, "and

then I heard a shot . . . I can't say whether it was one or two immediate reports . . . then Jackson pulled his hand back inside the window and he looked at it and there was blood on it."

Thomas said that within seconds he grabbed the gun from Jackson's hand.

"I took the gun from him and fired a shot in Jonathan Jackson's direction, one, maybe two . . . James McClain was moving toward the left side of the front of the van. I shot him in the back. I turned and fired a shot in the area of William Christmas and then shot Ruchell Magee in the chest.

"I shot Magee once. He was moving. I tried to shoot him again and the gun clicked . . . he stopped moving right then and he yelled out 'stop firing, please,

please stop firing!"

Thomas added: "At about the same time, I developed sharp pains in my back. My legs gave out and I crumpled down."

During the shooting, he said he saw Judge Harold Haley die.

Asked about his own injuries, Thomas said quietly, "Somewhat over an inch of my spinal cord is shot away and I am paralyzed."

Thomas was calm throughout his testimony, but his voice quavered as he spoke of the killing of the judge who he said was a longtime friend.

Miss Davis, 28, a black Communist, is charged with murder, kidnap and conspiracy in connection with the shootout. The state says she helped plot the violence.

Jackson, McClain and Christmas all died in the shootout. Mc-

Gee was wounded but lived. He faces a separate trial on the same charges as Miss Davis.

The state claims the hostages were seized as ransom for the Soledad Brothers, three unrelated black convicts then charged with slaying a white prison guard.

The prosecution contends that Miss Davis was waiting for the group at San Francisco International Airport.

Thomas, assistant district attorney in Marin County, was the prosecutor in the trial of McClain, who was charged with assaulting a San Quentin Prison guard.

The state claims the courtroom invasion and subsequent kidnap-murders were pre-planned, with McClain as one of the planners.

The first thing he remembers about the kidnap, Thomas said,

was the sound of a voice coming from behind him in the spectator section.

He said he turned and saw Jackson holding a hand gun. Just then, he said, Jackson reached behind his raincoat and pulled out a rifle.

"The people in the courtroom, including myself and the guards, were instructed to get down on

the floor. I got down on the floor where I was seated, stretched out."

He said he kept his eyes on the judge's bench, saw McClain approach the judge and heard him ask Jackson: "Did you bring the tape?"

The state apparently seeks to show that the comment about tape is proof of preplanning, since

moments later a sawed-off gun was taped to the judge's neck.

Thomas said the judge, on his bench, telephoned the judge and told him, "Don't do any rash." McClain, he said, telephoned and said "come like 'we have the judge. If you don't do what we'll kill him and the jury

## Error costly to soldier

WASHINGTON (AP) — A decorated Army sergeant told a Senate hearing Wednesday his career was nearly wrecked, his citizenship questioned and his adoption of a Vietnamese war orphan delayed when he was wrongfully accused of drug abuse.

Staff Sgt. Donald L. Fryer, 34, of Alhambra, Calif., said his troubles began when a medical report on his departure from Vietnam stated he was heavily under the influence of heroin.

He told Sen. Harold Hughes, D-Iowa, chairman of the Senate's drug abuse and alcoholism subcommittee, he was stripped, searched and detained for 10 days in a security ward behind barbed wire. He was released, he said, only because of strenuous efforts by his commanding officer.

Fryer said doctors ignored subsequent checks showing him to be free of heroin or any other drug.

The Army finally acknowledged an administrative mistake had been made, he said. But by then it was too late to head off troubles.

The military record-keeping system had him pegged as a drug

abuser and the word spread rapidly, he said.

Fryer, who holds awards of the Bronze Star and the Army Commendation Medal for meritorious work in personnel and with orphans in Vietnam, testified he had never used heroin or any other illegal drug.

He said his parents and wife, concerned when he didn't report home on leave as scheduled, were told by the Red Cross it was strange he was still in the Army at all "because we didn't think the Army would keep drug abusers."

After first being rebuffed by officers who didn't want suspected drug users, Fryer said he was helped by the commanding general at Ft. Lewis and others to obtain a certificate stating that his records were in error.

But he said the certificate was not immediately accepted by California officials who told him they would recommend against the adoption of the 4-year-old Vietnamese child by a drug abuser.

A Canadian by birth, Fryer said he was concerned that his naturalization status as an Amer-

ican citizen would be especially after being told passport for his adopted David Matthew, was being up.

Although his problems seem to be clearing, Fryer fears the erroneous record continue to appear.

He was praised by Sen. Hughes as "a dedicated, honest and developed human being" urged by the senator not to get the officers who dropped duties to clear his record.

## Bombs disrupt North Ireland

(Continued from page 1)

MacStiofain declared there would be no suspension of operations at present. But he said he would welcome a conference of "all interests"—including Protestants—on the Northern Irish question.

In Belfast, sources in the Home Affairs Ministry said Whitelaw could be expected to release the 60 suspected terrorists within three weeks. They are among 700 men currently detained under the province's emergency detention rules.

One of the promises the British government made in assuming rule of Northern Ireland was that the practice would be phased out, providing no new violence resulted. A senior ministry official boarded a prison ship docked in Belfast to investigate the complaints of 132 inmates on a hunger strike. The inmates on the vessel, Maidstone, said they were unjustly held and fed contaminat-

ed food.

It was reported the official found living conditions reasonable and the food good but ordered increased recreation time for the detainees.

Two Catholic parliamentarians also appealed for a truce.

John Hume, Social Democratic Labor party member of the provincial Parliament, urged the IRA to end its campaign of terror but asked a comparable de-escalation by the British army.

Gerry Fitt, party leader and legislator in the London Parliament, said continued street battling "can only bring tragedy and unhappiness."

An Army spokesman announced that 600 extra British troops dispatched to Northern Ireland to reinforce security over a tense Easter weekend, would return to England Friday. Their departure will return British troop strength in the province to 14,500.

# Sbisa Hall & Duncan Hall Meal Schedule

## Week Beginning April 9 Thru April 15, 1972

### Master Menu No. 5

SUNDAY	WEDNESDAY	FRIDAY
<b>Breakfast</b> Orange Juice 1. Ass't. Dry Cereal Chilled Peaches Fried Eggs Grilled Sausage Links Toast-Oleo-Jelly 2. Blueberry Hot Cakes Grilled Sausage Links Coffee-Milk Sbisa—Plus Scrambled Eggs	<b>Breakfast</b> Orange Juice Ass't. Dry Cereal 1. Jelly Fritters Sausage Patties 2. Quick Coffee Cake Toast-Oleo-Jelly Sausage Patties Coffee-Milk Sbisa—Plus Hotcakes, Fried & Scrambled Eggs	<b>Breakfast</b> Ass't. Dry Cereal 1. Fresh Fruit Scrambled Eggs Broiled Ham Toast-Jelly-Oleo 2. Cherry Strudel Rolls Broiled Ham Coffee-Milk Sbisa—Plus Hotcakes & Fried Eggs
<b>Dinner</b> *Stuffed Crab 1 Fried Cod Fish 1 & Fried Shrimp 2 Tartar Sauce *Green Peas *French Fried Potatoes Turnip Greens Cole Slaw Steamed Rice Cherry Pie Bread-Oleo-Ice Tea	<b>Dinner</b> *Ass't. Cold Meats Bologna, Ham, Swiss Cheese *Lasagna Beef & Vegetable Soup *Potato Chips *Baked Beans Potato Salad Stewed Tomatoes Shredded Lettuce Sliced Tomatoes Strawberry Whip & Chill Pie Bread-Oleo Orange Punch	<b>Dinner</b> *Breaded Shrimp 6 ea. Cocktail Sauce *Beef & Noodles *French Fried Potatoes *Mixed Vegetables Beef Rice Club Spinach Fruit Slaw Chocolate Pudding White Bread-Oleo-Ice Punch
<b>Supper</b> *Grilled T-Bone Steak 12-Oz. Chili & Beans Crackers *Baked Potatoes w/Sour Cream *Seasoned Yellow Corn Steamed Rice Caesar Salad Caesar Dressing Brussel Sprouts Lemon Cake Hot Dinner Rolls-Oleo Coffee-Milk	<b>Supper</b> *Breaded Chicken Patties Cream Gravy Burritos w/Chili & Cheese *Hash Brown Potatoes *Scalloped Corn Green Peas Buttered Steamed Rice Lettuce & Tomato Salad Salad Dressing Lemon Pie Hot Roll-Oleo-Ice Tea	<b>Supper</b> *Chili & Beans Crackers *Chicken Chop Suey w/Noodles Buttered Noodles Beef Rice *Steamed Spinach Cauliflower Au Gratin Sunset Jello Chocolate Chip Cookies Bread-Oleo Ice Cream Grape Punch
MONDAY	THURSDAY	SATURDAY
<b>Breakfast</b> Tomato Juice 1. Cream of Wheat Scrambled Eggs Hash Brown Potatoes Hot Biscuits-Oleo-Jelly 2. Apple Strudel Rolls Broiled Ham Coffee-Milk Sbisa—Plus Hotcakes & Fried Eggs	<b>Breakfast</b> Pineapple Juice Ass't. Dry Cereal 1. Oatmeal Quick Coffee Cake Pan Fried Bacon Toast-Oleo-Jelly 2. Jelly Fritters Pan Fried Bacon Coffee-Milk Sbisa—Plus Hotcakes, Fried & Scrambled Eggs	<b>Breakfast</b> Orange Juice Ass't. Dry Cereal 1. Cherry Strudel Rolls Link Sausage 2. Scrambled Eggs Link Sausage Toast-Jelly-Oleo Coffee-Milk Sbisa—Plus Hotcakes & Fried Eggs
<b>Dinner</b> *Chili & Beans Crackers *Chicken Chop Suey w/Noodles Buttered Noodles Beef Rice *Steamed Spinach Cauliflower Au Gratin Sunset Jello Chocolate Chip Cookies Bread-Oleo Ice Cream Grape Punch	<b>Dinner</b> *Barbecue Beef Chunks *Chicken Fried Beef Pattie *French Fried Potatoes *Buttered Carrots Buttered Green Beans Steamed Rice Cherry Jello Chocolate Eclairs Bread-Oleo Ice Tea	<b>Dinner</b> *Chicken Fried Steak *Herb Rice Cream Gravy *Whole Green Beans Buttered Whole New Potatoes Buttered Squash Lettuce Celery Salad French Dressing Bread-Oleo-Ice Tea Debbie Vanilla Snack Cake
<b>Supper</b> *Barbecue Beef Barbecue Knackwurst *Barbecue Ranch Style Beans *Lyonnaise Potatoes Italian Green Beans Golden Hominy Buttered Lettuce Tomato Salad Piquant Dressing-Mayo. Boston Cream Pie Bread-Oleo Coffee-Milk	<b>Supper</b> *Roast Turkey Giblet Gravy *Corn Bread Dressing Spicy Hot Sausage *Buttered Peas *Candied Sweet Potatoes Corn Buttered Cranberry Sauce Combination Salad French Dressing Hot Rolls-Oleo-Milk-Coffee Ass't. Cookies-Ice Cream	<b>Supper</b> *Frankfurters w/Chili Hot Dog Buns *French Fried Potatoes *Sauerkraut Lyonnaise Steamed Rice Carrots Pickle Relish-Diced Onion Mustard Tossed Salad-Green Goddess Dr. Individual Pound Cake Milk-Coffee
TUESDAY	MEAL SCHEDULE AT SBISA	MEAL SCHEDULE AT DUNCAN
<b>Breakfast</b> Grapefruit Juice Ass't. Dry Cereal 1. Apple Strudel Rolls Pan Fried Bacon 2. Scrambled Eggs Hash Brown Potatoes Hot Biscuits-Oleo-Jelly Coffee-Milk Sbisa—Plus Hotcakes & Fried Eggs	Monday through Friday: Breakfast—7:00 a. m. to 8:00 a. m. Continental Line—7:00 a. m. to 10:30 a. m. Lunch—10:30 a. m. to 2:30 p. m. Dinner—4:30 p. m. to 6:30 p. m. Saturday: Breakfast—7:00 a. m. to 8:30 a. m. Lunch—11:30 a. m. to 1:00 p. m. Dinner—4:30 p. m. to 6:00 p. m. Sunday: Breakfast—8:00 a. m. to 9:00 a. m. Dinner—11:30 a. m. to 1:00 p. m.	Monday through Friday: Breakfast—7:00 a. m. Lunch—M. W. F.—11:15, 12:15 and 1:15 p. m. T. Th.—11:30 and 12:30 Dinner—6:30 p. m. Saturday: Breakfast—7:00 a. m. Lunch—12:15 p. m. Dinner—5:00 p. m. Sunday: Breakfast—8:00 a. m. to 9:00 a. m. Dinner—12:45 p. m. MSC Food Services Open 7:00 a. m. Close 7:00 p. m. Daily
<b>Dinner</b> *Grilled Chopped Steak Gravy *Shrimp Creole Herb Rice *Mashed Potatoes *Blackeyed Peas w/Salt Pork Glazed Carrots Fruit Salad Strawberry Cake Bread-Oleo-Ice Tea	Closed	Plus Sandwich Line in both Sbisa and Duncan at Lunch and Hamburger line in Sbisa each week day evening.
<b>Supper</b> *Ham Steak 6-Oz. Enchiladas w/Chili, Cheese & Onion Hot Spice Pineapple Chunks French Fried Potatoes *Dry Lima Beans w/Salt Pork *Buttered Broccoli Health Salad Peach Crisp Rye Bread-Oleo Coffee-Milk	*The Only Vegetables and Entrees served at Duncan Hall	

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