

Soledad Witness Puts George Jackson at Murder Site

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SAN FRANCISCO, Jan. 8— After three weeks, attention in the murder trial of the two remaining Soledad Brothers continues to focus on the late George L. Jackson.

This week the state's prime witness, a black convict, testified that he had seen Jackson beat a white guard in Y Wing at Soledad Prison and then hurl him from a third-tier railing to a concrete floor, where he was found dead.

Jackson was shot and killed last August in San Quentin Prison in what the authorities said was an escape attempt.

Jackson and two other blacks, who became widely known as the Soledad Brothers, were charged with killing the guard at Soledad in 1970. After Jackson's death, the state proceeded with its case against the two other defendants, Fleeta Drumgo, 26 years old, and John Clutchette, 28.

Objections by Defense

The evidence against Jackson was admitted over the objections of defense attorneys. They contended that because he is presumed to be innocent until proved guilty, and because his attorney, John Thorne, was prohibited from taking part in the trial, no evidence concerning his action should be admitted.

But Judge S. Lee Vavuris ruled otherwise, saying that the evidence was necessary to

show what went on when the guard was killed.

The white guard, John Mills, 25, was killed three days after another white guard shot and killed three black prisoners who were involved in a fight with white inmates in an exercise yard. At the time Mr. Mills was killed, prison officials theorized that his death had been ordered by black inmates in retaliation for the shootings in the exercise yard.

The case became a controversial one and, as it did, attention centered on Jackson, who became widely known with the publication of his book, "Soledad Brother."

Jackson and the other defendants were shifted to San Quentin Prison after their trial was moved from Monterey County to San Francisco. A trial date had already been set when Jackson was killed.

Says He 'Admired' Jackson

The state's eyewitness testimony of the killing of Mr. Mills came from Thomas Yorke, a black man who was an inmate at Soledad Prison at the time the murder took place.

He said that he had seen both Jackson and Drumgo punching and striking the guard, but under cross-examination he admitted that he had not seen Clutchette strike any blows.

"I couldn't see what Mr. Clutchette was doing," he said. He called Jackson a man he "admired and loved" but in-

sisted that he had seen Jackson push the guard off the tier after beating him.

In his testimony, Yorke said that he saw the guard's arms and legs "writhing" before Jackson pushed him over the edge of the railing but he said that he did not know if the guard was alive or dead at the time.

Yorke said that he had seen the beating of the guard from Cell 344, across the wing.

Says He Was Threatened

He said that the authorities had threatened to "throw me to the wolves" if he did not testify and that convicts would "get me" if he did. He said that since the killing he was moved from prison to prison because "the word went out" that he would be a witness.

Yorke said that he knew Drumgo and Clutchette better than Jackson but that it was Jackson whom he "admired tremendously." In speaking of Jackson, he said, "He was a very beautiful example of what a black man should be. I loved him very much."

Yorke, 34, a native of British Honduras, lived in Los Angeles before he was imprisoned after conviction for manslaughter. He told his story from the witness stand Thursday and underwent strenuous cross-examination yesterday. He will be back on the stand when the trial resumes Tuesday.

The case is being heard by an all-white jury of nine women

and three men at the Hall of Justice here under unusually heavy security precautions.

Searched Before Entering

Both spectators and reporters are being searched each day before entering the courtroom through corridors patrolled by policemen armed with pistols and carrying batons.

The judge, jury, attorneys and defendants are separated from courtroom spectators by a thick, bullet-proof glass barrier, topped by a wire mesh screen. The proceedings are heard, often with difficulty, through a sound system.

The State District Court of Appeals earlier rejected a petition to ease the security measures. The American Civil Liberties Union told the appellate court that the measures constituted "harassment" and deterred women from attending the trial. It filed the petition on behalf of three women who said they were subjected to indignities when they were searched before entering the courtroom.

The trial is expected to continue through three and perhaps four months.

Harvard Fraternity to Act

CAMBRIDGE, Mass., Jan. 8 (AP)—The Harvard chapter of Phi Delta Kappa, the international education fraternity, has voted to withdraw from the fraternity until women are admitted.