

Thoresens Grim

Seperate Gun Trials Asked

By TOM HALL
Examiner News Staff

FRESNO — The united front of the gun-collecting William E. Thoresens may be cracking, it was indicated today as attorneys for both unsuccessfully sought separate trials.

Urban Lester, representing Mrs. Thoresen, said her defense may include a claim of "coercion" by her husband.

John J. Flynn, representing Thoresen, promptly declared that, in that case, "there's just no way that William Thoresen can get a fair trial if he goes to trial jointly with her."

Federal Judge William N. Goodwin commented that the last time he saw the San Francisco couple — in San Francisco court — they seemed "very friendly."

UNSMILING

But observers noted that in court here this morning, the two sat unsmiling at the counsel table. They arrived separately, with their respective attorneys, a half block apart.

Judge Goodwin, making it plain he wants an end to the thus-far time-consuming legal maneuvering in the case, ruled the pair must be tried together.

In the same spirit, he earlier rejected a new defense argument that the Robert F. Kennedy assassination makes it impossible for them to have a fair trial.

Defense Attorney Flynn presented press clippings about the many post-assassination pleas for stronger gun laws. He declared that, in the nation's present emotional climate, "It makes it almost impossible to select a jury that is not prejudiced."

However, the judge said the trial will proceed on schedule. He told Flynn:

"I don't think people's attitudes about gun control laws or the law in general is pertinent. Jurors are told the law is the court's concern; all they are concerned with are questions of fact.

"If your contention is correct, Mr. Flynn, a moratorium on trials would have to be declared nationally, because murders with guns occur almost every day.

"It is not feasible or possible, nor even good sense to continue this case. I think we can get a fair jury; I have lots of faith in their good sense."

JURORS CALLED

The judge ordered prospective jurors to appear tomorrow.

Thoresen, 30, and his wife, Louise, 31, are charged in 10 counts with illegally shipping firearms and ammunition interstate, or abetting in the shipments.

Some 70 tons of weapons and ammunition were seized following a raid April 21, 1967, on the millionaire couple's 2801 Broadway mansion.

Although it is not known just how much of the arsenal was transferred to an armory here from Marin County's Ft. Cronkite, where it has been stored, the Army has brought "enough," according to reports.

Just bringing into court the firearms and ammunition that are charged in the 10-count indictment will make a formidable spectacle for the jury.

It includes four rifles, seven pistols, one sub-machine gun, a 37 mm. cannon, two 20 mm. anti-tank rifles and 26,650 rounds of ammunition.

No explanation has ever been given as to why the Thoresens were collecting such unusual items.

CHARGES

The Thoresens are accused of violating federal gun law provisions that bar persons under indictment, or with a felony conviction, from shipping guns or ammunition.

Mrs. Thoresen, during the times charged here, was under indictment in New York

City for illegal possession of "a quantity of bombs and bomb shells." The case is pending.

In Bar Harbor, Maine, Thoresen was convicted in 1959 of stealing travel posters from a railroad station.

Possible penalty on each count is five years imprisonment and a \$10,000 fine.

U. S. Attorney Cecil F. Poole and Jerrold Ladar, chief of Poole's criminal division, will prosecute the case.

ATTORNEY

Thoresen's counsel, Flynn, is the Phoenix attorney, who won the famed Miranda case in the U. S. Supreme Court.

Mrs. Thoresen is represented by Peyton Ford and Urban A. Lester, both of Washington, D.C.

Ford was deputy U. S. attorney general for a time during President Truman's administration.

Judge Goodwin of Tacoma, is presiding, having been assigned the case because San Francisco judges were too busy with heavy calendars.