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3 INMATES' TRIAL DELAYED ON COAST

Judge in Soledad Case Steps
Down After Challenge

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SAN FRANCISCO, Aug. 9—

The murder trial of the three black prisoners known as the Soledad Brothers, who are accused of killing a white guard, was postponed today when the judge was unexpectedly disqualified.

The defense used its single peremptory challenge to disqualify Judge Walter J. Carpeneti, who they said was racially prejudiced.

But when court convened this morning it was the courtroom itself and not Judge Carpeneti that was the major issue. A large bulletproof shield had been erected to separate the spectators from the attorneys, the judge and the jury.

The defense lodged immediate objections and filed motions asking that the shield be removed.

John E. Thorne, chief counsel for the defense, said that the wall "transformed an alleged court of justice into a court of fascism."

Mason Trial Cited

He said that it also showed the racism of the court. He mentioned the recent trial of Charles M. Manson in Los Angeles to make his point. Mr. Thorne said that Manson had been accused of killing seven persons but said that because he was white no such barrier had been erected.

The Soledad Brothers — George Jackson, 29 years old; John W. Cluchette, 28, and

Fleeta Drumgo, 26—are charged with killing a white guard at Soledad Prison in Monterey County in January, 1970, three days after another white guard had killed three black convicts.

The barrier that has been erected is believed to be the first of its kind put up in a courtroom in the United States.

It consists of a three-foot wall and five feet of one-and-one-sixteenth-inch Plexiglas topped by a three-foot, nine-inch metal grill. The barrier is in front of the spectator section.

The trial of the three prisoners, one that has stirred controversy and high emotion among radical groups here, has been linked to the trial of Angela Davis, the black activist who also faces trial on murder charges in nearby Marin County.

The charges against Miss Davis, an avowed member of the Communist party, stem from a bizarre courtroom kidnapping attempt in Marin County that resulted in the deaths of four persons, including a judge of the Superior Court.

Miss Davis was accused of buying the guns that were used in the attempt to free three San Quentin prisoners by using a judge, an assistant district attorney and several jurors as hostages. Prior to that incident, Miss Davis had been active in the defense of the Soledad Brothers. The guns that were smuggled into the courtroom were taken there by a 17-year-old youth, Jonathan Jackson, the younger brother of George Jackson, one of the Soledad Brothers.

Before it used its peremptory challenge today to force Judge Carpeneti off the bench the defense had sought, without success, to have him disqualified for cause.

They said that Judge Carpeneti was racially prejudiced and not capable of granting the defendants a fair trial. As supporting evidence they pointed out that the jurist was a member of several all-white fraternal organizations, including the Elks and the Moose.

In two weeks a new judge will be selected to try the case.