

Judge, Defense Clash During Soledad Trial

By Harold V. Streeter

Tempers exploded today at the Soledad murder trial during which:

- Superior Judge S. Lee Vavuris, red-faced, shouted any more cynical laughter out there, I'll clear you all out and give your five days and \$500."

- Monterey County Assistant District Attorney Ed Barnes said he doubted if defense attorney Richard Silver had read a law book and Silver demanded Barnes "be barred from the courtroom." The judge refused.

- Defense attorneys charged Judge Vavuris with "shouting and pounding on your desk;" asked for a mistrial; demanded the judge apologize before the jury of nine women and three men for what he said about the cross-examination proce-

dure of attorney Floyd Silliman. Judge Vavuris turned down all the motions.

It was the angriest outburst since trial began in late December of two black Soledad Prison convicts, John Clutchette and Fleeta Drumgo, on charges of beating to death white guard John V. Mills at the prison Jan. 16, 1970.

Credibility

The storm of words burst while Silliman was attacking the credibility of a former prison inmate who said he watched the murder take place.

Silliman was asking the witness, William Worzella, now on parole as a burglar and bad check artist in Santa Barbara County, what he told a defense private investigator last November.

When the prosecution demanded that Silliman produce the notes from which he was reading and show them to Worzella "to refresh his memory," Silli-

man refused. The explosion came when Judge Vavuris said he would not allow Silliman to proceed in that manner.

Laughter

The jury was sent out. The ripple of courtroom laughter brought the judge's threat.

For 15 minutes, the courtroom was filled with charges and counter-charges.

When it was all over, the jury came back and Silliman, still refusing to show his notes to the witness, did refresh Worzella's mind about the occasion.

Worzella then dismissed the whole thing by saying the questions Silliman went over had been asked him by the investigator but his reply was, "I'm not going to talk to you about the case."

One typical question: "Did you tell the investigator you didn't want to testify in this case but you were afraid Capt. Moody (head of the Soledad guards) would have you killed if you didn't?"

(End of story, as

printed.)