

Offer to Soledad Witness Claimed

By Keith Power

Authorities agreed to drop charges against an ex-convict now awaiting trial in Tulare county jail in return for his testimony against the so-called Soledad Brothers, Tulare Public Defender Jay W. Powell said in court here yesterday.

He said the "arrangement" was worked out through the Tulare district attorney's office and Monterey county District Attorney William Curtis, the prosecutor in the Soledad trial here.

The jury was excused from both morning and afternoon sessions while Powell, a precise-speaking man, was questioned by the defense and the prosecution argued against the admissibility of the testimony.

DEAL

Defense attorney Floyd Silliman said Powell's description of the deal disclosed a "severe and grossly contemptuous" attitude toward the court on the part of prosecutor Curtis.

Powell represents Manuel Green, 48, a former inmate of Soledad Prison who was an important witness for the prosecution's case against Fleeta Drumgo and John Clutchette, accused of murdering Soledad guard John V. Mills two years ago.

After his release from Soledad, Green, a parolee, was arrested in Tulare county last year on charges of possession of drugs, possession of stolen property and being an ex-convict in possession of a gun. His case has been continued numerous times.

Powell said that the original deal, as outlined by Tulare District Attorney Rob-

ert Bereman, was that Green would be allowed to serve out his parole time in another state and "every consideration" would be given to dropping the charges.

Eventually, however, the public defender said he got a personal assurance from the district attorney that the charges would be dropped in return for testimony. He made a note to that effect in Green's file.

STAGES

At several stages along the slow course of his testimony, the public defender concerned about his privileged attorney-client relationship, asked Superior Judge S. Lee Vavuris to instruct him to respond to the defense questions. Vavuris

complied.

Prosecutor Curtis also argued that the contacts between the Monterey and Tulare District Attorneys come under the protection of "privileged communication" and could not be admitted as evidence.

Judge Vavuris took the issues under submission and said he would rule this morning.