

Defense Objects, but Clutchette Letter Read

By Harold V. Streeter

A controversial letter in which John Clutchette describes himself as a "garbage can nigger" who hasn't contributed as much as some people think to "the struggle" was read to the jury today in the murder trial of Clutchette and Fleeta Drumgo.

The reading of the letter, and a second one saying essentially the same thing, cleared one legal obstacle to the now 12-week-old trial but it still meant the trial would be forced into at least its 13th week.

Clutchette, 28, and Drumgo, 26, are charged with the Jan. 16, 1970 murder of Soledad Prison guard John V. Mills. He was beaten and dropped three floors to his death in Soledad's Y wing just three days after another guard shot and killed three black inmates.

The issue of the letters — one written to courtroom spectator Dovie White and the other to a former girl friend — caused a daylong wrangle yesterday during which the judge and defense attorneys exchanged frequent hot words.

Despite defense objections, Judge S. Lee Vavuris read the letters to the jury this morning.

The key letter was one written to Miss White March 6 by Clutchette.

San Quentin Sgt. William E. Hankin said yesterday he read the letter, as does all letters written by inmates held in the prison's adjustment center.

One paragraph caught his eye. He ringed it in red. Then he contacted an investigator who turned a photo of the letter over to Monterey County District Attorney William Curtis, the Soledad prosecutor.

"I am no one's teacher or leader," Clutchette wrote Miss White in the paragraph ringed by Hankin.

"I'm just another 'garbage can' nigger. I am not as heroic as you and others have envisioned. I have done nothing except what I was called upon by the struggle to do."

An admission of guilt, Curtis contended in urging it go into evidence.

A theft from the United States mail, the defense

countered, that carries no more nor less meaning than has been expressed for the "struggle" by others in the black liberation movement, such as Angela Davis.

The defense said it would call Clutchette to the stand as a rebuttal witness to explain what he meant in the letter. Lawyers Richard Silver and Floyd Silliman also said they wanted to call others to explain to the jury what was meant by the terms "struggle" and "revolution." Vavuris said he would not allow such witnesses.

At today's session, Vavuris also denied a defense motion to take the jury to Soledad to see the scene of the guard's murder.