

# A Witness Balks at Angela Davis Trial

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—The lawyer who represented the late George Jackson was called as a witness today at the Angela Davis trial, but he refused to answer virtually every question the prosecutor asked.

When directed to the court to answer specific questions, the lawyer, John E. Thorne, responded by saying "I don't remember."

Mr. Thorne came into the courtroom this morning accompanied by Charles R. Garry, the silver-haired lawyer who has defended various Black Panther party officials.

Mr. Garry informed the court that he represented Mr. Thorne and said that for Mr. Thorne to answer the questions would constitute a violation of the attorney-client relationship between Mr. Thorne and George Jackson.

Mr. Thorne was called by the prosecution to testify chiefly about letters that Miss Davis is supposed to have smuggled through him to Jackson when



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**John E. Thorne at court in San Jose, Calif., yesterday.**

Jackson was imprisoned at Soledad and San Quentin.

Jackson was shot and killed at San Quentin last August during what prison officials said was an escape attempt.

He has been a central figure in the trial here. The prosecution holds that the August, 1970, raid on the Marin County Courthouse, which it says Miss Davis helped to plan, was de-

signed to take hostages who would be used later to extort the release from prison of Jackson and two other black convicts.

In a gun battle touched off by the raid, a judge and three of his abductors were killed. Miss Davis, 28 years old, a black former philosophy instructor at the University of California, is on trial on charges of murder, kidnapping and conspiracy.

The prosecution today, in arguing that Mr. Thorne should be compelled to testify, said that such testimony would not violate any attorney-client privilege. Mr. Thorne then stated that he had also been an attorney for Miss Davis when the letters were written and that if his replying did not violate Jackson's confidence then it would violate Miss Davis's.

Albert Harris Jr., the prosecutor, called Mr. Thorne's statement that he represented Miss Davis when the letters were written "a fabrication created to suppress relevant evidence."

When the prosecutor made that argument Mr. Garry angrily responded by saying that Mr. Thorne would answer no questions whatsoever.