

# End in Sight for

By Harold V. Streeter

The end of the Soledad Prison murder trial — now into its fourth month — is within sight.

Attorneys for two black convicts charged with killing a white guard have enough witnesses remaining to carry through tomorrow.

But Floyd Silliman, counsel for defendant John Clutchette, 28, said it was unlikely that defense testimony would require more than a portion of next week.

Today's trial session was canceled. The defense won a continuance until tomorrow morning because its next witness, driving here from Las Vegas, was delayed by car trouble at San Luis Obispo.

The trial of Clutchette and Fleeta Drumgo, 26, for the Jan. 16, 1970 slaying of Guard John V. Mills — transferred here from Monterey County on a change of venue — began Dec. 21.

## May Take Stand

Still to be determined is whether Clutchette will testify in his own defense. Last week, Drumgo denied any part in the killing of Mills, saying he was in his second tier cell when Mills was at-

tacked and dumped from the third tier of Y wing — three days after another white guard shot and killed three black convicts in a nearby exercise yard.

Yesterday, seeking to bolster Drumgo's alibi, the defense had another black convict, Denny Allen, testify that Drumgo came to his cell, No. 206, about an hour before Mills was slain. Allen, noting that blacks were on a hunger strike over the triple killings of Jan. 13, 1970, said the two discussed some cake secreted in one cell, then quoted Drumgo as saying he was going to his own nearby cell to lie down.

## Questions End

Monterey County District Attorney William Curtis abruptly dropped the cross-examination after drawing from Allen the admission he did not actually see Drumgo go to his cell and couldn't recall ever seeing him after that. Mills was attacked and killed about an hour later.

The defense suffered a setback yesterday when Superior Judge S. Lee Vavuris barred testimony on the California prison system by Dr. John Irwin, a San Francisco State College sociology professor who has written books

on criminology.

Dr. Irwin served time in Soledad for armed robbery and since had revisited that prison several times during work for the doctorate he obtained from the University of California at Berkeley.

## Threats Charged

The defense had sought through testimony by Dr. Ir-

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win to show that threats and promises were used by prison officials to get inmates to "snitch" on fellow convicts. Judge Vavuris, after lengthy hearings in his chambers out of hearing of the jury, upheld Curtis' objections that Dr. Irwin's testimony was not relevant to the Mills murder case.

The key eyewitness testimony tending to involve Drumgo and Clutchette has been supplied for the prosecution by four other Soledad convicts.

The four convicts, all accused by the defense of testifying either out of fear of reprisal or loss of paroles, placed the major blame for

Mills' murder on black convict George Jackson.

Last Aug. 21, Jackson was erased as a defendant when he died violently along with two other convicts and three guards during an outbreak at San Quentin. Prison officials said Jackson had been smuggled a gun for an escape attempt.