

Lawyer Sentenced

New Soledad Trial Scene

By Harold V. Streeter

The Soledad Prison murder trial was stormily interrupted again this morning, with Judge S. Lee Vavuris angrily holding a defense attorney in contempt of court for uttering the words "Jesus Christ" in court.

Richard Silver, attorney for accused killer Fleeta Drumgo, was held in contempt for remarks he allegedly made while trying to intercede in a loud argument between Vavuris and the other defense attorney, Floyd Silliman.

Silliman represents John Clutchette, 28, who, with Drumgo, 26, is charged with the Jan. 16, 1970 murder of Soledad Prison guard John V. Mills.

Eruption

The shouting erupted while Monterey District Attorney William Curtis was giving his closing argument to the jury during which he said:

"What we're here for is concerned with the murder of John Mills. The plight of blacks does not concern this case."

As he said that, Angela Davis, whose own trial starts Monday in San Jose, entered the courtroom. She is charged with murder, kidnap and conspiracy in connection with the Aug. 7, 1970 shootout at the Marin County Civic Center.

Curtis continued: "There's been an attempt on the part of the defense throughout this trial to interject racism. In this society, some people

shown with direct evidence that there was murder in the second degree," said Curtis, admitting that none of his witnesses had actually established premeditation on the part of Drumgo, Clutchette, and the late George Jackson, killed with five others during violence at San Quentin last August.

The jury would have to decide on the basis of circumstantial evidence whether Mills' slaying actually was premeditated, he said.

At this point, Silliman started to object strenuously and Vavuris, flushing, ordered him to shut up and sit down. Silliman continued, and Silver joined in the angry exchange.

Vavuris then snapped, "Mr. Silver, I am holding you in contempt of court for that remark. Let the record show that you said 'Jesus Christ.' I'm going to give you five days in the county jail starting right now."

Delayed Sentence

Silver, however, was not immediately jailed and it was assumed the sentence would formally be levied at the conclusion of the trial. Silliman was cited in earlier phases of the trial for contempt and his sentence, too, is pending.

Only the judge's instructions remain after Curtis' closing remarks before the all-white jury of nine women and three men retires to deliberate in what has been The City's heaviest-guarded case.

Two incidents yesterday stressed the sensitivity of a security that has turned the third floor of the Hall of Justice into an armed camp since the trial began last Dec. 21.

have been mistreated, but that's not what's on trial here today."

He said the existence of racial mistreatment has often been used as an "excuse" for violence.

"Clearly, the People have