

Witness Held Afraid to Appear at Shaw Trial

NEW ORLEANS (AP)—Defense lawyers Friday said one of their most important witnesses was hiding in Iowa, afraid to return to New Orleans to testify for Clay Shaw in his trial on a charge of conspiring to murder President John F. Kennedy.

The witness, Mrs. Harold McMaines of Des Moines, in sworn testimony last year flatly contradicted a key prosecution witness.

In Des Moines, Mrs. McMaines' attorney confirmed she was hiding, afraid to return for the trial. No reason was given for her fear.

A subpoena for her was obtained last Wednesday by the defense. The last four days of the proceedings have been taken up in selecting eight members of the jury. Testimony may begin next week.

"If she doesn't choose to come, I know of no way we can obtain her presence," said defense attorney Edward Wegmann. "Her presence is of considerable importance to the defense."

In a deposition taken by

the defense last year for a futile hearing aimed at blocking the trial, Mrs. McMaines contradicted earlier testimony of Perry Raymond Russo.

Russo, now a book salesman here, said after his memory was refreshed by hypnotism that he heard Shaw and two other men plotting to kill the President in September, 1963.

Russo said he took Mrs. McMaines, then Sandra Moffett, to a party. In her deposition, Mrs. McMaines denied going to the party with him.

Trial Judge Edward A. Haggerty Jr., meanwhile, ruled that the prosecution has the burden of proving an assassination plot was hatched in New Orleans, but does not have to show it led to Mr. Kennedy's murder.

"We're not trying the death of President Kennedy," he said.

Two jurors were selected Friday for the trial of the 55-year-old Shaw, who for years was managing director of the International Trade Mart here. Court recessed Friday afternoon and was set to resume this morning.