

Angela Witness Gently Quizzed

By Stephen Cook
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SAN JOSE — The state's first witness against Angela Davis, a nervous, gun-shy Marin County housewife, underwent cross-examination today on details of her description of the fatal escape attempt on which the trial is based.

As she did yesterday, Maria Elena Graham, 50, seemed often on the verge of tears as she related the 45 minutes of horror that began with the entrance into a Marin County courtroom of a 17-year-old friend of Miss Davis.

Gentle Probe

Defense Attorney Howard Moore Jr., probing gently at the story she told for the prosecution, pressed her most closely on two points:

- Was she "absolutely certain" that James McClain, one of the escaping convicts who was killed, was told by Jonathan Jackson, Miss Davis' friend, that they were going "to San Francisco Airport"?

- Why had she never mentioned in pre-trial statements that McClain said, while holding hostages in the Marin County courtroom, that the escapers wanted the Soledad Brothers released from San Quentin?

To the first question, Mrs. Graham replied that



GUNS INTRODUCED IN ANGELA TRIAL
Weapons held by Deputy Sheriff Jack Partch
—UPI Photo



STATE'S FIRST WITNESS AT ANGELA TRIAL

Maria Elena Graham leaves court in San Jose today

—AP Photo

she had "no doubt" about the airport destination.

The second related to a telephone conversation when McClain took the instrument from Superior Judge Harold Haley and talked to Sheriff

Louis Mountanos, demanding freedom.

Mrs. Graham had not in two earlier statements **made** any mention of McClain de-

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manding freedom for the Soledad Brothers—then awaiting trial for the murder of a prison guard—Moore pointed out.

“Well,” she said, “I’ve just remembered. I worked so hard to forget the whole thing, and it was difficult for me to remember. Nobody told me what to say.”

Later, she conceded that that bit of McClain’s conversation “just came to her for the first time” while she was on the witness stand.

Several Times

Moore also stressed that in pre-trial statements she cited young Jackson as having said the goal was release of the Soledad Brothers only once in a courthouse corridor and once in the Marin Civic Center Parking lot. Yesterday, she testified he said it several times, including once in the courtroom.

Mrs. Graham’s response was much the same as before — that she had made a deliberate effort to close her memory on the terror of that ordeal on Aug. 7, 1970.

Her account yesterday was replete with detail.

Young Jonathan Jackson briefly took a seat in the middle of the courtroom’s spectator seats, then “suddenly Mr. Jackson stood up and pointed what looked to me like a machine gun and said, ‘This is it. Everybody freeze,’” she recalled. “I froze.”

Jackson passed two guns to McClain, the San Quentin inmate on trial, and inmate on trial, and the convict taped one — a sawed off shotgun — to the neck of Judge Haley, she said.

Ruchell Magee, another inmate on the witness stand, “stood and demanded that his shackles be removed. They were,” she said.

Some jurors and guards were told to lie face down on the floor. The prosecutor, Gary W. Thomas “stood and told Mr. McClain not to do anything foolish. Then he lay on the floor,” she recalled.

Examines Guns

Reluctantly, she examined the guns the state charges Miss Davis furnished in an attempt to take hostages in exchange for Soledad Brother George Jackson, brother of Jonathan.

It was the first public exhibition of the weapons — a pistol, a .30 caliber carbine with collapsible stock and pistol grip that looks like a machine gun, and a sawed-off 12 gauge shotgun.

When Prosecutor Albert W. Harris Jr. produced the shotgun, Mrs. Graham winced, shuddered and drew back from the weapon which allegedly killed Judge Haley.

McClain, she recalled, forced Judge Haley —shotgun taped to his head — to telephone Sheriff Mountanos

“and tell them to call their pigs off.”

“Judge Haley called and told him we’d been overtaken and not to do anything rash,” she recalled, then she added in a thick, tremulous voice:

“Mr. McClain took the phone and said, ‘We’re not kidding. This is for real. We’re going to kill everybody in this building unless you let us go.’”

Release Demanded

“Mr. Jackson said, ‘We want our Soledad Brothers freed’ and that he was going to keep these prisoners until they were turned loose.”

Joined by another convict, William Christmas, the band of kidnapers took Mrs. Graham, two other jurors, Judge Haley and Prosecutor Thomas out of the courtroom, she said.

In the hallway, they encountered a photographer and Jackson told him, “Take all the pictures you want. We are the new liberation. We want our Soledad

Brothers freed,” Mrs. Graham recalled.

Walking out of the building and across the parking lot to a getaway van, the abductors shouted several other demands that the Soledad Brothers be freed by noon “or we’ll kill the judge,” she said.

Inside the van, McClain asked Jackson where they were going and “he said to the San Francisco Airport,” she said.

With Jackson driving, the van backed out of its stall and started forward and Mrs. Graham recalled “I was very busy trying to keep my skirt under me. The floor was very slick.”

The van had only one seat — for the driver — and Mrs. Graham was on the floor behind the engine casing, with her back to the front. Gary Thomas was beside her on the passenger side of the van.

“The van stopped very suddenly and the shooting started. I couldn’t tell from where. When the shooting started, Mr. Thomas reached over my head to the driver’s side and grabbed a gun.

Saw Blood

“I saw my arm flip into the air and realized I was hit when I saw blood. Things happened very fast. It was very noisy in the van.

“The next thing I knew, Mr. Thomas’s body was over mine and I heard him yell: ‘For God’s sake, please don’t shoot.’”