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Assured on B26 Papers, Job Seeker Says

over

By ORR KELLY
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BUFFALO, N.Y.—A pilot who wasn't hired to fly B26 bombers to Portugal has testified that he was assured as early as February 1965 that all of the paper work on the planes would be in order.

Testifying as a defense witness for two men charged with conspiring to export seven of the bombers illegally, Edwin Frank Keyes of Merritt Island, Fla., said that was the one thing he was most concerned about.

On a crosscountry trip in the last week of February, he said, he met Gregory Board, the 45-year-old alleged mastermind in the plane smuggling deal, in

Tucson, Ariz., and talked to him about a job flying the planes.

"I asked Board about customs," Keyes said. "I knew that unless paper work is clean, you don't get through customs . . . If there was any one thing I stressed, it was that the paper work would have to be perfect. I would not sit three or four days in a port for the paper to be straightened out—not while I was on a flat payment."

Figures Out Pay

Board suggested, Keyes said, that he be paid \$3,000 for each flight, from which he would have to pay all expenses. On an easy flight, Keyes said, he figured he could make \$1,000—

but clear only \$500 if there were any difficulties.

John Richard Hawke, an ex-Royal Air Force pilot who has said he made the seven flights between May and August of last year, is one of the two men still on trial here. The other is Count Henri Maris de Montmarin. Indictments have been dismissed against two others and Board has been out of the country since before his indictment.

Hawke, who is expected to testify later this week, has said that he believed the whole operation was being run by the Central Intelligence Agency. A man he believed to be a CIA agent, he says, gave him two code words—"Monarch" and "Sparrow"—to use in case he got in trouble.

But another defense witness indicated yesterday that "Monarch" may not have been the mysterious code word Hawke considers it.

"Monarch" Discounted

Nicholas A. Kleiner, a supervisor for the Federal Aviation Agency's New York Air Traffic Control Center, produced records from last year showing that Hawke had failed to check in by radio on trans-Atlantic flights.

On one of them, he said, the plane was described as a "Monarch B26."

In testimony last week, a government witness explained that the B26 was described as an "Invader" by Douglas Aircraft, the manufacturer. But when the planes are converted for civilian use, he said, they are designated "Monarch."

While the use of the word "Monarch" on the official FAA

report is viewed by the defense as evidence that the CIA was watching over Hawke, to the prosecution it appears to show that there was an attempt to represent the bombers as civilian aircraft.

Ask Dismissals

When the prosecution's case ended earlier in the day, Edwin Marger, attorney for Hawke, and Edward Brodsky, De Montmarin's attorney, argued that the indictments against their clients should be dismissed.

U.S. Atty. John T. Curtin contended that sufficient evidence of a crime had been produced for the trial to continue.

U.S. District Judge John O. Henderson reserved judgment on the motions, which he described as "strong," and ordered that the defense to go on in the meantime.

One of the first defense witnesses was Joseph E. Sullivan, a special agent of the Federal Bureau of Investigation, who described how Hawke came to his office in Fort Lauderdale, Fla., one day in the fall of 1965 and complained that he was being followed.

Moments later, a man who identified himself as a U.S. customs agent entered the office and admitted he had Hawke under surveillance, Sullivan said.

"Hawke and the customs

agent exchanged some heated words," Sullivan said, "with Hawke demanding to know why he was under surveillance. He said something like, 'why are you following me when we're both working for the same people?'"