

# 'Buyer' Actually Customs Agent

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By The Associated Press

A man identified as a buyer of explosives allegedly destined to be used to overthrow a foreign country has turned out to be a government agent.

For five hours Monday evening, Carlos Diaz, who is really U.S. Customs Agent Cesario Diosdado, told how he spent over a month setting up a purchase of high explosives which resulted in the July 1 arrest of nine men and the confiscation of a DC4 airplane loaded with high explosives.

Two men—Murray Kessler of Brooklyn, N.Y., and Adler Seal of Baton Rouge, La.—were bound over to a district court Monday night after a preliminary hearing before U.S. Magistrate Morey L. Sear.

KESSLER was allegedly the prime mover in the efforts to obtain the munitions for Diosdado. Seal was identified as the pilot who was to fly the explosives out of the United States to Mexico.

Involved in the July 1 arrests and confiscations were 13,500 pounds of plastic explosives, 2,000 electrical blasting caps, 25 electrical detonators and 7,000 feet of prima-cord.

Diosdado testified Monday that he had been shown by Kessler and Seal a bill of lading printed in Dutch with the only English part of it being the enumeration of a quantity of explosives. He said he was told by the pair that the explosives had been purchased in the Netherlands and later brought into the United States by Seal through Aruba, off the coast of South America.

U.S. Atty. Gerald Gallinghouse said Monday night after the hearing that the explosives had been purchased prior to Diosdado's appearance as a potential buyer.

"I HAVE no recall about the particular date," Gallinghouse said, "but it was fairly recent. It was my impression that it (the explosive cargo)

was here when they commenced their negotiations."

Gallinghouse said it was not unusual for a federal agent to pose as a buyer for illegal items.

"It's perfectly proper procedure for government agents to make buys," he said. "It's done all the time in narcotics and other things that are violations. It's how you establish, so often, violations of federal law."

One item of the federal complaint said that Kessler and Seal "knew and believed that this material (explosives) would be used in an attempted overthrow of a foreign nation."

In his testimony, however, Diosdado said that he responded, "That's my business" when one of the alleged conspirators asked him who he represented.

"EVIDENTLY," Gallinghouse said, "the representations were made. That statement about they 'knew and believed' would mean that's

what they were told. It's from their viewpoint."

Diosdado said, during his testimony, that he had seen aerial charts of Cuba which Seal took from a suitcase, but that other charts, including maps of Florida and Mexico, were also spread out by the pilot.

Diosdado said he felt Kessler assumed he was a Cuban national, since he spoke with a Cuban accent. In his role as a buyer, Diosdado pretended almost no knowledge of English, working almost exclusively through an interpreter in his dealings with Kessler.

The customs agent said Kessler claimed to have an interest in a shipping firm and apparently thought the agent could help him get a containerized cargo franchise.

NO OTHER references to Cuba were made during the five hours of testimony delivered by Diosdado, but an early government release quoted federal authorities as saying

the men were charged with conspiring to smuggle the munitions "from the United States to Mexico for future transshipment to another foreign country, presumably Cuba."

Following the hearing, a newsman asked Gallinghouse if any of the defendants had any interest, other than financial, in the shipment.

Gallinghouse said he could not comment on the question.