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Plot 290

MIAMI, Fla. (AP) — A federal grand jury said Wednesday a group of Cuban exiles practiced bombing missions out of Miami and conspired to bomb British, Canadian and Spanish ships or any others loaded with supplies for Cuba.

Six other residents of Miami, including Orlando Bosch, head of the revolutionary organization, the Revolutionary Recovery Movement (MRR), were named in an indictment charging they conspired to drop the bombs.

A second count charged two exiles with conspiracy to export arms and a third that they conspired to export an airplane.

Named with Bosch in the bombing conspiracy charge were Marcos Rodriguez Ramos, Barbara Balan Garcia, Louis Bertet, Jose Antonio Mulet and Jose Diaz Moya.

The indictment, returned before U.S. District Judge C. Clyde Atkins, said that on Jan. 15, 1966, Balan and Bertet, and an American pilot, Arthur Girtelt, were arrested at Tamiami Airport as they were about to board Girtelt's twin-engine Piper Apache.

Customs agents and deputy sheriffs made the arrest to climax a plot that began last December, according to Donald I. Bierman, assistant U.S. attorney.

Bierman said that the plane was loaded with three 100-pound bombs, three one-gallon jugs containing phosphorous and water, an incendiary mixture, an M1 rifle and 80 rounds of ammunition, a .45 caliber automatic pistol and 22 rounds of ammunition.

Bierman said the plot started when Rodriguez and Balan approached Girtelt and asked him to fly the bombing missions. Girtelt agreed, but notified customs and the agency went along with the plan.

They flew several practice missions, Bierman said, and "when the night came for the real thing, they were arrested."

Bosch was found innocent last year after a trial on a charge of threatening death to other Cuban exiles unless they gave him money to fight Fidel Castro.

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THE NEW YORK TIMES, SATURDAY, OCTOBER 12, 1968

9 Cuban Exiles Indicted in Plot to Attack Ships

MIAMI, Oct. 11 (AP)—Nine Cuban exiles were jailed here today on Federal charges of plotting terror attacks on ships and planes of Spain, Mexico and Britain as part of a nationwide anti-Castro campaign by a group calling itself Cuban Power.

The man indicted as the leader, Dr. Orlando Bosch, seemed triumphant after his arrest by agents of the Federal Bureau of Investigation. While being taken to jail under \$50,000 bond, Dr. Bosch raised his handcuffed arms and made "V" with fingers on each hand as he shouted:

"Victory for Cuban liberation."

He and two of the nine were charged in the Sept. 16 cannonading of a Polish freighter in Miami. The attack became an international incident.

The indictment also identified Dr. Bosch as the mysterious "Ernesto," the voice of Cuban Power who announced attacks sometimes before they occurred.

Dr. Bosch is also charged with causing to be transmitted to the heads of state of Mexico, Spain and Britain, cables threatening ships and planes unless

those countries stopped trading with Cuba.

All nine of those arrested by agents of the F.B.I. were charged with conspiracy to violate the neutrality of the United States by making war against another nation from United States soil.

In announcing the arrests, J. Edgar Hoover, director of the F.B.I., said: "Cuban Power is a militant anti-Castro organization which has publicly claimed responsibility for various acts of violence against property of those nations which have continued to carry on trading with Cuba."

Some of the targets included consulates, offices of government airlines and companies that shipped mercy packages to families in Cuba.

The indictment, returned secretly in Miami yesterday by a Federal grand jury, said all nine of those indicted had conspired with the Cuban Power group.

A 10th man identified in the indictment, but neither charged nor listed as a co-conspirator, was Ricardo Morales Navarrete.

His testimony to the grand jury was reportedly the key to breaking the facade of the secret group.

An affidavit for a search warrant filed yesterday with

United States Commissioner Edward P. Swain said Dr. Bosch had been identified as the man who sent the cablegrams to Western Europe on June 6.

The warrant was issued granting permission for a search of Dr. Bosch's home, auto and the apartment of the only woman indicted in the group, Alicia Miranda-Cruz, 46.

The affidavit said a 57-mm. recoilless rifle of Chinese manufacture, found in the water near the point from which the Polish freighter Polonica was shelled, had been assembled in Miss Miranda's apartment.

Dr. Bosch and two other exiles, José Blas Merzon and Barbaro Belan Garcia, were also charged with the Sept. 16 shelling of the Polonica in Miami harbor.

Andrés Jorge Gonzalez, 37, was also held under \$50,000 bond on the conspiracy count, which carries a maximum penalty of five years in prison.

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MIAMI, Fla. AP - A former Havana baby doctor and eight other Cuban refugees were convicted Friday of conspiracy to blast ships of nations that trade with Fidel Castro's Communist regime.

Dr. Orlando Bosch was convicted on five charges. The government alleged Bosch was the mysterious Ernesto who acted as spokesman for the shadowy group known as Cuban Power, which announced violent acts, sometimes before they occurred.

Bosch also was found guilty of sending threatening telegrams to the heads of state in Spain, Mexico and England.

The U.S. District Court jury of eight men and four women also found Bosch, 43, Barbaro Balan, 47, and Jose Diaz Morejon, 26, guilty of firing on the Polish freighter Polanca while it was in the port of Miami,

while it was in the port of Miami.

The lone woman on trial, Aimee Miranda, 39, wept when the verdicts were read. The eight men revealed no emotion. Judge William O. Mehrtens withheld sentencing pending background investigations. Bosch could be sentenced up to 28 years in prison.

Mehrtens continued bonds at present levels, leaving six of the nine free. Bosch, Diaz Morejon and Andrews Jorge Gonzalez, 27, have been in jail, unable to post \$50,000 in bail.

The others convicted, and free on bonds ranging upward from \$2,500, are Marco Rodriguez Ramos, 24; Jorge Luis Gutierrez Ulla, 20; his 45-year-old father, Paulino Gutierrez, and Jesus Dominguez Benitez, 27.

Asst. U.S. Atty Donald Bierman, who later praised an exile informer for his testimony during the trial, described Bosch as "a man with a clear contempt for the U.S. system of justice."

Bosch frequently has run afoul of U.S. laws since he went into exile eight years ago.

He successfully opposed an extortion charge two years ago and neutrality violation charges one year ago. After leaving Cuba, he embarked on an intense campaign aimed at toppling the Castro regime.

Bosch formed an activist group now called the Revolutionary Recovery Insurrection Movement and reported frequent bombing raids over Cuba by commandos. In 1964, Bosch said a three-man team dumped 1,200 pounds of explosives on Cuba's north coast.

Bosch was arrested at Naples, Fla., in April 1966, with a carload of bombs. In 1965, he was charged with trying to smuggle bombs from Orlando, Fla., to be used against Castro.

Bierman said Ricardo Morales, an exile who infiltrated Cuban Power and sometimes carried a tiny tape recorder strapped to his body, aided the investigation "at the risk of his own life and reputation in the saving of at least 34 lives and property in excess of \$1 million."

Bierman, in a statement, said Morales believed Cuban Power was perpetrating a fraud upon the Cuban people and acts against foreign ships were "nothing more than wanton destruction of the property of our allies, Britain, Spain and Japan, which in no way served to hinder or even inconvenience the government of Fidel Castro."

Morales testified that the Federal Bureau of Investigation furnished him fake dynamite to give to Cuban Power leaders. Morales reportedly was in protective custody after the trial.

EDS: With Wirephoto MH6
BJ135aes Nov. 16

THE NEW YORK TIMES, SATURDAY, DECEMBER 14, 1968

Cuban Terrorist Gets 10 Years For Firing on Vessel in Miami

MIAMI, Dec. 13 (AP)—Dr. Orlando Bosch, a former pediatrician, was sentenced today to 10 years in prison for his part in shelling a Polish freighter docked in Miami.

Eight other members of Bosch's Cuban Power band received sentences ranging from one to six years. They were convicted of conspiring to commit acts of violence against other nations by plotting to place explosives on ships of nations trading with Premier Fidel Castro's Government.

United States District Judge William O. Mehrrens ordered Bosch and four others to start serving their sentences immediately. A sixth, 30-year-old Jorge Gutierrez, who received five years, was permitted to remain free on bond until Jan. 2 because he is getting married Dec. 27.

The three others, including a woman, were allowed to remain free on appeal.

Melvyn Greenspahn, defense attorney, said he would appeal the convictions to the United States Court of Appeals for the Fifth Circuit in New Orleans.

Shelled a Freighter

Bosch, Balan and Jose Morejon were convicted of firing on the Polish freighter *Polonia* in Miami harbor Sept. 25 with a .57-mm. recoilless rifle. All nine were found guilty of conspiring to attack ships from countries trading with the Castro regime.

Bosch, a former Havana pediatrician and the father of five, was also convicted of sending bombing threats to the heads of state in Spain, England and Mexico. The sentence was 10 years for the *Polonia* shooting with eight years in other sentences, to run concurrently.

Balan and Diaz Morejon each received six years for the shelling and concurrent five-year terms for conspiracy. Gutierrez and Manuel Rodriguez, both of whose fingerprints were found on a newspaper stuffed into a 33-pound dummy bomb on a

British freighter at New Orleans, were sentenced to five years.

Testimony at the trial, which ended Nov. 15, showed the device was a dummy secretly supplied by the Federal Bureau of Investigation through an informer.

Woman Sentenced

Aimee Miranda, 40, drew one year for conspiracy to violate the neutrality of the United States. Other sentences were Jesus Dominguez, 18 months for conspiracy; Paulino Gutierrez, Jorge's father, one year; and Andras Jorge Gonzalez Gonzalez five years, the maximum.

In denying appeal bond for all but three defendants, Judge Mehrrens said:

"These acts of terrorism are stupid. I cannot reasonably see any way to fight Communism in this manner. They are acts of violence directed for propaganda purposes for Bosch to gain power and, perhaps, collect money from other Cubans."

To support the Government's opposition to appeal bond, Michael Crane, an F.B.I. agent, testified that an informant whom he did not name had told him Bosch "is trying to negotiate for bombing at least one additional ship."

Mr. Greenspahn argued that the defendants were fighting "for the same cause for which some 30,000 Americans have died in Vietnam."