

coupled with it was a positive identification of Dr. Bosch, I am going to permit it to stay for whatever value it may have. So I am going to deny the Government's motion.

All right, gentlemen. We will be in recess until one-thirty.

(Thereupon at 11:48 a.m., the hearing was recessed to reconvene at 1:30 o'clock p.m., pursuant to which the jury returned to the jury box and the following proceedings were had:)

THE COURT: All right, Mr. Greenspahn, you may proceed.

MR. GREENSPAHN: Your Honor, we would call the defendant Jose Diaz Morejon.

THEREUPON--

JOSE DIAZ MOREJON,
a Defendant herein, having first been duly sworn, testified through the Interpreter Linda Maestri as follows:

THE CLERK: Please state your full name, address and occupation.

Morejon - direct

THE WITNESS: Jose Diaz Morejon, 625
Southwest 5th Street, Apartment 2. Mechanic.

DIRECT EXAMINATION

BY MR. GREENSPAHN:

Q Mr. Morejon, when did you come to the
United States of America?

A I arrived the 3rd of November, 1963.

Q From what place did you come?

A Cuba.

Q How old are you?

A Twenty-six years old.

Q Are you married?

A Yes, I am.

Q Do you have any children?

A Yes.

Q Will you tell us the names and ages of
your child or your children?

MR. BIERMAN: Your Honor, I don't see
any need to go through family background on these
witnesses. I don't see what relevance it serves.

THE COURT: I don't know that it has
any particular relevance, but I will permit the witness

Morejon - direct

to answer the question.

BY MR. GREENSPAHN:

Q Answer the question, please.

A My wife's name is Tania Perunada.

Q And your child or children?

A I have one child. His name is Jose Manuel. He is one month old.

Q Are you personally acquainted with one Ricardo Morales Navarette?

A Yes, I do know him.

Q When and at what place did you and Ricardo Morales first become so acquainted?

A I met Mr. Ricardo Morales at a place called the Esquina de Tejas at 12th Avenue and 1st Street and I met him there with Dr. Bosch.

Q Was there anybody else present at that time?

A No.

Q Please relate to us the conversation, if any, that you had with Mr. Morales at that time and at that place.

A He came to me to present the plan about

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blowing up the Russian Embassy and we talked about that.

Q Approximately when was that, if you recall?

A I don't remember exactly.

Q What specifically did he say to you and what did you say to him?

A He talked to me about the plan, and I mentioned that I was not in agreement with that plan. We discussed several points, and I mentioned that I was not interested in that.

Q When was the next time that you had occasion to meet with Ricardo Morales?

A I met Ricardo Morales again in his home.

Q What time was it and what date?

A The end of August. It was at night.

Q Who else was present at that time?

A Dr. Orlando Bosch.

Q Was anybody else present?

A Morales.

Q What did Morales say to you and what

Morejon - direct

did you say to him?

A At that moment he turned over to me a box of dynamite.

Q I show you Government's Exhibit 19 and ask you if you can recognize the exhibit as being similar to the box that was at that time given you by Morales.

A It's very similar to this one.

Q How many such boxes did you at that time receive?

A Just one box.

Q What was said by you and what was replied by him during the course of that conversation?

A He just turned over that box; and we did not have a long conversation.

Q What did you do with that box when you received it?

A We put it into our car that we were using at that moment, and we took it over to the home of the sister of Dr. Bosch.

Q Do you recall what the make or model or the year or the color of the car that you were using

Morejon - direct

at that time was?

A It was a 1966 Oldsmobile, model Starfire.

Q What, if anything, did you do when you arrived at Dr. Bosch's sister's house?

A We left the box there.

Q Subsequent to that time did you have occasion again to meet with Ricardo Morales?

A At another time Dr. Bosch and I, we got together again. We went to 1150 Southwest 1st Street, and there he turned us over another box.

Q Who was present at that time?

THE COURT: Who is "he"?

THE WITNESS: Navarette.

BY MR. GREENSPAHN:

Q How many boxes did you at that time receive?

A Just one box.

Q Did that resemble the exhibit that I showed you a few moments ago?

A Yes.

Q After receiving that box what, if

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Morejon - direct

anything, did you do?

A At that time we put it into the car again that Orlando Bosch had and we took it over to his sister's home.

Q Was that the same car that you had previously had?

A No. It was a '57 white Chevy.

Q Did you have occasion subsequent to that time to again meet with Ricardo Morales?

A Yes.

Q Will you tell us where that meeting took place and approximately when it was?

A The next occasion was on September 15 that we met.

Q At what place?

A 16th Avenue and 2nd Street, where Aimee Miranda lives.

Q At what time of the day or night did you present yourself at Aimee Miranda's apartment?

A It was around eight o'clock at night, and I was accompanied by Barbaro Balan.

Q Had you ever been to Aimee Miranda's

Morejon - direct
apartment before that date?

A Yes; on several occasions.

Q What would your purpose have been for having gone on those several prior occasions?

A Aimee Miranda belongs to a Cuban organization to which I belong, too.

Q What is the name of that organization?

A M.I.R.R.

Q What does that stand for, if anything?

A Insurrectional Movement Revolution and Recuperation.

Q Who is the leader of that organization, the M.I.R.R.?

A Dr. Orlando Bosch.

Q What are the objectives of that organization?

A To fight against Communism and against Castro.

Q Approximately how many times would you estimate you had been at Aimee Miranda's apartment before September 15?

A I don't recall exactly but several

Morejon - direct

times.

Q On the evening of September 15 when you arrived with Barbaro Balan, was there anybody else other than Aimee Miranda present?

A No, nobody else.

Q What was your purpose on the evening of September 15 in going to Aimee Miranda's apartment?

A In the afternoon when I met with Dr. Bosch, Dr. Bosch met with me that afternoon at the home of Barbaro Balan, because we had to go in the evening to check one of the cannons.

Q Did you know the type of weapon that was referred to when "cannon" was referred to?

A He told me it was a 57 recoilless.

Q When you arrived at Miranda's house that evening what, if anything, did you do?

A Barbaro and myself, we got the cannon out from below the bed where we had it hidden. We took it apart and we started checking it.

Q Mr. Morejon, I show to you Government's Exhibit No. 8 and ask you if you can identify it. You

Morejon - direct

can come off the witness stand and look at it, if you wish.

A It seems it's very similar.

Q Do you notice any differences between Government's Exhibit No. 8 and the instrument that you had observed at Aimee Miranda's house?

A Yes. There is something missing because it had--

Q Go ahead.

A Can I touch it?

Q Yes.

A There is something missing on the bottom.

Q Can you tell us what, if you can recall, the object was that is now missing?

A An adjustable piece to open the shutter.

Q Put that down over there and take your seat again.

With regard to the 57 millimeter that you have talked about at Aimee Miranda's house, what did you do?

Morejon - direct

A We started cleaning it up and we checked the shutter and we started cleaning it up and checking it.

Q When you say "we," who are you referring to?

A Barbaro Balan and myself.

Q Did Aimee Miranda remain in her apartment while you were doing this?

A Yes, she was in the apartment. She was lying down. She was reading a book, but she had nothing to do with this.

Q How long did you remain engage in your work on the 57 millimeter?

A About an hour, because we found something wrong with it.

Q What was wrong with it?

A It didn't shoot.

Q Then what, if anything, occurred?

A After we were there for an hour, Dr. Bosch arrived,

Q What conversation, if any, did you have with Dr. Bosch at that time?

Morejon - direct

A I told him what was wrong with the cannon, and he also tried to check it out with us.

Q At that time--that is, at the time of your conversation with Dr. Bosch about the cannon--did you know the purpose, if any there was, for which that cannon was intended to be used?

A Yes.

Q How had you become aware of it?

A Dr. Orlando Bosch had told us about it that afternoon.

Q Will you recite to us the nature of that conversation, what you said and what was said to you by Dr. Bosch?

A He talked to me about Ernesto--that Mr. Ernesto planned to fire on the Polish ship with the cannon, in order to do some propaganda.

Q Was there any further conversation at that time about the use of that type of cannon or the intended use?

A Yes. He said that Ernesto wanted Barbaro Balan and me to accompany him.

Q Mr. Morejon, had you, before September

Morejon - direct

15, 1968, personally observed and known the man to whom you refer as Ernesto?

A Yes. I had seen him on one occasion together with Dr. Bosch.

Q Will you tell us when that occasion was?

A About the end of August.

Q At what place?

A I don't remember exactly, but it was at a motel on Route 1.

Q At that time did you have an opportunity to observe the man that you referred to as Ernesto?

A Do you mean his physical appearance?

Q Yes.

A Yes.

Q Describe him to us, please.

A He was about five four, he has brown hair, strong. And that's all.

Q Going back to the night of September 15, when Dr. Bosch came in, did he assist you with the repair that you were doing on the cannon?

Morejon - direct

A Yes.

Q For how long did you and Balan and Dr. Bosch continue to work on the cannon after he came in?

A I don't understand the question.

Q After Dr. Bosch came in, for how long a period of time did you and he and Balan continue to work on the cannon?

A About a half-hour to forty-five minutes.

Q At the end of the half-hour or forty-five minutes, had the cannon been repaired?

A No. It continued to not function.

Q What, if anything, was then said by you to Dr. Bosch or by Dr. Bosch to you?

A The only solution, Dr. Bosch told me, was to tell Ricardo Navarette, who was an expert, and maybe he could repair the cannon.

Q Did somebody go to find Mr. Morales?

A Orlando Bosch went to get him.

Q Did he return with Morales?

A Yes. He came right back.

Morejon - direct

Q What conversation took place between Morales, yourself and Dr. Bosch, if any, when Morales returned?

A He tried to repair the cannon.

Q Did he use instruments or tools?

A He brought some tools.

Q Then what, if anything, happened?

A He repaired it at that moment. He said that that was about the only thing he can do. He tried to repair it at that moment, which was the only thing that he can do, and he prepared to fire only one shot.

Q Did he tell you it was only capable of firing one shot?

A Yes, one shot.

Q What, if anything, did you then do?

A I was not the only one to decide. We all decided together, and we agreed that it was okay.

Q When you say "we all," would you clarify it by telling us who you are referring to?

A Dr. Orlando Bosch, Barbaro Balan and

Morejon - direct

myself.

Q Then what, if anything, happened?

A At that moment we agreed and we put on the top a rifle sight.

Q A sight?

A A sight, because the cannon lacked that.

Q Then what, if anything, did you do?

A Then Ricardo put the sight on the cannon and we put a spring from the mouth of the cannon, and then we started preparing it.

Q Who put the sight on the cannon?

A Morales.

Q Then what did you do?

A The four of us left--Dr. Bosch and the other gentleman left, and I left with Barbaro Balan.

Q You say the other gentleman. Is that Morales?

A Yes; Morales.

Q Mr. Morejon, when you refer to people, please, for the sake of the record, refer to them by name, not as "the other gentleman."

Morejon - direct

A Okay.

Q Now, where did you and Balan go?

A We went to 8th Street to have coffee.

Q By what manner did you go?

A We went in the car of Barbaro Balan.

Q What kind of car was that?

A A '59 Chevy.

Q To what place did you go for coffee,
if you remember?

A It is a cafeteria that is near the
Tower Movie Theater on 8th Street.

Q What, if anything, then occurred?

A Barbaro Balan and myself returned at
11:00 p.m. to the apartment of Miranda.

Q When you returned to that apartment,
was there anyone in the apartment?

A No; just Aimee Miranda.

Q What, if anything, did you and Balan
do when you returned to that apartment?

A We picked up the cannon and we put it
in the car of Balan.

Q Were you still in the same automobile

Morejon - direct
that you described a few moments ago?

A Yes.

Q Then what, if anything, did you do?

A We went to 36th Street and 2nd Avenue
to a restaurant, the Mayflower Restaurant.

Q What was your purpose in going there?

A We had to meet Ernesto there.

MR. BIERMAN: Your Honor, there seems
to be some problem with the interpretation. So I
would like to go back and make sure the record
probably reflects what was said by the witness.

THE WITNESS: All right, sir.

BY MR. GREENSPAHN:

Q At the time that you returned to
Aimee Miranda's house with Barbaro Balan, what time
was that, sir?

A 11:30 p.m.

Q You described an automobile before as
an Oldsmobile. Do you recall the automobile that I
am referring to?

A Yes.

Q If so, what year was that?

Morejon - direct

A Could you please repeat the question?
I don't understand it.

THE COURT: Let us get it clear. He
is talking about his own automobile. So ask him.

BY MR. GREENSPAHN:

Q What year is the Oldsmobile that you
owned at that time?

A A '62 Starfire.

MR. GREENSPAHN: That corrects the
record now, your Honor.

THE COURT: All right, sir.

BY MR. GREENSPAHN:

Q Now, at the Mayflower Restaurant what,
if anything, occurred?

A We went there with Ernesto, Barbaro
Balan and myself, and I introduced Barbaro Balan to
Ernesto.

Q Did you recognize Ernesto as being
the same individual you had previously seen and
identified as Ernesto?

A Yes.

Q What conversation, if any, then ensued

Morejon - direct
between yourself, Balan and Ernesto?

A We talked about what we were going to do with the cannon, about firing upon the ship, the POLANICA, and then we took the cannon and we put it into the car.

Q What was the nature of the discussion as to the manner and method of firing, if any, upon the ship that you referred to?

A He said he was going to fire upon the ship.

Q Who is "he"?

A Ernesto.

Q Mr. Morejon, had you seen the shell that was to be fired from that 57 millimeter rifle that you described?

A Yes. It was in the home of Aimee Miranda.

Q What, if anything, did you know about that particular shell?

A We had a conversation where Morales told me that it was a shell that was for practice only and it was not going to do any damage.

Morejon - direct

Q Going back to your leaving the Mayflower Restaurant, when you left the Mayflower Restaurant, by what method of transportation did you leave?

A A green '57 Chevrolet that Ernesto had brought.

Q Who was driving the car?

A Barbaro Balan.

Q Who was sitting in the front seat?

A I was.

Q Where was Ernesto seated?

A Ernesto was sitting in the back together with the cannon.

Q To what place, if you recall, did you go?

A We went to the docks off the MacArthur Causeway.

Q Do you know the route of travel you took, if you remember?

A We went to the other way, through 36th Street to Biscayne Boulevard and then we got onto the MacArthur Causeway.

Morejon - direct

Q To what point did you go on or at the MacArthur Causeway?

A We got to about halfway of the MacArthur Causeway and we stopped at the light, and we turned back again towards Miami.

Q Did you ultimately come to a complete stop at a place on the causeway?

A Yes. We stopped right in front of the POLANICA.

Q On the trip from the Mayflower to the point at which you stopped on the MacArthur Causeway, was there any conversation between yourself, Ernesto and Balan?

A We started going over the participation of our work.

Q When you got to the place that you stopped on the causeway, what, if anything, did you do?

A Barbaro Balan and myself, we got out of the car and we started fishing.

Q What were you using as equipment for fishing?

Morejon - direct

A Just strings.

Q What did Ernesto do, if anything?

A Ernesto stayed in the back seat, and he went over the cannon to check it.

Q Did you observe Ernesto getting out of that automobile at the MacArthur Causeway?

A At that moment when we were fishing, he stayed in the car.

Q Then what, if anything, occurred?

A He got out of the car, he took the cannon, he put it in the middle of the street, and he told us he was going to fire from there, and he told us if any traffic was coming, to let him know.

MR. GREENSPAHN: Your Honor, there seems to be a question as to the proper interpretation. So let me, if I may, ask that question again and get the answer again?

THE COURT: All right, sir.

BY MR. GREENSPAHN:

Q What did you observe, if anything, with regard to Ernesto removing himself and the cannon from the automobile?

Morejon - direct

A He prepared the cannon and he put the shell there.

Q Was that in the automobile?

A Yes.

Q Now, what did you observe with regard to him getting out of the automobile? What did he do if you saw it?

A I don't know exactly what he was doing, because I was fishing--Barbaro Balan and myself.

Q To what place, if you know, did he go?

A He went to the center, to the middle of the road where there is some grass that divides the road.

Q For how long a period of time did you remain at the place that you were fishing?

A When he asked us to let him know if any traffic was coming. Then at that time we stopped fishing.

Q For how long a period of time had you been there until that time?

A Do yu mean fishing?

Q Yes, fishing.

Morejon - direct

A About fifteen or twenty minutes.

Q Then what happened?

A Do you mean after he moved the cannon to the middle of the road?

Q Yes.

A We started watching for the traffic about ten or fifteen minutes.

Q Then what, if anything, happened?

A He fired.

Q Who is "he"?

A Ernesto.

Q Then what did you hear or see?

A I heard a very loud sound.

Q Then what did you do?

A At that moment I saw Ernesto running with the cannon in his arms and then he threw it into the water and we got into the car.

Q Then what did you do?

A I went into the car, I was in the front seat. Barbaro Balan was driving, and Ernesto sat in the back seat.

Q Where did you go, if you recall?

Morejon - direct

A We went to the same place that we were before--the Mayflower Restaurant place at 36th Street and 2nd Avenue.

Q Then what happened?

A Barbaro Balan and myself, we went into the car that we were using before, and Ernesto then took his car and he left, also.

Q That was the last contact you had with Ernesto that night?

A Yes.

Q Have you, subsequent to that time, since that time, seen Ernesto?

A No.

Q In the early part of 1968, were you employed? Did you do any kind of work?

A Yes. I was working in 1968, until February, at Pepsi-Cola.

Q After that had you done any work in and about Miami?

A Yes. I dedicated my time to being a mechanic.

Q I show you Government's Exhibit No. 71-A

Morejon - direct

and ask you if you have previously seen it. You can take it out of that container, if you wish. See if you can recognize it and tell me what it is.

A Yes. This is a paper that I had in my home, which was related to the ports in Miami.

Q When was the first time that you saw that particular piece of paper?

A About the beginning of the year, around May.

Q At what place had you first seen that piece of paper?

A I saw it in an advertising agency in the Jose Marti Building.

Q What was the name, if you recall, of the advertising agency?

A Xigulop. I don't know how to pronounce it.

Q How did you come to take possession of that particular piece of paper?

A I took the paper to see if I could find something of interest to me in that paper.

Q What did you anticipate might be of

Morejon - direct

interest to you in that piece of paper?

A I was going to see if one of the ships was in one of the ports, a ship that I had worked on before, and if they were going to load.

Q What was your interest?

A To apply for a job because I was not working at that time.

Q I call your attention to the inked handwritten words on the face of that paper. Do you see the various words that I am referring to?

A Yes.

Q Is that your handwriting?

A No.

Q Did you affix any of the marks that are on this paper to this piece of paper?

A No.

Q Mr. Morejon, before September 15, 1968, had you ever had any experience with a 57 millimeter recoilless rifle?

A No.

Q Had you ever had any training of any sort in the use of such an instrument?

Morejon - direct

A No.

MR. GREENSPAHN: Your Honor, these packages that are a composite as Exhibit 71-C are sealed with a quantity of Scotch tape. May I break these?

THE COURT: Yes, you may.

THE CLERK: That is only to hold them together. They weren't all together when they were first turned in as an exhibit.

MR. GREENSPAHN: Your Honor, may I have a minute?

THE COURT: Yes, sir.

MR. GREENSPAHN: What I am looking for is the exhibit that was identified as having been taken from Mr. Morejon's house, the detonator. And I am not sure. Is it Exhibit 81?

BY MR. GREENSPAHN:

Q Mr. Morejon, I show you the larger of the packages that is held together as composite Exhibit 71-C. I ask you if you will tell us what this is, if you know. Do you know what the contents of these two boxes are? Have you ever before observed any

Morejon - direct
of the things that are in those boxes?

A They could be detonators. All I see is something aluminum. And then they have been shot already, I think.

Q Those look like the remnants or the pieces of a detonator that you may have had in your house?

A They were complete, the ones I had.

Q Will you explain to us assembled here in this courtroom why you had the detonators in your home?

A We used these detonators to free Cuba, and I have them in case anybody needed them.

Q Is this, to your knowledge, a common practice within the exile Cuban colony of Miami?

MR. BIERMAN: I am going to object to the question.

THE COURT: I will sustain the objection.
BY MR. GREENSPAHN:

Q Going back to that piece of paper you looked at a few moments ago, what was the name of the ship that you had previously worked on at the Port of

Morejon - direct

Miami?

A I didn't work in the Port of Miami.

I worked in another port.

Q What was the name of the last ship you worked on?

A The name of it was the ANNA PATRICIA.

Q Did you have occasion subsequent to May 13th to attempt to determine the whereabouts of that vessel?

A I had news that it was loading in the Port of Miami, docked at Miami.

Q Did you attempt to find work on that vessel?

A I didn't get to go because I didn't find it on the paper. So I didn't go.

Q Did you ever, subsequent to May 13, again become familiar with or see a paper such as the one that I showed you a few moments ago?

A I have seen several.

Q Finally, on how many occasions did you meet with Mr. Ricardo Morales for the purpose of receiving the type of box that you have described?

Morejon - direct

A On two occasions.

Q And the dates as you recall them were when?

A The first date was at the end of June and the second date was about mid-August.

MR. GREENSPAHN: Thank you. Your witness.

CROSS EXAMINATION

BY MR. BIERMAN:

Q What relationship, sir, did you and Dr. Bosch have with this mysterious Ernesto?

A I had very little relationship with him.

Q Did you have enough relationship with him, sir, to bring with you this recoilless rifle and meet him at a restaurant and go to MacArthur Causeway?

A Dr. Orlando Bosch had it.

Q Who directed you then, sir, to meet with this man you call Ernesto?

A Dr. Orlando Bosch.

Q Was Dr. Bosch your leader? Did you follow his instructions?

Morejon - cross

A Yes.

Q What position did you hold, sir, in the M.I.R.R.?

A I am a member.

Q You previously received and followed instructions from Dr. Bosch?

A Previous to what?

Q Previous to the occasion that you went to MacArthur Causeway with the recoilless rifle?

A Yes.

Q What were you to do with the boxes of dynamite that you received?

A Dr. Orlando Bosch had the idea of sending these to Cuba.

Q Did you, personally, ever aid in sending them to any place outside the City of Miami?

A No.

Q What did you believe was contained in these boxes at the time that you personally took them?

A Dynamite.

Q You had no difficulty reading the English word "dynamite" written on the box, is that

Morejon - cross

right?

A It is very similar in Spanish.

Q And in your work, sir, as a mechanic and sometimes as a longshoreman and as an employee of Pepsi-Cola, did you have any dealings with dynamite?

A No.

Q Is it your testimony that the only two times that you saw dynamite was once at the 1150 Building and one other time in August, is that right?

A Yes.

Q And you simply took it to Dr. Bosch's sister's house?

A Yes.

Q That was the last time you saw it?

A Saw what?

Q The dynamite?

A Oh, yes.

Q Did you ever see any of these individual sticks again?

A No.

Q Did you ever see a canister such as this one which is marked Government's Exhibit No. 45?

Morejon - cross

A No.

Q Did you ever prepare anything other than this 57 millimeter recoilless rifle?

A No.

MR. GREENSPAHN: I object to the question because it is an ambiguous question. At what time and for what purpose is counsel's question directed? Does he mean did he ever prepare chicken for supper or dinner?

THE COURT: I will agree it is not as clearly stated as it might be. I will ask counsel to rephrase it.

BY MR. BIERMAN:

Q Did you ever prepare any other explosives or apparatus with Dr. Bosch?

A No.

Q What is Ernesto's last name?

A I don't know. I only know him by "Ernesto."

Q Did you attend the press conference that allegedly had Ernesto there under a black hood?

A No.

Morejon - cross

Q Did you attend the press conference when Dr. Bosch accepted the designation as political delegate of Cuban Power?

A Yes.

Q Had you seen Ernesto right before that?

A Yes. I saw him at the address I mentioned before with Orlando Bosch where he introduced me to him.

Q Where is he now?

A Who?

Q Ernesto.

A I don't know.

Q And this M.I.R.R., sir, that you are a member of, is this the same M.I.R.R. that prepared an outline of its goals and said that the second goal was a tax on vessels trading with Communist Cuba, to make insurance policies impracticable and thus enforce a complete and effective blockade of the island?

MR. GREENSPAHN: Objection and move to strike the question, your Honor. There has been no

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Morejon - cross

foundation laid for it. It hasn't been established that he is one of the principals or officers in the organization or has any knowledge of the instrument to which he is referring.

THE COURT: I will sustain the objection to the question as it is phrased.

BY MR. BIERMAN:

Q Take a look at Government's Exhibit No. 75--

MR. GREENSPAHN: As well as the fact, your Honor, that what Mr. Bierman has gratuitously read now is not a proper translation of the instrument which it purports to translate, I am told.

MR. BIERMAN: I think we have it in Spanish, too.

It may not be a proper translation, but it was recovered in Dr. Bosch's house. So we don't know--

MR. GREENSPAHN: Your Honor has sustained the objection.

MR. BIERMAN: Now I am asking him to examine this exhibit.

Morejon - cross

THE COURT: You can ask him to examine it and ask him if he knows anything about it or what it is.

BY MR. BIERMAN:

Q Will you examine this, please?

A It's in English and I don't understand what is written here.

Q Do you recognize these signatures on the bottom?

A I have seen before the signature of Orlando Bosch, but I don't know exactly if this is his, also.

Q What is Dr. Bosch's position with the M.I.R.R.?

A He is the coordinator.

Q What relationship did the M.I.R.R. have with this man that you met two times--Ernesto?

A When you mention "this man," who do you mean?

Q Ernesto, or who you say is Ernesto.

A With what other person do you mention that he has a relation?

Morejon - cross

Q M.I.R.R.

A No, I don't know.

Q How close were you to this cannon when it fired?

A I don't know exactly in feet, but it was a distance. What the road of the MacArthur Causeway is.

Q Did the sound bother your ears at the time?

A Yes, somewhat.

Q What did it sound like?

A Very strong.

Q Can you describe the sound?

A No, I cannot. Like an explosion, but I couldn't describe it.

Q Did you observe the Coast Guard boat cruising next to the POLANICA?

A From where I was, I couldn't see that far.

Q You couldn't see?

A No.

Q Do you recall, sir, having a conversation

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with Ricardo Morales Navarette in which you discussed with him the fact that the Coast Guard boats were staying right there next to the POLANICA?

A Yes, I do remember having that conversation with Ricardo Morales.

Q Do you recall telling him that the Coast Guard boats were moving right next to the POLANICA that night?

A That conversation occurred after we fired upon the ship, because we had instructions from Dr. Bosch to confuse Ricardo Morales, and we did not think he was working legally.

Q Did you think that you were working legally?

MR. GREENSPAHN: Objection and move to strike as asking for a conclusion on the part of the witness.

MR. BIERMAN: The witness has given one conclusion. I think we can compare them.

THE COURT: I do not think it makes any difference what he thought, whether it is legal or illegal. I will sustain the objection. It is what

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he did or didn't do.

MR. GREENSPAHN: If your Honor please, I understand that the last answer was interpreted exactly in a 'literal sense, but it has an idiomatic meaning that was not given in the Spanish language.

THE COURT: Well, let's straighten it out.

MR. GREENSPAHN: I understand the way that the answer was given, he said that he understood that he was not being legal. The word "legal" is an idiom and it means he wasn't being honest, is that not correct?

THE WITNESS: Yes, he wasn't honest.

MR. GREENSPAHN: Talking about Morales.

THE COURT: All right. We have that straightened out.

BY MR. BIERMAN:

Q Do you remember describing to Mr. Morales, for whatever reason you were doing it, the difficulty of this shot?

A Yes, we had talked about this, also.

Q What did you say to him? Do you recall

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saying this? And I will read it to you in Spanish, the following. Read this, please.

(Thereupon the matter referred to is contained on Page 7 of Tape No. 2 hereinbefore described.)

A Yes, I remember having that conversation.

Q How did you know to say it was difficult, where you say "It was as difficult as---. The fellow, brother, yes, indeed, the fellow was moving fast." What were you describing? You were fishing on the other side.

A We had received instructions from Dr. Orlando Bosch that if Ricardo Morales asked us anything about the firing, we should make it look that he fired--that I had fired, because we had to protect Ernesto's person, because he was in Miami at that moment, and he had suspected Morales was not working honestly with us.

Q Did you, sir, and Mr. Balan follow the instructions of this person that you call Ernesto on

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the night that the gun was fired at the POLANICA?

A Yes.

Q Did you assist him by standing watch?

A Yes.

Q Let me go back a number of answers.

You said that Dr. Bosch told you to confuse Morales so that if you ever told him that you fired this gun, it was a lie?

MR. GREENSPAHN: May it please the Court, the transcript of these tapes and these conversations, your Honor, are not--

THE COURT: I do not want any argument. Do you object to the question?

MR. GREENSPAHN: Yes, sir, I do.

THE COURT: I will sustain the objection. Proceed. Let's go.

BY MR. BIERMAN:

Q Do you recall, sir, whether or not you told Mr. Morales that you did not understand why the projectile did not penetrate the ship?

A I don't remember exactly.

Q Do you recall saying "No, boy. What

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I do not understand is why it did not penetrate, boy."

MR. GREENSPAHN: May it please the Court, I believe that the answer that was given to the last question was "Yes." He said "Yes, I do not remember exactly," not "I do not remember exactly." He put the word "Si." At least I heard it used and I believe the court reporter--

THE COURT: Ask the question again and let's see what the witness answered.

BY MR. BIERMAN:

Q Do you recall having a conversation with Ricardo Morales and telling him that you did not understand why the projectile did not penetrate?

A I don't remember exactly if I said that. Our conversation was very lengthy.

Q Could this refresh your memory? Did you use these words?

MR. GREENSPAHN: If your Honor please, what possible refreshing of memory could reading the words do when he says--

THE COURT: Do you object to it?

MR. GREENSPAHN: Yes, sir.

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THE COURT: I do not like speeches.
Your objection is sustained.

BY MR. BIERMAN:

Q Sir, how big was the room in which
you assembled the cannon?

A About a medium-sized room. I couldn't
say exactly the measurements.

Q Was Miss Miranda in the same room?

A Yes.

Q Then she would have observed you
putting this together if she was there, is that
right?

A She was not observing. She wasn't
really watching.

MR. GREENSPAHN: Your Honor, the word
is "paying attention."

• THE WITNESS: Paying attention.

THE COURT: Which is a perfect
illustration of one question too many.

BY MR. BIERMAN:

Q Was she present when you and Dr. Bosch
and Balan had the discussion as to whether or not you

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would use the rifle the way it was?

A No.

Q Did you have any discussion as to where you were going to fire this gun at, what part of the ship?

A No, not in the home of Aimee Miranda.

Q Did you have it any place?

A Yes. Dr. Orlando Bosch had told us that afternoon what we were going to do, and this was explained at 735 Southwest 1st Street.

Q Whose house is that?

A Barbaro Balan.

Q Where were you to shoot at? What part of the ship?

A The lower part.

MR. GREENSPAHN: Your Honor, there is a question about the translation again.

THE COURT: All right, sir.

BY MR. BIERMAN:

Q What part of the ship were you to shoot at?

MR. GREENSPAHN: May it please the

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Court, may I have one minute to find out?

THE COURT: Yes, sir.

MR. GREENSPAHN: To avoid the confusion that may result, Judge, I think it is necessary for the question to refer either to the individuals involved or the group collectively, because there is some question translation-wise as to whether when you use the word "you" it is a case of context.

THE COURT: I will ask the question. Did you have any discussion concerning where the cannon was to be aimed?

THE WITNESS: I don't understand.

THE COURT: You discussed aiming the cannon at the ship?

THE WITNESS: Not exactly. I knew what would happen, but I didn't know where they were going to place it.

THE COURT: All you knew, they were going to shoot it at the ship?

THE WITNESS: Barbaro Balan, also, and Dr. Orlando Bosch and Ricardo Navarette.

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THE COURT: Go ahead.

BY MR. BIERMAN:

Q Referring to this list of ships, Government's Exhibit 71-A, you say you saw this at your apartment before?

A Yes, I had it in my apartment.

Q And you say, sir, you were looking for work from this list of ships?

A Yes. I took this list to find a ship in which I have worked on before.

Q What nationality was that ship?

A English.

Q Do you know why the Polish ship and the Greek ship and the other English ships were circled?

A No, I don't know.

Q Where is it that you got this?

A In an advertising office in the Jose Marti Building.

Q Whose office is that?

A The name of it is Xigulop. And Jorge Gutierrez worked there.

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Q That is the same Jorge Gutierrez that is here, is that right?

A Yes.

Q It was written and circled at the time you received it?

A Yes. That's how I found it.

Q Do you have a longshoreman's papers? Were you a union member?

A No.

MR. GREENSPAHN: Objection. It is immaterial and irrelevant and I move to strike it.

THE COURT: No, it is not. Your objection is overruled.

BY MR. BIERMAN:

Q What is your answer?

A No.

Q Are you a member of any longshoreman's union as an associate in any way?

A No.

Q Referring to this ship that you worked on before, as you said, the ANNA PATRICIA, what did you do aboard that ship?

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A I was loading the ship and was using one of those apparatus to load the ship.

Q A machine?

A Yes.

Q Are you a member of any union which operates these machines?

A No.

Q What portion was that that you were working at, sir?

A I was working in the port--that is, after the discontinuation of that port on 20th Street Northwest--it is called North River Drive.

Q Here in Miami?

A Yes.

Q What kind of boat was this ANNA PATRICIA? Is it an oceangoing vessel?

A Yes.

Q Who gave you this job? How did you come to get it?

A I went and I applied for the job, and through a friend of mine that works in the office I got the job.

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Q Did you wear a union button when you were there?

A No, it was not necessary there.

Q In addition to the three blasting caps which you have in your apartment, did you have any other explosive devices?

A No.

Q Did you have any casing for other explosive devices?

MR. GREENSPAHN: If it please the Court, I submit this is not material or relevant.

THE COURT: I think he has gone as far as he is going, anyhow. I don't know.

MR. BIERMAN: I was going to show him something.

THE COURT: I think it is legitimate cross examination in view of the explanation that the witness has given. I am going to overrule the objection and I will permit the question to be answered.

MR. GREENSPAHN: Your Honor, there seems to be a question again as to translation. I am

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sorry to interrupt. Could he ask the question once again?

THE COURT: All right, sir. Let your man interpret it to him.

MR. BIERMAN: The question as I have asked it is, did you have any other casings for explosive devices at your home?

THE WITNESS: I had two wrappers used for explosives that I bought at the Army-Navy Store.

(Thereupon a conversation in Spanish ensued between the witness and Interpreter Diaz, pursuant to which the following proceedings were had:)

THE COURT: Wait just a minute. Let's not carry on a private conversation. You are acting as an interpreter. Interpret what he says as he says it into English, or this lady will do it. But we do not want any private conversations going on between the two or three of you. I asked a question and the answer was made. Now let's get the answer and then you can carry on whatever discussions you want to after

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that. But let's not carry on any discussion now.

If you are going to assist as an interpreter, interpret precisely what he says as he says it. Now, what did he say?

MR. DIAZ: Exactly what I said. I stopped him in the middle. I did not go through to the end. And then I have to make my own interpretation of it. I have to go along--I didn't want to get lost.

THE COURT: You have got the two of you there now. Certainly Spanish cannot be so difficult that two of you cannot correctly understand what the man said. Something is wrong. Now, one of you interpret what he says in English. And if the other one does not agree with him, let him or her say they do not agree with him and let's get it straightened out.

All right. Now we will start all over again and ask him the question one more time.

Did you have any other casings for explosives at your house?

A I had two wrappings which were empty. These are used for grenades.

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THE COURT: Does that accord with your interpretation?

MR. DIAZ: Yes, sir.

THE COURT: Fine.

BY MR. BIERMAN:

Q What were you doing with these?

A I had it in my home. I bought it in the Army-Navy, and I had it because you can find it anywhere in any Army-Navy Store for any kind of use.

Q What kind of use did you have for it?

A To give it to somebody, maybe to use it against Castro and maybe against Communism.

Q And I believe the last question I have is, did you think that you were fighting against Castro and Communism when you brought this 57 millimeter gun to the MacArthur Causeway?

MR. GREENSPAHN: Objection, your Honor.

THE COURT: I will sustain the objection.

MR. BIERMAN: We have nothing further.

THE COURT: Redirect?

You may come down, Mr. Morejon.