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## C.I.A. WITNESSES SOUGHT AT TRIAL

Defense in Bomber Export  
Hopes to Call Key Men

By DOUGLAS ROBINSON

Special to The New York Times

BUFFALO, Sept. 22—A

defense attorney in a case involving the alleged illegal flight of seven B-26 bombers to Portugal last year said today that he would try to subpoena Richard Helm, the director of the Central Intelligence Agency.

The lawyer, Edwin Marger of Miami Beach, said Mr. Helm was among several important witnesses needed to prove his contention that the flights were carried out with the consent and help of the C.I.A.

"I don't know whether Mr. Helm has executive immunity to subpoena or not, but I intend to find out," Mr. Marger said.

Among the other witnesses to be sought by the defense are Richard M. Bissell, former deputy director of planning for the C.I.A. during the 1961 Bay of Pigs invasion of Cuba; Arthur Schlesinger Jr., a former special assistant to President Kennedy, and Martin Caiden, an author and aviation expert.

### 3 Defendants on Trial

Mr. Marger is the attorney for John Richard Hawke, a Briton accused of flying the bombers to Portugal. Two other defendants on trial here are Count Henri Marie Francois de Marin de Montmarin, a French aircraft broker, and Woodrow Wilson Roderick, a Canadian said to be the middle man in the operation.

Also named in the indictment was Gregory R. Board, the owner of an airplane-renting company in Tucson, Ariz. He is

now living on the island of Jamaica.

The indictment charges that the defendants conspired to violate the Munitions Control Act, which prohibits the importing or exporting of military equipment without a State Department license.

Mr. Marger said he would submit his list of witnesses to Federal Judge John O. Henderson tomorrow in hopes of obtaining approval for Government funds to pay their expenses and witness fees. He asserted that Mr. Hawke had no money with which to pay these charges.

The subpoenaing of Mr. Bissell and Mr. Schlesinger, Mr. Marger said, would be part of his strategy of proving that the C.I.A. has illegally transported warplanes out of this country in the past to carry out secret policy.

"I have no objection to the actions of the C.I.A. in these matters," the attorney said. "To the contrary, I agree with their necessity. I just don't think my client should go to jail for cooperating with the C.I.A."

The other potential witness, Mr. Caiden, is sponsoring Mr. Hawke's residence in the United States.