

Beret Case Victim Called Double Agent

8-12-69
By Robert G. Kaiser
Washington Post Foreign Service

SAIGON, Aug. 11—The victim in the Green Beret murder case was "a dangerous Communist double agent" employed by both the CIA and the North Vietnamese, a lawyer representing one of the eight accused Green Berets said tonight.

The lawyer, George Gregory of Cheraw, S.C., met his client—Maj. Thomas Middleton of Jefferson, S.C.—and studied documents in the case for most of today. Tonight he told the Saigon press corps:

"If it is proven that someone reached his demise (in this case) I believe you will find that . . . (he) will be a dangerous Communist double agent hired by the best financed agency of the United States of America, the CIA—Let's put the finger right on where it should be—to gather facts, and you will find that this agent . . . was wrongfully trusted with such valuable information that hundreds and thousands of lives of American agents and American fighting men . . . were saved in a most necessary manner . . ."

Gregory offered no proof for this contention, but said that anyone who could study the documents he saw today would reach the same conclusion. The chief of the CIA mission in Saigon was not at home tonight, and a U.S. Embassy spokesman said there would be no comment on any alleged CIA activity in Vietnam.

Besides Maj. Middleton, seven other Green Beret officers are charged with murder and conspiracy to murder "a Vietnamese national" near Nhatrang on June 20.

See BERETS, A13, Col. 1

BERETS, From A1

Among the accused is Col. Robert B. Rheault, former commander of all Green Beret troops in Vietnam. Another major, three captains, a warrant officer and a sergeant are also accused of the crime.

Gregory said he could not discuss the case in detail because the whole inquiry is shrouded under a "secret" classification.

"We certainly have no objection to anything being released regarding this case," he said. "We do object to these cover stories being released by the army . . . to indicate that something other than what really happened, happened."

"I realize it's going to be a hard thing for the people to get to the facts," he said, adding that the army might try to hold a secret court-martial. He would fight this, he declared.

Gregory did not deny that a man might have lost his life. Indeed, his story about a dangerous double agent who knew too much and thousands of men whose lives "were saved in a most necessary manner" suggested that the alleged agent was eliminated.

But the round, jovial young attorney—sweat glistening in the Klieg lights around his not-yet-fully-grown sideburns

—scrupulously adhered to his pledge not to divulge any specific details. He said his client "should be received as a hero, not as a criminal."

Gregory called for a congressional investigation of the case "to insure that in the future people with my client's caliber will not be sacrificed . . ."

He accused "the highest military authority in Vietnam" of pressing "these most unwarranted charges" against his client to "improve their interests."

The lawyer blamed the charges against Middleton on "political sensitivity and the fear our highest commanders had." He said that "because of the timidity of certain . . . extremely high commanders, who are so afraid of possible international repercussions and who are so concerned that they will come out of this thing in a manner which will not be favorable politically . . . it became necessary . . . to sacrifice the life, career of my client."

But he would not be specific about such charges.

Gregory spoke to a crowd of newsmen at the Caravelle hotel—the tallest building in Saigon—in a large room made hot by television lights and the press of too many bodies. He sat in a modern green

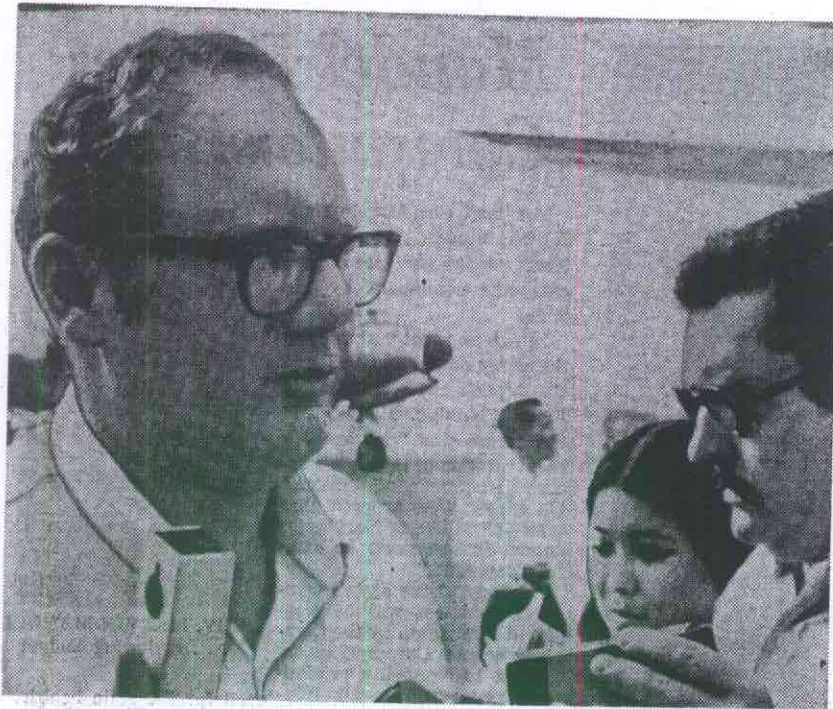
chair, dressed in a snappy blue sports jacket. The cameras recorded his every gesture and word for more than an hour.

The lawyer charged that his client was being held unjustifiably under "subhuman conditions." Declaring that the army had no cause to imprison Middleton before he was formally charged with a crime, Gregory said the major "was not treated as a gentleman who merely had accusations placed against him."

He was confined in maximum security without even the necessities of life—without even toilet facilities."

Gregory, who is 31 and has spent three years as an attorney in the Judge Advocate General's Corps himself, filed a formal motion today demanding Middleton's immediate release. In it he said the major was neither a danger to those around him nor likely to flee the jurisdiction of a court-martial, hence there was no reason to hold him.

Middleton was permitted to talk to his wife in South Carolina by telephone for half an hour Sunday night, thanks to an order from Gen William C. Westmoreland, army chief-of-staff, Gregory revealed. He said this had boosted his client's morale.



Associated Press

George Gregory, left, the Cheraw, S.C. lawyer hired to defend Maj. Thomas Middleton, one of eight Green Berets facing murder charges, is interviewed at Saigon.