



—United Press International

CAPT. ROBERT MARASCO

Army Calls Captain Berets' Triggerman

SAIGON (AP) — The Army disclosed more details of its murder and conspiracy case against six Green Beret officers today, naming a 27-year-old intelligence specialist as the trigger man in the execution of a reported Vietnamese spy.

Against strong objections from defense attorneys that it would prejudice the case military officials made public the charges in which all six men are accused of plotting and carrying out the slaying on June 20.

The documents named Capt. Robert Francis Marasco, 27, of Bloomfield, N.J., as the man who fired the pistol shot that killed Thai Khac Chuyen after it was discovered that he was a double agent working for the North Vietnamese as well as for the Americans.

The three top-ranking officers in the case—Col. Robert B. Rheault, 43, of Vineyard Haven, Mass., former commander of the 3,000 Special Forces troops

in Vietnam, and Majors Thomas C. Middleton Jr., 29, of Jefferson, S.C. and David E. Crew, 33, of Cedar Rapids, Iowa—were accused of the murder even though the charges said they did not have a part in the actual killing.

Their trial awaits the outcome of the general court-martial, now scheduled for Oct. 20, in which Marasco and Capt. Leland J. Brumley, 27, of Duncan, Okla., and Budge E. Williams, 27, of Athens, Ga., face similar charges.

No charge sheets were issued

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BERETS

Army Outlines Charges Against 6 in Slaying

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for CWO2 Edward M. Boyle of New York City, or Sgt. 1C Alvin L. Smith Jr. of Naples, Fla.

According to military sources, the two have been declared immune from the original charges so that they may testify against the six officers. If they don't they face possible five-year jail terms.

The charges said Marasco asked Capt. Robert A. Wolf, identified only as a Special Forces supply officer, to obtain a heavy chain "to be used in disposing of Thai Khac Chuyen." They did not say whether Wolf complied with the request, but he has not been charged.

The charges did not describe the roles of Williams and Smith except to say they were part of the alleged conspiracy.

Boyle, however, was named in the accusations against the others—his part in the incident being that "in order to effect the object of the conspiracy," he allegedly helped Brumley carry the victim to a boat at Nha Trang, the Special Forces' coastal headquarters 300 miles northeast of Saigon.

Brumley is alleged to have given the doomed man a shot of morphine, after which Marasco, the charges said, "did shoot Thai Khac Chuyen with a pistol."

Chuyen's body then allegedly was weighted with chains in a sack and dumped in the South China Sea. A search was conducted in July and August but no body was recovered.

Hours after the charges were set forth, South Vietnam President Nguyen Van Thieu made his first public comment on the case—denying reports that the victim actually was a "triple agent" working for him as well as for the Americans and the North Vietnamese.

Thieu told newsmen at the seaside resort of Vung Tau that, as president, he had no interest in the Green Beret affair. Of the alleged victim, he said: "I don't know if he had one nose or two."

Meanwhile, the civilian attorney for Crew, Brumley and Boyle left Saigon for the United States and said he would file an additional series of motions in

the U.S. District Court in San Francisco.

Henry B. Rothblatt, a New York criminal lawyer specializing in murder cases, said he would seek a writ of habeas corpus to free the six accused men and also ask that Boyle be sent home immediately from Vietnam on grounds that his duty tour has expired.

Appeal to Nixon

Rothblatt earlier had appealed directly to President Nixon—as armed forces commander — in chief—for Boyle's immediate removal and for dismissal of the murder and conspiracy charges against the Green Berets. He claimed the case was "tainted with command influence" by Gen. Creighton W. Abrams, the U.S. commander in Vietnam, and other top officials.

The defense lawyers had opposed release of the charges, Rothblatt claiming the action was intended to "inflame the public."

Rothblatt is one of three top-rated civilian attorneys in the case.

The others are two famed criminal lawyers—F. Lee Bailey of Boston and Edward Bennett Williams of Washington, D.C.

Bailey will defend Marasco, and Williams is to defend Rhealt.

Informants said the six men were angry at the news that the Army had rejected petitions by their attorneys and released the detailed charges. They learned of the action at their barracks quarters at Long Binh, the U.S. Army headquarters base 12 miles northeast of Saigon.