

# 8 Berets Let Out of Stockade

SAIGON — (AP) — The U.S. Army took the eight Green Berets charged with murder out of close confinement at the Long Binh stockade today and confined them to regular billets at the big headquarters post north of Saigon.

The seven officers and one enlisted man who are accused of murdering a Vietnamese believed to have been a double agent are no longer under armed guard.

The seven officers are confined to an officers' billet at Long Binh, 15 miles north of Saigon, while the enlisted man, Sgt. Alvin L. Smith Jr. of Naples, Fla., is in an enlisted men's billet at Long Binh, and Army spokesman said.

## Held Since July 20

The eight men, headed by Col. Robert B. Rheault of Vineyard Haven, Mass., former commander of all Green Beret forces in Vietnam, have been at Long Binh since their arrest July 20.

George Gregory of Cheraw, S.C., civilian attorney for one of the officers, Maj. Thomas C. Middleton Jr. of Jefferson, S.C., charged last week that Middleton was being held in solitary confinement under "inhumane conditions."

The Army began an investigation July 30 to determine whether the Green Beret men should be brought to trial. The investigation was recessed Aug. 2 and is to resume Wednesday.

## 'No Longer Required'

"Isolation of the prisoners, which was necessary during one phase of the investigation, no longer is required," the Army said in a statement today.

Another civilian attorney entered the case today with the arrival in Saigon of Hen-

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City. He said he will defend Maj. David E. Crew of Cedar Rapids, Iowa; Capt. Leland J. Brmley of Duncan, Okla., and CWO Edward M. Boyle of New York City.

After conferring with his clients and their military defense counsel at Long Binh, Rothblatt said the entire case may be dropped and the men freed Wednesday.

Rothblatt, who specializes in criminal law, said the case is based "on the flimsiest of evidence" and "appears to be a situation where somebody goofed."

Meanwhile, another version of the killing was aired today by a source with contacts among intelligence officers in Saigon. He said the slaying of the Vietnamese double agent was done without any authorization from

the Central Intelligence Agency.

Gregory had charged last week that the CIA ordered the killing, and other sources said the CIA withdrew the order about a week after issuing it. But these sources were not clear as to whether the man had already been killed then.

This was the version of the killing told today:

The Green Beret command began to suspect one of its Vietnamese agents used on clandestine liaison missions in Cambodia and asked the CIA for advice.

The agent was a relatively low-ranking man, and the CIA advised the Green Beret command in Nha Trang it should "dispense" with him if he was under suspicion. The CIA itself was unable to determine whether the man was a double agent.

There was never any consideration among the CIA directors in Saigon that the man should be killed. There may, however, have been some misunderstanding in the relay of information between Saigon and Nha Trang. But at some unspecified date, some officials in Saigon contacted Nha Trang with specific orders that the man should not be killed.

The Green Beret command replied it was too late, that the mission was already in progress. The command had set up an operation during which the suspected double agent was to be shot.

The Army has announced that the killing took place on or about June 20. A month later, Col. Rheault was relieved of his command and arrested along with seven of his subordinates.