

ARMY DECISION ON COURT-MARTIAL FOR 8 GREEN BERETS AWAITED AS HEARINGS END

# Army Decision on Court-Martial for 8 Green Berets

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LONGBINH, South Vietnam, Aug. 21 — The Army today concluded its investigation into allegations of murder and conspiracy against eight Special Forces soldiers held after the reported death of a Vietnamese double agent on June 20.

According to sources who were present, Henry B. Rothblatt, a civilian lawyer representing three of those charged, brought tears to the eyes of several military lawyers in the room with his plea to dismiss the charges. He argued that

the men had only done their duty and that Army officials had made mistakes in judgment in charging them with the crime, it was reported.

Soon after the hearing ended, the Secretary of the Army, Stanley R. Resor, arrived at the Longbinh post, which is 18 miles northeast of Saigon. Mr. Resor was not scheduled to be briefed by anyone connected directly with the case. In Saigon yesterday, however, he saw Gen. Creighton W. Abrams, commander of United States forces in South Vietnam, and Ambassador Ells-

worth Bunker, both of whom reported to be familiar with the case.

Mr. Rothblatt, in an interview after the hearing, said that he would be shocked if the Army proceeded with a court-martial. He said he was so confident that it would drop all charges against the eight defendants—among them the former commander of Special Forces in South Vietnam, Col. Robert B. Rheault—that he planned to return to the United States on Saturday.

Col. H. D. Seaman, the officer in the charge of the in-

vestigation, must now make recommendations to Maj. Gen. George L. Mabry Jr., commander of American support troops in South Vietnam, who ordered it. General Mabry must then decide whether to refer the charges to a court-martial for trial, according to an Army spokesman. The decision will be made in a few days, he said.

Army spokesmen declined to comment on other aspects of the case.

The session today was the last of five days of hearings. Three took place before the arrival of two civilian at-

torneys, representing four of those charged.

According to knowledgeable sources, a United States Army enlisted man and a member of the Army's Criminal Investigation Division testified yesterday. The sources said that today a member of the Central Intelligence Agency gave his version of the events leading to the confinement of the Special Forces men.

"Rothblatt tore him to shreds," one person who attended the hearing said. "By the time he finished, both guys next to me were in tears."

Mr. Rothblatt said after the hearing that the decision to confine the eight men was taken as a "sort of an emergency measure without any real thought or intelligence." Asked who had made the decision, he replied: "I think it was made at a pretty high level, but I think they relied on subordinates that didn't know all the facts."

He said that he did not think the whole story of the case would become public knowledge until the information involved was declassified after the war.