



—AP WIREPHOTO by radio from Saigon.

GREEN BERET MEN WHO FACE AN ARMY trial on charges of murder and conspiracy in the slaying of a Vietnamese agent talk with a military defense counsel, CAPT. JOHN S. BERRY, at Long

Binh, Vietnam. Visible from left are: CAPT. LELAND J. BRUMLEY, CAPT. ROBERT F. MARASCO, MAJ. DAVID E. CREW, COL. ROBERT B. RHEAULT and Berry.

Slaying Case Witnesses

Two Berets Given Immunity

LONG BINH, Vietnam (AP)—Two of the eight Green Beret men charged with murdering a Vietnamese agent are not being brought to trial because the Army is arranging for them to testify against the other six Special Forces men, military sources said today.

The sources said the two

men, Chief Warrant Officer Edward M. Boyle of New York City and Sgt. 1-C Alvin L. Smith Jr. of Naples, Fla., will be given immunity from U.S. prosecution, and the Army now is talking with the Saigon government to arrange for immunity at that end.

The Army announced yes-

terday that Col. Robert B. Rheault, 43, of Vineyard Haven, Mass., commander of the Special Forces in Vietnam when the agent disappeared, and five of his staff officers would stand trial before an Army court on charges of murder and conspiracy.

An Army spokesman also announced charges against Boyle and Smith were being held in abeyance pending trial of the other cases. No explanation was given.

A U.S. Army spokesman said Boyle and Smith "are no longer under confinement

but are in a parole status." However, he said the two men must remain on the Long Binh base 15 miles north of Saigon "so that they will be readily available."

The Army still refuses to make any details of the case public. But other sources have reported the man killed was a Vietnamese working for the Special Forces in Cambodia who was discovered to be working for North Vietnam. The body reportedly was dumped in the South China Sea and has not been found.