

Officers, Families and Lawyers Are Jubilant Over the Decision

LONGBINH, South Vietnam, Sept. 29 (AP)—News of the Army's decision to free them of all charges reached the principals in the Green Beret murder case at 3 A.M. today. It obviously took them by surprise.

"Thank you very much, thank you very much," said Col. Robert B. Rheault, the 43-year-old former commander of the Special Forces, or Green Berets, when told the news at the Army's Longbinh headquarters. He and five others have been held there in custody for several weeks.

Colonel Rheault was awakened by a military police officers. In a voice that was firm but filled with emotion, Colonel Rheault said: "I still feel we are under the restrictions they have placed on us, so I'll play it cool. No comment."

The colonel added that he would immediately awaken the other five men to inform them of the Army's decision, announced minutes earlier in Washington by Secretary of the Army Stanley R. Resor.

The six men spent yesterday in their usual routine, including running exercises, and Colonel Rheault had conferred for several hours with his lawyers.

One of these is Edward Bennett William of Washington.

Daniel O. Mahoney, a Boston lawyer and friend of the Rheault family, who accompanied Mr. Williams here to help defend the colonel, said at his hotel in Saigon: "We're delighted at the news, and we'll get out there to see them first thing in the morning."

The attorneys declined to comment further on the Army decision, which Secretary Resor said resulted from the fact that the Central Intelligence Agency had decided it would not furnish any witnesses for the courts-martial. "It is my judgment that under these circumstances the defendants cannot receive a fair trial" Mr. Resor said.

Minutes after Colonel Rheault was awakened, all six men were out of bed talking among themselves, sipping beer, an Army information officer at their quarters reported: "They're having a party. They're all very happy. They just don't know what to say."

Going to Get Champagne By ISRAEL SHENKER

"My neighbor has gone out to get champagne," said Mrs.

had just been dropped against Mrs. Middleton's husband, a Thomas C. Middleton. Charges major, and the other defendants in the Green Beret case.

As the spirits of joy rose at the Middleton home, in Columbia, S. C., there was also jubilation in the homes of the other defendants, and delight among the lawyers who have been preparing to defend their clients in South Vietnam.

F. Lee Bailey, the Massachusetts criminal lawyer who was preparing to defend Capt. Robert F. Marasco, of Bloomfield, N. J., said in a phone interview from Boston: "I can't say we were awfully surprised."

George W. Gregory, a lawyer from Cheraw, S.C., engaged to defend Major Middleton, said: "I think the Army just didn't have a case, and they knew it all along. They continued to try to save face in various ways, and now they're dropping the case in an attempt not to exonerate these people but in the guise of national security. I think they should apologize and forget saving face, and restore the men to duty in such a way that their careers are not prejudiced."

"I think it's great," said Mrs. Leland J. Brumley, in Duncan, Okla. Her husband, Captain Brumley, was one of the defendants. "I never thought it'd be over so soon. We're very thankful for all of the people who have given us support. I had given up on the Army doing anything, but I'm glad they did."

The wife of Chief Warrant Officer Edward M. Boyle, who has been waiting in Baltimore for news of the case, said: "I was confident that everything was going to turn out O.K. It has taken some time, but I believed in my husband and I believed in those other men, too. These past two weeks have been very nerve-wracking."

"I'm just thrilled with the news," said the wife of Maj. David E. Crew, in Glen Burnie, Md. "It's the best thing that could have happened, and I think it should have happened several weeks earlier, since they weren't guilty in the first place. I hope to see my husband as soon as possible, and I'm going to be thanking God—on my knees. Every moment from now on will be a celebration."

Lawyer Welcomes 'Reason'

Special to The New York Times

SAN FRANCISCO, Sept. 29— "Reason finally prevailed," said Henry B. Rothblatt, here today on hearing that murder and

other charges against Army Special Forces men had been dropped. Mr. Rothblatt, a lawyer from New York, was to defend several.

"The Army knew they had done nothing wrong," Mr. Rothblatt told a news conference. "It had been sold a bill of

goods by the Central Intelligence Agency. This whole thing resulted from a precipitous act of some Army officers who had been misled and lied to by some representatives of the C.I.A." Mr. Rothblatt voiced delight over the outcome, which he said he had been predicting.

Curtains on Green Beret Trial

The Army's sudden abandonment of the Green Beret case is less mysterious than the reason why the Army thought it could bring the murder charges to trial in the first place. Espionage and foul play are hardly strangers, and every nation that finds it necessary to spy (as almost all nations do) recognizes that it is engaging in dirty business in its espionage operations. Some of that dirty business was bound to come out in such a trial, as the Army well knew.

As is usual when the country is at war, not all the fighting goes on between the avowed enemies on the battlefield. It is more than probable that bitter animosities rage among the C.I.A., the Green Berets and the Army, which would surely have become public in the courtroom. Among rival and/or competing intelligence operations, internecine warfare is occasionally more intense than any other kind. It must have become painfully apparent to both the Pentagon and the White House that the revelations at the trial would have only added to public disgust over a war many Americans already consider immoral.