

Rivers Differs With Nixon on Songmy

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WASHINGTON, Dec. 9 (UPI)—L. Mendel Rivers, Democrat of South Carolina, who is chairman of the House Armed Services Committee, said today that he was not ready to go as far as President Nixon and concede that a massacre had occurred at Songmy.

He told reporters that the investigating subcommittee he heads had not delved into the case far enough to be certain that there ever was a slaughter of South Vietnamese civilians by American soldiers there March 16, 1968.

This conflicted with comments by Mr. Nixon, who said last night in his news conference: "What appears was certainly a massacre; under no circumstances was it justified."

"If he knows that, he knows more than I do," Mr. Rivers said following a closed hearing of the subcommittee. "... We haven't gotten to that point."

"... I've seen some pictures of dead bodies," he said, "but I haven't seen any pictures of anybody shooting anybody."

Stratton's Viewpoint

Another subcommittee member, Representative Samuel S. Stratton, Democrat of Upstate New York, said Mr. Nixon "seemed to jump to conclusions rather rapidly. . . ."

"It would seem to me whether or not there was an atrocity or a massacre is something that is still to be determined," he said.

Mr. Nixon said that he believed Songmy was an "isolated incident" and cautioned that

all Americans connected with it should be presumed innocent until proved otherwise.

Mr. Rivers met with reporters following a closed subcommittee session at which lawmakers had questioned Lieut. Gen. William R. Peers, head of a special Pentagon board holding hearings of its own to see if the Army tried to cover up the alleged shooting.

Also on hand to testify before the subcommittee was Capt. Ernest L. Medina, the commander of the company that swept through Songmy the day of the alleged massacre. He has publicly denied taking part in, or knowing about, any massacre.

Asked to comment today on Mr. Nixon's statement that a massacre had occurred, Capt. Medina told a reporter: "Sir, being in the military, I can't make a comment on that. I would not be presumptuous enough to make a comment."

Opposes Civilian Panel

Mr. Rivers indicated that he agreed with Mr. Nixon's expressed opposition to creation of a civilian commission to investigate the affair.

Mr. Nixon said that such a commission might be used by the defense to charge that the rights of the defendants had been prejudiced while the matter was before a military court.

Mr. Rivers said that as chairman of the Armed Services Committee "I am not going to stand by and let anybody else do the job the Constitution imposed upon me."

Such a special investigating commission — similar to the Warren Commission, which investigated the assassination of President Kennedy — has been proposed by Senator John Stennis, Democrat of Mississippi, who is chairman of the Senate Armed Services Committee, and former Vice President Hubert H. Humphrey.

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