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U. S. RESTS CASE AGAINST CALLEY

Defense Is Unable to Shake
2 Prosecution Witnesses

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—The Government rested its case against First Lieut. William L. Calley Jr. late today after rigorous cross-examination by defense counsel failed to shake the testimony of two witnesses who said they had seen the lieutenant fire into a ditch filled with South Vietnamese civilians during an alleged massacre at Mylai.

Lieutenant Calley is being tried by a military court on charges of premeditated murder in the killings of 102 non-combatants in the hamlet of Mylai 4 on March 16, 1968.

The last Government witness was a burly native of Brooklyn who said he had seen a soldier distribute C-ration candy to small children among a group of civilian prisoners sitting alongside a trail just before Lieutenant Calley strode up and ordered the soldier to shoot the entire group, including women and children.

This witness, James Dursi, of 1715 East 42d Street, Brooklyn, a former rifleman in Lieutenant Calley's platoon, said that during the subsequent episode at the ditch he had refused an order from the lieutenant to open fire on some 15 civilians that Mr. Dursi had rounded up in the hamlet.

Weeping Riflemen

Mr. Dursi recounted how Lieutenant Calley and a weeping rifleman named Paul D. Meadlo—the same soldier who he had said fed candy to the children before shooting them—pushed the prisoners into the ditch.

"What happened then?" asked Capt. Aubrey M. Daniel 3d, the Army prosecutor.

Mr. Dursi gave the following account:

"There was an order to snoot by Lieutenant Calley. I can't remember the exact words — it was something like 'Start firing.'

"Meadlo turned to me and said: 'Shoot, why don't you shoot?'

"He was crying.

"I said: 'I can't. I won't.'

"Then Lieutenant Calley and Meadlo pointed their rifles into the ditch and fired.

"People were diving on top of each other; mothers were trying to protect their children."

The shooting lasted "a couple of minutes," Mr. Dursi said, adding that he had seen Meadlo reload.

Then, he said, Lieutenant Calley "told me to move across the ditch before I got sick."

"Did he say it in a mean tone?" asked George W. Latimer, chief defense counsel, on cross-examination.

"No sir, it was like a sympathetic tone," Mr. Dursi replied.

Previous witnesses testified that Lieutenant Calley and Meadlo fired into the trailside group.

Earlier, Mr. Latimer tried for an hour to shake the testimony of Thomas Turner, a 24-year-old Nebraskan who had startled the defense yesterday by saying that Lieutenant Calley stood above the ditch for 90 minutes firing into group after group of prisoners who were pushed into it.

Mr. Turner, now a student at the University of Nebraska at Omaha, stuck to his testimony that he had seen the lieutenant fire into "5 to 10" separate groups in the ditch.

"A couple of other people" beside Private Meadlo assisted in the slaughter of some 90 to 100 persons, Mr. Turner said, but he could not name them.

"Are you a conscientious objector?" asked Mr. Latimer.

"No."

"Were you opposed to the war when you went to Vietnam?"

"No."

"Were you opposed to the war when you came home?"

"No."

"Are you opposed to the war now?"

"Yes."

The military judge, Col. Reid W. Kennedy, asked, "Does your feeling about the war have anything to do with your testimony in this case?"

"No, it definitely does not," replied Mr. Turner firmly.

As he left the witness stand, Mr. Turner touched the shoulder of Lieutenant Calley and murmured, "good luck."

Lieutenant Calley did not look up from the defense table.

Captain Daniel rested the Government's case with the proviso that it could be reopened if agents of the Federal Bureau of Investigation were able to produce two missing potential witnesses who have ignored orders to appear in this court.

The defense is expected to begin calling its witnesses on Thursday. Defense motions for dismissal of charges against Lieutenant Calley will be heard tomorrow afternoon.