

Colonel Faces Mylai Trial Over Charge of Cover-Up

By RICHARD HALLORAN
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WASHINGTON, Feb. 26 — The Army announced today that Col. Oran K. Henderson, former commander of the 11th Brigade, would be tried by a general court-martial on charges of covering up the alleged massacre at the South Vietnamese hamlet of Mylai 4 in March, 1968.

Colonel Henderson will be the most senior officer brought to trial in connection with the incident. He is the only one of 14 officers originally accused of failing to report the events at Mylai to be subjected to a court-martial.

Lieut. Gen. Jonathan O. Seaman, commanding general of the First Army at Ford Meade, Md., disclosed that Colonel Henderson had been charged with dereliction of duty, fail-

ure to obey regulations, making a false statement and false swearing.

General Seaman further announced that charges against Capt. Dennis H. Johnson, who was an intelligence officer in Vietnam, had been dropped for insufficient evidence. Captain Johnson, now at Fort Bliss, Tex., had been accused of failure to obey regulations.

A public information officer at the Armed Forces Staff College in Norfolk, Va., where Colonel Henderson is assigned, said the colonel would not comment.

The Mylai incident led to two sets of charges against a total of 25 officers and enlisted men. Four officers and nine enlisted men were implicated in the alleged massacre itself.

Of those, First Lieut. Wil-

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COLONEL TO FACE TRIAL ON MYLAI 4

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Liam L. Calley Jr. is on trial at Fort Benning, Ga., and Capt. Ernest L. Medina and Capt. Eugene M. Kotouc are awaiting trial. Charges against Capt. Thomas K. Willingham were dismissed.

S. Sgt. David Mitchell and Sgt. Charles E. Hutto were both acquitted of murder charges. Charges against the other enlisted men were dismissed for insufficient evidence.

A second group of officers was investigated by a board of inquiry headed by Lieut. Gen. William R. Peers and Robert MacCrate, a civilian attorney, to determine whether information about the Mylai incident been suppressed.

Of the 12 officers investigated charges were later dropped against Maj. Gen. Samuel W. Koster, the American Division commander; Brig. Gen. George H. Young Jr., the assistant division commander, an 10 staff officers who included two colonels, two lieutenant colonels, three majors and a captain.

The Secretary of the Army, Stanley R. Resor, however, is reviewing most of the cases for possible adverse administrative action such as reduction in rank, withholding future promotions or dismissal from the service.

At the time of the Mylai incident, Colonel Henderson had been in command of the 11th Brigade for just two days. A witness at two earlier Mylai trials, Sgt. Dennis R. Vasquez, testified that Colonel Henderson, in a briefing the day before the Mylai operation, told his men to be "aggressive" and to "go in and close with the enemy."

Sergeant Vasquez went on to quote Colonel Henderson as saying that he regarded the forthcoming attack at Mylai as the "final solution" to the problem of the 48th Vietcong Battalion, which was reported to have been in the area.