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FINGER MAIMING IS LAID TO KOTOU

Ex-G.I. Testifies at Trial on Vietnamese Treatment

By JON NORDHEIMER
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ATLANTA, April 26—A former soldier testified today in the court-martial of Army Capt. Eugene M. Kotouc that the stocky intelligence officer cut off the first joint of a finger of a Vietcong suspect he was questioning a few hours after the mass killings at the hamlet of Mylai three years ago.

Three other former G.I.'s who participated in the sweep through Mylai told a military court at Fort McPherson that



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Capt. Eugene M. Kotouc at Fort McPherson yesterday.

they had witnessed the maiming, but only Fred J. Widmer, a lean and tall young man, could positively identify Captain Kotouc as the officer who committed the alleged offense.

The captain's civilian defense counsel, Robert C. Crosby, a former Republican Governor of Nebraska (1953-55), said after the conclusion of the first day of testimony that his client would acknowledge the act if he was called to the stand during the trial.

"He did it accidentally while trying to get information from this enemy prisoner," Mr. Crosby contended, "and he was as shocked and surprised as anyone."

Not a Courteous War

When asked if the brandishing of a knife before a prisoner was acceptable military conduct, Mr. Crosby replied: "I don't think offering him a cup of tea would have been efficacious. I don't think you can fight a war with a courteous smile."

The first witness today, Thomas J. Kinch, a former sergeant, testified that the prisoner whose finger was partly cut off was executed later the same day by two members of the Vietnamese national police.

Mr. Widmer, from New Kensington, Pa., said he was present at the interrogation of the suspect near a cemetery outside Mylai in South Vietnam on March 16, 1968. This was the day that an infantry company under the command of Capt. Ernest L. Medina swept through the village, leaving several hundred dead civilians in its trail. He said he served as radio-telephone operator for Captain Medina, who faces a court-martial on several counts of murder stemming from the incident.

Last of 6 Witnesses

First Lieut. William L. Calley Jr., one of Captain Medina's platoon leaders in the sweep, was found guilty by a military court in March of the murder of at least 22 Vietnamese at Mylai and has been sentenced to life imprisonment, a verdict that aroused wide public reaction.

Mr. Widmer was the last of six prosecution witnesses who appeared before the seven-officer military court being held in a walnut-paneled room in an old chipped-brick building that once served as post headquarters here.

He said he and Captain Medina were present when Captain Kotouc, the company's intelligence officer, questioned two male prisoners rounded up in the sweep. Also present were a Vietnamese interpreter and Vietnamese national police officers, he said.

"Captain Kotouc told the interpreter that if the prisoner didn't talk he was going to cut off his ear," Mr. Widmer recalled.

"The prisoner said, 'No bic' [argot to indicate he did not understand]."

"A little later, Captain Kotouc threatened to cut off the prisoner's finger," the witness said.

"To my recollection, Captain Medina placed [the prisoner's] hand on a block of wood," he went on. "He still got the same reply—'No bic.'"

Still Got Same Reply

"Captain Kotouc raised his arm (grasping a curved-bladed knife), came down and a piece of the finger was cut off. He still got the same reply—'No bic.'"

The prosecution requested a recess until tomorrow morning although Mr. Widmer was listed as the Army's last witness.

The defendant is also accused of cutting a Vietnamese prisoner on the neck during the same episode, but only one witness called today could remember the offense—which he described as a slight scratch on the prisoner's neck—and he was unable to identify the officer who committed the act.