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KOTOUK DESCRIBES MAIMING INCIDENT

Tells Court That the Episode
Was Result of an Accident

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ATLANTA, April 28—Capt. Eugene M. Kotouk took the witness stand today at his court-martial on charges of physically abusing a suspected Vietcong terrorist. He used the outstretched hand of his prosecutor to demonstrate how he had chopped off the end of the prisoner's finger.

Captain Kotouk, a baldish, heavy-set Nebraskan, insisted that the maiming of the prisoner had been an accident that had repelled him and had made him weary of the war.

The prosecution has attempted to show that the act, which took place outside the South Vietnamese hamlet of Mylai in Quangngai Province a few hours after United States troops swept through the area on March 16, 1967, had been a deliberately act.

Testimony ended today and the seven-officer court was expected to deliberate on the verdict tomorrow after receiving instructions from the military judge, Col. Madison Wright. The instructions could be of critical importance, because the judge can interpret to the jury the meaning of the Army's 1967 field manual on prisoner interrogation and its specific passages on the use of terror.

Violence Prohibited

The defense has asserted in the three-day trial that Captain Kotouk had used the manual to shape his conduct as an intelligence officer in Vietnam. It prohibits the use of violence against prisoners, but condones terror tactics to elicit information.

Captain Kotouk, who pronounces his name KUH-TOASH, insisted that he had had been the prisoner, who he said had been identified as a Vietcong terrorist, when he ordered the man's fingers spread on a board and made threatening motions to cut them off. He thrust a 7-inch knife against the board, between the fingers, several times to frighten the prisoner, he testified, but the man, squatting in the hot afternoon sun near a small cemetery located on a rise between ice paddys, remained mute.

"The guy just looked at me, and so I gave him another little crack," the officer told the court. "This time I missed the board and hit the terrorist's hand. The little end of the finger popped off."

Under cross-examination by Maj. William G. Eckhardt, the Army's chief trial counsel in the case, Captain Kotouk demonstrated for the court how the "accident" occurred.

Position Called Awkward

Major Eckhardt a 30-year-old Mississippian, attempted to show that it would have been awkward for the captain, who is right-handed, to cut off the little finger of the prisoner's right hand at the first joint while facing him, the position described by the defendant.

An Army surgeon also testified that it would require some degree of force to sever a finger, and the prosecutor implied that this opinion was inconsistent with the tapping motion made by the defendant when he gave his demonstration.

When he began his two and a half hours of testimony this morning, Captain Kotouk painted a picture of snarled Army red tape that landed him in Vietnam a year after he had been declared physically unfit for combat duty because of a hearing impairment. He described how he wandered around division headquarters looking for something to do, and how he was shunted from from superior to superior in search of an assignment.

"They asked me what I'd like to do, and I told them I'd like to go home," smiled the captain. At one point, he said, he was told to go to the Officer's Club and wait for something to come up. "They called me a couple of days later and reassigned me to my old brigade," he said.