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COLONEL DEFENDS HIS MYLAI INQUIRY

Says He Based Decision on
Reports of Only 20 Dead

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—Col. Oran K. Henderson told the seven-member jury of officers at his court-martial today that, had he been told that more than 100 civilians had been killed at Mydai 4, he would have conducted "a formal investigation."

But the defendant added that he was convinced, after talking to several officers and enlisted men, that only 20 civilians had been inadvertently killed and that an informal inquiry was all that was necessary.

Colonel Henderson, who is accused of covering up the Mylai incident by not carrying out an adequate investigation, denied that he had tried to hide the mass killings or that higher ranking officers had attempted to whitewash the incident.

"I made no attempt to cover it up," he said on his third day on the witness stand. "I made every effort to look into it as any commander would have."

Colonel Henderson was the brigade commander when units under his command assaulted Mylai 4, a hamlet in the South Vietnamese village of Sonmy, on March 16, 1968.

'No Suspicions'

When he reported to Maj. Gen. Samuel W. Koster, the division commander, on the matter about five days after the assault, Colonel Henderson continued, "I had no suspicions that more than 20 people had been killed."

By the end of the day's testimony, the Government prosecutor, Maj. Carroll J. Tichenor, rested his cross-examination. The defendant now faces direct questions by his defense attorneys and possible recross-examination by the Government.

Because of his belief that a mass killing had not occurred, the colonel testified, he decided not to question South Vietnamese officials on the incident, did not interview more than one helicopter pilot and made no attempt to find and question survivors of the killings.

"I was making an inquiry, not a formal investigation," he said. "I did what my judgment felt was best at the time."

Although he said he had a "suspicion" that Capt. Ernest L. Medina, whose company assaulted Mylai, had withheld information about civilian casualties when interviewed in the field two days after the assault, he said the suspicions were resolved by the task force commander, the late Col. Frank A. Barker, who explained the captain's version.

Captain Medina, who left the Army after his acquittal last September of murder and manslaughter charges, has testified here that he lied to Colonel Henderson in reporting that 20 to 28 civilians had been killed. At the time he spoke to the colonel in the field, he said, his platoon leaders had already told him that at least 106 civilians had been killed.