



ANNE MOORE AND WILLIAM CALLEY OUTSIDE THE FEDERAL COURT
 The lieutenant's girl friend said he would honor terms of bail

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He's Free
Pending
An Appeal
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First Lieutenant William L. Calley Jr., convicted by military court of the murder of 22 Vietnamese civilians at My Lai in South Vietnam, was released on personal bond of \$1000 yesterday by the order of a civilian federal judge.

The order by U.S. District Judge Robert Elliott freed the slightly built laconic 30-year-old lieutenant from the house arrest he has been under for 35 months in his rented two-bedroom apartment at nearby Ft. Benning, Ga. During that time he has been off the grounds of the small red brick apartment only four times.

In ordering his release, the judge determined that Calley presented "no danger to himself or to others," and that there was "no likeli-

hood that he will attempt to flee."

The lieutenant signed a form in the courtroom guaranteeing the \$1000 bond and was immediately taken by military police back to Ft.

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Benning to complete formalities affecting his freedom from the house arrest.

The release on bond came as a result of a petition seeking reversal in the civilian courts of Calley's murder conviction by a military tribunal.

The petition, listing 27 specifics, contends the conviction was in violation of constitutional guarantees, including due process in criminal proceedings.

No date was set for the hearing on the contentions — which, if successfully argued, could completely exonerate him — but his attorneys expected a date sometime in May.

Although he declined any comment outside the courtroom on advice of his attorneys, Calley took the witness stand for 37 minutes in the morning to describe life in

his apartment during incarceration.

Asked by U.S. Attorney Charles Erion if he felt he was a danger to the public, he replied in a matter-of-fact tone; "To the contrary. I feel I will be useful to society."

He said if freed on bond he would attempt to negotiate his own lease on the apartment — the rent, utilities and food bill are all now paid by the Army — and would seek civilian employment while off duty. He remains an officer in the military and a prisoner under bond pending a hearing on his case.

"I've gotta finish school," he said in response to a question about his plans if released. "I'm going to try to get back in school as soon as possible . . . and try to be self-employed."

During his confinement, he said, he had at first done little — "watched television and built model airplanes" — but had later studied cooking and took correspondence courses in accounting, history and oceanography.

"I've got a little piece of ground out back which I cultivate every spring," he said, adding that he had too little morning sun to grow vegetables so for the last two summers he had planted

"just flowers — to try to make the backyard attractive."

He is permitted frequent visits from his girl friend Anne Moore, who holds his power of attorney. Miss Moore was in the courtroom with him yesterday and testified in his behalf.

Asked if he did not feel the accommodations and privileges were unusual for a prisoner, the lieutenant quietly replied that he did not know.

He complained, however, that he had been denied access to the base gymnasium swimming pool, photo lab and craft shop. He described his incarceration as "inconvenient."

Asked if Ft. Leavenworth federal penitentiary in Kansas, did not have the facilities he said he was denied at Ft. Benning, Calley replied "Yes, sir." Judge Elliott had issued a restraining order at the request of the Calley attorneys earlier in joining the Army from going through with plans to transfer him to Ft. Leavenworth.

Asked about other inconveniences, the lieutenant replied, again in a dry, emotionless voice: "Well, I would be a tremendous inconvenience if I had to finish my sentence."

Miss Moore, who had met the lieutenant a month before he was charged with the massacre of "not less than 30" civilian men, women and children at My Lai, testified he was "a very likable person, easy going."

"He enjoys people. He's a stable person. He's not hostile towards the military or society," she said. He was she added, "very optimistic."

On one occasion two years ago, she testified, he had been drinking with one of his military guards who had brought in liquor — a violation of the rules of his incarceration — and he had become belligerent.

Ordinarily, however, she said he "walked away" from hostile intentions.