

BERET CASE VICTIM IS LINKED TO C.I.A.

Lawyer Calls Missing Man
Dangerous Double Agent

By TERENCE SMITH

Special to The New York Times

SAIGON, South Vietnam, Aug. 11—The lawyer for one of the eight Special Forces soldiers facing possible charges of murder said today that the victim in the mysterious case was a "dangerous Communist double agent" who had been working simultaneously for the Central Intelligence Agency and North Vietnamese intelligence.

The counsel, George Gregory of Cheraw, S. C., also implied that the United States Central Intelligence Agency had ordered the agent's execution.

[In Washington, responsible Government sources denied that the C.I.A. had any connection whatsoever with the case. They were commenting on reports that the C.I.A. had both ordered the execution and for an unexplained reason had revoked the order a few days after June 20, the day it had already been carried out.]

Earlier in the day an informed source in Nhatrang, site of the headquarters of the Special Forces, or Green Berets, also said that it was the Central Intelligence Agency that

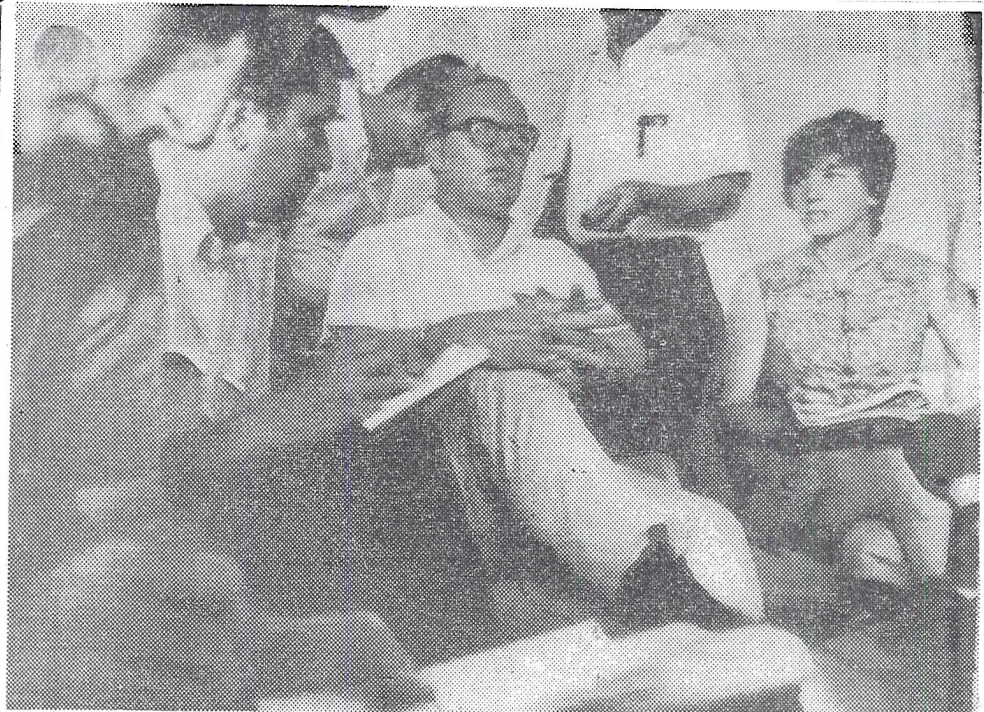
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had directed that the agent be disposed of. According to reliable reports, the man was shot June 20 and dumped into the South China Sea off Nhatrang in a weighted canvas bag. A search for the body by United States Navy ship was abandoned yesterday.

Mr. Gregory made his remarks at a news conference here tonight after visiting with his client, Maj. Thomas C. Middleton Jr. of Jefferson, S. C., stockade at nearby Longbinh. Maj. Middleton is being confined there along with the six other officers, including Col. Robert B. Rheault, the former commander of all the Special Forces in Vietnam and a sergeant. They are all facing possible charges of premeditated murder and conspiracy to commit murder.

Asked at the news conference if the Central Intelligence



United Press International

George Gregory, center, defense counsel for Maj. Thomas C. Middleton Jr., one of Special Forces men charged with murder of Vietnamese agent, at news conference in Saigon.

Agency had ordered the agent's execution, Mr. Gregory said: "We have a lot of facts along that line, but because of security reasons I don't think I should go into the details of the case now."

'Gravely Involved'

A moment later, when the question was rephrased, Mr. Gregory replied by saying "You will find that whatever happened in the case . . . that the C.I.A. was gravely involved." Again, he refused to elaborate on grounds of security.

Discussing the victim in the incident, Mr. Gregory said that as the case developed it would be proved that he was "a dangerous Communist double agent hired by the best financed agency of the United States Government, the C.I.A. — let's put the finger right where it should be — to gather facts."

"The agent was working for the C.I.A. when it was discovered—thank God it was discovered so that the lives of agents and fighting people could be saved—that he was not really in the employ of our forces but in the employ of the North Vietnamese," the lawyer said.

Sources in Washington reported last week that the agent was a member of a team of non-American operatives assigned to observe the movement of enemy troops and supplies on both sides of the Cambodian border. The agent is reported to have betrayed the team to the North Vietnamese sometime in late May or June.

Several members of the team were reported to have been killed and the Special Forces subsequently turned up information said to implicate the agent. He was then reported to have been questioned by the Special Forces and, according to reliable sources, by the C.I.A. The decision was then said to have been made to eliminate the agent. Though the decision was said to have been made by the C.I.A., members of the Special Forces were reported to have carried out the order.

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Such cases are not unusual in South Vietnam, where, because of the internecine nature of the conflict, double agents are common. However, formal prosecution is virtually unheard of in such incidents. They are usually kept within the military family. Most often they are handled by the South Vietnamese military.

Mother Gets Instructions

Special to The New York Times

WASHINGTON, Aug. 11 — The mother of a Special Forces soldier facing a possible court martial in the murder of a Vietnamese said today she had "been entrusted by him not to say a word."

Mrs. Thomas C. Middleton Sr. of Jefferson, S. C., said she re-

ceived a letter today from her son, Major Middleton, directing her to say nothing about the case in which he is involved.

Official military sources both here and in South Vietnam have disclosed few details of the case despite growing public interest. Secrecy has cloaked all aspects of the investigation.

"If he can't talk, his mother sure won't," said Mrs. Middleton, a widow who is 57 years old. "I am very proud of him. He's a complete Army man." She spoke in a telephone interview.