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## SAIGON REFUSES TO FREE WAR FOE

Court Rejects Petition for  
Woman Lawyer's Release

By **GLORIA EMERSON**

Special to The New York Times

SAIGON, South Vietnam, Sept. 5—A petition for the temporary release from prison of Mrs. Ngo Ba Thanh, a leading critic of the war and of the Saigon Government, has been refused by a court here.

The arrest of Mrs. Thanh on Aug. 17 was made late in the day by plain-clothes men, who reportedly pulled her out of her automobile. She was charged with assaulting a judge in June. Before charging her, the senior investigating magistrate in Saigon, Dang Vu Ham, called witnesses who reportedly included members of his staff. Two were policemen. Cross-examination of the witnesses was not permitted.

Two days after her arrest, Mrs. Thanh was sent to Thu Duc Prison, outside Saigon, where she shares a cell with 30 other women.

Other Vietnamese critics of the war and of President Nguyen van Thieu believe that by imprisoning Mrs. Thanh the Government has attempted to silence her during a sensitive and uneasy time in Vietnamese politics. Mrs. Thanh was a supporter of Gen. Duong Van Minh, who pulled out of the Presidential election, leaving President Thieu as the sole candidate on Oct. 3.

### Senator Is Visitor

The small, energetic Mrs. Thanh, who will be 40 years old this month, is well known here. In the last few years she has received many U.S. Congressmen, or their aides, to inform them of the position of President Thieu's opponents. The last American visitor to see her was Senator Adlai E. Stevenson 3rd, who spoke with her the morning of her arrest.

No date has been set for her trial. The Supreme Court of South Vietnam has been asked by Mrs. Thanh's lawyer, Nguyen Long, to investigate what he says are irregularities in her case. He says that she has been imprisoned for political reasons.

The assault charges against Mrs. Thanh resulted from an incident of June 22 in Giadinh, a Saigon suburb, when she and a group of Buddhist nuns gathered outside a courthouse to protest a ruling of Judge Nguyen Van Tho. He had decided in a controversy between nuns and monks that only the monks had the right to live in a local pagoda.

On leaving the courthouse, the judge tripped and fell. He charged that Mrs. Thanh was responsible. But the nuns assert that he had only slipped.

Mrs. Thanh, who is fluent in four languages, became a lawyer after studying at the University of Paris and at the University of Barcelona. She received a master's degree in comparative law from Columbia University in New York.

She was previously imprisoned for a total of 25 months in 1966 and 1967.

One group she heads is called the Vietnamese Women's Movement to the Right to Life. She is co-chairman of another anti-war, anti-Government group called the People's Front Struggling for Peace. She has also allied herself with a Vietnamese committee working for prison reform.

### Father Deported

The husband of Mrs. Ngo Ba Thanh—she followed the Western custom of using his name after marriage—was director of the Institute of Oceanography, but lost his post because of his wife's political activities. The couple have four children, who are in their teens.

Mrs. Thanh's father, Dr. Pham Van Huyen, was imprisoned in South Vietnam in 1961 and 1964 for his efforts to bring about peace. He had held posts in the Government of the late President Ngo Dinh Diem.