

# Officer Kept in Army in Inquiry Into Killing of Vietnam Civilians

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WASHINGTON, Nov. 12 — The Army has retained a 26-year-old first lieutenant on active duty for two and a half months beyond his term of service while it investigates charges that he shot "quite a number" of Vietnamese civilians.

First Lieut. William Laws Calley Jr. of Miami, is being retained at Fort Benning, Ga. Officers at the post said that on Sept. 5 Lieutenant Calley was charged with the murder of an unspecified number of civilians in Vietnam in 1968.

Since then, the lieutenant has been kept on at the post as a special deputy to the deputy post commander, Col. T. W. Long.

The Army said that it would not disclose the specifics of

the alleged crime that is being investigated "in order not to prejudice the continuing investigation or the rights of the accused."

Officials at Fort Benning are trying to determine whether there is sufficient evidence to convene a court-martial to try the lieutenant.

However, Lieutenant Calley's civilian attorney, George W. Latimer—who represented one of the soldiers involved in the recent Green Beret murder case—described the allegations against the officer.

He said that there were six specifications against the lieutenant and that they allege that he killed "quite a number of people." He would not

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specific, how many. Mr. Latimer explained that "some of the specifications might duplicate one another" and that, in any case, they are vague—"some of them say he killed 'not less than' so many."

Pressed about the number of people allegedly killed, Mr. Latimer said, "I would guess that if all the specifications were added together the number might reach 109." One hundred nine had been suggested to him as the figure being commonly cited in reports from Fort Benning.

The specifications — as Mr. Latimer related them — paint this picture of the alleged crime:

Lieutenant Calley was in command of a platoon of Americal division soldiers of the 11th Infantry Brigade. The platoon was part of a task force ordered in March, 1968, to advance on and take several villages in a Vietcong stronghold called Pinkville.

The lieutenant's platoon was to take one village, or perhaps a few villages strung together, six miles northeast of Quangnai. The area had been under heavy shelling by Navy gunboats and ground artillery—"a lot of firepower," Mr. Latimer added.

It is alleged that the lieutenant advanced with his troops into the village and, with premeditation, killed what Mr. Latimer called "a multiple number" of civilians with his rifle.

### 'In Line of Duty'

Mr. Latimer said that the lieutenant was not guilty, "it was in the line of duty," he said.

The lawyer—who was a judge on the United States Court of Military Appeals for 10 years and now has a law practice in Salt Lake City, Utah—said the case reminded him of the recent Green Beret affair, in which American servicemen were accused—but finally free—of killing an alleged Vietcong double agent.

"We are trying our own

people for shooting people who were in the enemy camp," Mr. Latimer said.

"They were Vietcong villagers," he added, and these people worked for the Vietcong—carrying ammunition, and so on."

The lawyer also said that "half a dozen others may be involved." When asked to be more specific, he demurred—acknowledging only that he was speaking of the lieutenant's superiors.

The Army said that Lieutenant Calley was under no restraint at Fort Benning and was "on a full-duty status."

Pentagon officials said early last night that the investigation had reached the stage where the lieutenant's commander at Fort Benning now had to decide whether he should order the convening of a court-martial.

The Pentagon spokesman also said that all of the specifications made during the investigation may or may not be brought before a court-martial, if one is convened.

The Army spokesman likened the investigative proceedings to civilian grand jury hearings, with the decision to convene a court-martial parallel to the issuing of an indictment. In the military, however, the individual is charged before the investigation is complete.

If the investigation does not turn up enough evidence to warrant a court-martial—in the view of the commander—the charge is dropped.

Lieutenant Calley was born in Miami and attended Palm Beach Junior College.

He enlisted in the Army in July, 1966, at Albuquerque, N. M. and attended the Army Infantry School at Fort Benning. He was commissioned a second lieutenant in September, 1967.

From September, 1967, to May, 1968, Lieutenant Calley served with Company C of the First Battalion, 20th Infantry, 11th Infantry Brigade in Vietnam.