

Army Consolidating Songmy Inquiry at Georgia Base

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WASHINGTON, Jan. 13 —

The Army announced today that it was going to transfer to Fort McPherson, Ga., or nearby bases most of the active-duty servicemen connected with the investigation into alleged atrocities at Songmy, South Vietnam.

The move will affect "a number of personnel who are either the subjects in pending criminal investigations or potential witnesses in possible subsequent proceedings." The number of men involved was not disclosed.

Ostensibly, the action was taken to lessen administrative problems and to avoid excessive delays in the court-martial proceedings against four soldiers who have been charged with murder and other offenses at Songmy. However, the move also cleared the way for swift action against other soldiers who are under investigation.

Not Practical

The Army exempted from the move two of the four who have been charged — First Lieut. William L. Calley Jr. of Fort Benning, Ga., and S. Sgt. David Mitchell of Fort Hood, Texas.

But the transfer, which will be made immediately, according to Army spokesmen, will include the other two men who have been charged: Pvt. Gerald Anthony Smith of Fort Riley, Kan., and Sgt. Charles E. Hutto, of Fort Lewis, Wash.

The Army said Lieutenant Calley and Sergeant Mitchell would not be moved because their investigations had pro-

ceeded to the point where a transfer would prove impractical.

In a related development, it was announced earlier today that an additional charge of assault with intent to murder a Vietnamese civilian had been lodged against Sergeant Mitchell. This is in addition to an earlier charge of assault with intent to murder 30 Vietnamese civilians, for which he faces a court-martial.

Lieutenant Calley has also been ordered to face a court-martial. The 26-year-old lieutenant is charged with the premeditated murder of 109 civilians.

The charges against Sergeant Hutto and Private Smith were made last week and an investigation must still be held to determine whether they will require courts-martial.

Sergeant Hutto is charged with premeditated murder, rape and assault with intent to commit murder. Private Smith is charged with premeditated murder and indecent assault on a Vietnamese female.

Army officials emphasized that not all the men to be transferred to Fort McPherson were suspects in the criminal investigation of the Songmy incident, which allegedly occurred on March 16, 1968, during a sweep of the area by the unit of the 11th Infantry Brigade.

"Many of these fellows are witnesses who would have to be traveling to different bases all over the country unless we did this," an Army spokesman said.

The move also facilitates the Army's ability to hold more

than one court-martial at the same time and at the same place, he added.

At Fort McPherson, headquarters of the Third Army, the men will be under the command of Lieut. Gen. Albert O. Connor, who would have the authority to initiate new courts-martial. The base is located in Atlanta.

Although the Pentagon would not say how many soldiers would be transferred, at least 22 men, in addition to those who have been charged, are under investigation. It is not known

how many of these are civilians and how many are still under Army control.

However, some 60 active duty soldiers, including some of the men who were charged have appeared before a special Army investigating board that has been hearing testimony about the incident since Dec. 2.

The inquiry, headed by Lieut. Gen. William R. Peers, has questioned more than 100 persons here and 41 in Vietnam, giving the inquiry a substantially wider scope than was expected at its inception.