

# Laird Subpoenaed in My

## Atlanta

Secretary of Defense Melvin R. Laird and other high figures of the United States defense establishment have been subpoenaed to appear at a hearing before a three-judge Federal court panel called here July 15 on the constitutionality of the Army's My Lai court-martials.

The specific case before the panel concerns the Army plan to try Sergeant Esequiel Torres, 22, of Brownsville,

Tex., on charges of at least three murders in the alleged massacre, but the effect of a decision in his matter could reach to the whole range of cases pending in the My Lai affair.

The panel includes U.S. District Judge Albert Henderson, U.S. Circuit Court Judge Griffin B. Bell, and U.S. District Judge Sidney O. Smith.

Torres' attorney is Charles L. Weltner, a former Democratic Congressman from At-

lanta who served in the Army's Judge Advocate General Corps after the Korean War.

In addition to Laird, also subpoenaed for the hearing were the Army Chief of Staff, General William C. Westmoreland; the head of the Central Intelligence Agency, Richard Helms, and the Secretary of the Army, Stanley R. Resor, among others.

Attorneys for the Government are expected to move in court to crush the subpoena.

A lengthy legal battle could ensue.

Weltner said the men are wanted to testify on the official American policy on killings of civilians in Vietnam.

In his petition to the court, he had argued that "the official policy of the U.S. Government, its tactics, strategies and procedures, resulted in the indiscriminate destruction of human lives, including thousands of non-combatants . . ."

## Lai Hearing

He said in the courtroom that he intends to show that it was the policy of the Army to destroy civilians in "free fire zones" such as My Lai and that the purpose of the CIA's Operation Phoenix was the destruction of life.

In an interview this week, the attorney asserted, "Half the people in My Lai were on the CIA's assassination list anyway. That's the information I have from someone who was there."

In the subpoenas, the mili-

tary figures are also instructed to bring with them a large number of documents, including "copies of all directives, reports, summaries and analyses prepared or compiled by the Defense Department with reference to the following military tactics — saturation bombing, body count, establishment of free fire zones, interdiction artillery fire, (and) search-and-destroy missions."

Among other reports sub-

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poenaed are those pertaining to the alleged practice of cutting off human ears and fingers and the wearing of "Kill Cong" badges by members of the military, as well as those pertaining to the CIA's Operation Phoenix in Quang Ngai province, where My Lai is situated.

In connection with Operation Phoenix, so-called CIA "black lists," allegedly of persons are being killed, are being subpoenaed.

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