

Court-Martial of Calley Postponed Indefinitely

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FORT BENNING, Ga., Aug. 14 (UPI) — The court-martial of First Lieut. William L. Calley Jr., charged with murdering 102 Vietnamese civilians at Mylai, in 1968, was postponed indefinitely today.

An Army spokesman said that no further hearings would be scheduled until "actions now pending in Federal Courts" were resolved.

The court-martial of the lieutenant, first of 12 officers and men charged in the alleged massacre, had been scheduled for Aug. 24. He will be in a military court that day, but it will be to ask for disclosure of certain documents and papers dealing with the alleged slaughter. Lieut. Col. Reid W. Kennedy, the trial judge, will hear the defense motion.

Meanwhile, a military spokesman at Fort McPherson, near Atlanta, announced that a hearing would be resumed next Tuesday for Pvt. Gerald A. Smith of Chicago, a member of Lieutenant Calley's platoon who is also charged with murder.

The Calley hearing will be closed to the public at the request of George Latimer, the civilian defense counsel, and Maj. Kenneth Raby, representing the Army.

Civil Trials Sought

Mr. Latimer, as have attorneys for several other soldiers accused in the Mylai case, has filed suit in Federal Court in Washington, seeking to keep military officials barred from trying Lieutenant Calley.

A similar appeal before a three-judge panel in Atlanta was dismissed. The panel contended that the accused soldiers had the right of appeal to civilian courts after exhausting military remedies.

Private Smith, 22, was charged with premeditated murder and indecent assault upon a female.

His hearing will be open to the public.

So far, the Army has ordered five of the three officers and nine enlisted men accused of murder at Mylai to face a court-martial but Lieutenant Calley's is the only one listed as a capital case, meaning he could be sentenced to death if found guilty.

Lieutenant Calley led a platoon in a sweep for suspected Vietcong through Mylai. The 27-year-old officer was charged with shooting many civilians himself and with directing his men to kill others.

He was first scheduled for court-martial on May 18 but the date was set back until August to permit both defense and prosecution to prepare their cases.

Other Inquiries Begun

WASHINGTON, Aug. 14 (AP)

—The Army announced today the start of grand jury type investigations involving Maj. Gen. Samuel W. Koster and two other officers accused of dereliction of duty in a field investigation of the alleged Mylai massacre.

The investigations, closed to the public and press were started yesterday at Fort Meade, Md. They will determine if courts-martial are warranted against General Koster, a former superintendent of West Point, Lieut. Col. William D. Guinn and Maj. Frederick W. Watke.

In addition, the Army said the investigations of charges against four other officers will start next week.

The seven are among 14 officers originally accused of dereliction of duty and other charges growing out of the field investigation of the alleged massacre. Twelve other officers and enlisted men were charged with the actual crime.