

GI Blames General For My Lai

Fort McPherson, Ga.

A young sergeant involved in the alleged My Lai massacre accused General William C. Westmoreland of dereliction of duty yesterday, and said the army chief of staff must shoulder the blame for whatever happened in the Vietnamese village.

Attorney Charles Weltner said that because of the accusations by his client, 22-year-old Sergeant Esequiel Torres, he would ask that action against all defendants in the My Lai case be delayed until the question of ultimate responsibility is resolved.

Weltner revealed the surprise move during a recess at a preliminary hearing for Torres at Fort McPherson in Atlanta. After hearing four hours of arguments, the court recessed until 8:30 a.m. today.

CHARGE

Torres, of Brownsville, Tex., is charged with the machine gun murder of at least three South Vietnamese civilians, the hanging of another, and with assault with intent to kill three others.

Weltner said there was ample precedent for the move against Westmoreland, because the United States tried and convicted Japanese General Tomoyuki Yamashita for crimes his troops committed in the Philippines during World War II.

Weltner said Yamashita was held responsible for the crimes although he had become separated from his troops after they had been put to rout by American forces.

CODE

Torres made his accusation under the uniform code of military justice, saying:

"In that William C. Westmoreland, chief of staff,

United States Army, Washington, D.C. while then serving as commanding general, United States Army (Vietnam) was derelict in the performance of his duties in failing to control troops within his command so as to prevent such troops . . . from inflicting needless injuries on Vietnamese civilians."

As evidence to the validity of his allegations, Torres listed volume 1 of the Peers Committee Report, an Army inquiry into the incident, and a telegram of commendation which Westmoreland sent to officers involved in the My Lai campaign complimenting them on the body count of 109 in the sweep through the village.

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