

Mylai Inquiry Ban Is Laid to General

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FORT BENNING, Ga., March 4—Maj. Gen. Samuel W. Koster, who commanded the Americal Division at the time of the alleged massacre of South Vietnamese civilians at Mylai 4, forestalled an on-the-spot investigation of the incident, one of his field officers testified today at the court-martial of First Lieut. William L. Calley Jr.

The witness, Maj. Charles C. Calhoun, operations officer of the division task force that assaulted the hamlet on March 16, 1968, said that General Koster had broken in on a radio conversation and rescinded an order directing Capt. Er-

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Calley Trial Hears That General Forestalled an Inquiry at Mylai

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nest L. Medina to re-enter Mylai 4 and "see if any civilians were killed and how."

Upon hearing this testimony, one of the six officers on the jury sent a note to the military judge asking that General Koster be called as a witness.

Instructions to return to Mylai came from headquarters of the 11th Brigade, Major Calhoun said. Other witnesses had testified that the task force commander, Lieut. Col. Frank A. Barker, had received a report from helicopter pilots that they had observed heavy casualties among women, children and old men.

Major Calhoun said that when he relayed the order to Captain Medina, commander of Charlie Company, the assault unit, the captain protested.

"He requested not to have to go back to the village because he was getting near night lager [bivouac] and because he was concerned with mines and boobytraps," Major Calhoun testified.

"I told him that regardless of how he felt, he would have to go back. At this point, the division commander interrupted and said there was no need to go back into the village at that time."

Captain Medina also reported in the radio conversation that only 20 to 30 civilians had been killed, mostly by artillery and the fire of the helicopter gunships, Major Calhoun said.

Some hours earlier, just before noon, Major Calhoun was on a helicopter observation flight over Mylai, he testified, when he received a call from Colonel Barker "to tell Captain Medina to make sure his troops weren't hurting any civilians or doing any unnecessary burning."

Major Calhoun said that he had passed the message on to Captain Medina, who "Rogerred." It was about this time, Government witnesses have testified, that Captain Medina called Lieutenant Calley and ordered him to stop shooting

with the words: "the party's over."

Captain Medina is facing future court-martial on a charge of being "responsible" for the alleged murder by members of his company of at least 175 civilians. Lieutenant Calley, a platoon commander under Captain Medina, is being tried here for the premeditated murder of at least 102 civilians.

The proposal from a juror to call General Koster as a witness in the Calley trial evoked no enthusiasm from either the prosecution or the defense or, for that matter, from the military judge, Col. Reid W. Kennedy.

General Koster, a former Superintendent of the United States Military Academy at West Point, was cleared on Jan. 29 of charges that he had covered up the massacre.

Judge Kennedy's coolness toward summoning General Koster was based, he explained, on doubt about the relevancy of any testimony that General Koster might give as to the guilt or innocence of Lieutenant Calley. He told the six officers of the court that they were not sitting as an investigative panel on the actions of Task Force Barker or inquiring whether General Koster knew of the alleged offenses of Lieutenant Calley right after they had occurred.

Whether the divisional chain of command condoned Lieutenant Calley's alleged actions afterward was "not relevant at all," Judge Kennedy said.

Nevertheless, the jury, made up of Army officers, seemed intent on hearing what the higher officers were doing at Mylai. Except for Army psychiatrists, no officer of rank higher than major has appeared on the witness stand.

Today, the jury requested the appearance not only of General Koster but also of other generals: Brig. Gen. George H. Young, assistant commander of the Americal division and Brig. Gen. Andrew Lipscomb, who commanded the 11th Brigade just prior to Mylai.