

CALLEY SENTENCED TO LIFE FOR MURDERS AT MYLAI 4; LENGTHY REVIEW TO BEGIN



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Lieut. William L. Calley Jr. after sentencing yesterday

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But He Will Keep His Rank Till Sentence Is Reconsidered

By HOMER BIGART

Special to The New York Times

FORT BENNING, Ga., March 31—First Lieut. William L. Calley Jr. was sentenced to life imprisonment today for slaying at least 22 South Vietnamese civilians three years ago at the hamlet of Mylai 4.

The military jury also ordered his dismissal from the Army and the forfeiture of his pay and allowances, although he will retain his officer's status and continue to be paid until his case is reviewed by another command.

His sentence could be overturned during the automatic military appeal process, and the term could be shortened at any time by the exercise of clemency by President Nixon or Secretary of the Army Stanley R. Resor.

If the sentence is allowed to stand, Lieutenant Calley would be eligible for parole after serving 10 years.

'I'll Do My Best, Sir'

The longest court-martial in history ended at 2:35 P.M., when the short, stocky platoon leader, convicted Monday of premeditated murder, marched up to the jury box with two of his lawyers.

His face normally pink, was pale and taut. He knew that the six career officers on the jury could have consigned him to the gallows. The mandatory penalty was death or life imprisonment.

Standing at rigid attention, Lieutenant Calley exchanged salutes with the president of the court, Col. Clifford H. Ford, then braced himself.

Colonel Ford, a 53-year-old veteran of World War II and Korea, read the sentence:

"First Lieut. William L. Calley, it is my duty as president of this court to inform you that the court in closed session and upon secret written ballot, three-fourths of the members present at the time the vote was taken concurring, sentences you:

"To be confined at hard labor for the length of your natural life.

"To be dismissed from the

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Calley Is Sentenced to Life for 22 Murders at Mylai 4

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service.

"To forfeit all pay and allowances."

Lieutenant Calley seemed to go limp with relief. In a barely audible voice he told Colonel Ford: "I'll do my best, Sir." Then he saluted and returned to the defense table.

"This court is closed," said the military judge, Col. Reid W. Kennedy. The trial, which began last Nov. 12, was over. The jury had deliberated 13 days before reaching a verdict, and it had spent five hours and 58 minutes on the sentence.

Two middle-aged women wept in the hushed courtroom. The crowd left quietly. Lieutenant Calley was led down the Hall to the office of his lawyers, where he met with two chaplains.

Outside, about 100 persons waited 30 minutes for his appearance. A woman in a red dress began berating the court-martial in a German accent.

'He's Been Crucified'

"He's been crucified," she shouted, "Lieutenant Calley killed 100 Communists single-handed. He should get a medal. He should be promoted to general."

She identified herself as Mrs. Hildegard Crochet of New Orleans and said that she had

brought "eight concerned citizens" to Fort Benning to demand freedom for Lieutenant Calley.

Three of the concerned citizens, brawny youths who said they were professional divers, stood beside her, asserting that Lieutenant Calley was a "scapegoat." They did not intervene when agents of the Army's Criminal Investigation Division ordered her to move on.

When Lieutenant Calley emerged, surrounded by military policemen but unshackled, he acknowledged with a tight smile the applause and cheers of the crowd. The reception was not entirely friendly. One man gave a thumbs-down gesture. An M.P. saluted Lieutenant Calley at the curb. Then the officer hopped into a police car and returned to the post stockade.

Counsel Appeals

Normally, convicted soldiers are taken to the Army Disciplinary Barracks at Fort Leavenworth, Kan., but officers said Lieutenant Calley might remain here several days.

His chief counsel, George W. Latimer, appealed immediately to the commander of Fort Benning, Maj. Gen. Orwin C. Talbott, for a deferment of confinement. He told Gen. Talbott, who convened this court-martial last fall, that Lieutenant Calley was not a menace to society and would not attempt to escape.

He said General Talbott

promised to consider this appeal and gave assurances that Lieutenant Calley would not be transferred tonight to Fort Leavenworth. The authorities did not consider it likely that Lieutenant Calley would be freed pending appeal.

The first step in the military appeal process will take at least a year. The 5,000-page official court record will not be ready until late summer. Then Army lawyers at the headquarters of another command, perhaps the Presidio, in San Francisco, will spend months reviewing the case.

If that convening authority confirms the sentence, Lieutenant Calley will be stripped of officer's rank, his pay will cease, and he will be placed on hard labor at Leavenworth.

Other Appeal Steps

Other appeal steps in the appeals procedure are the Court of Military Review, which can reduce sentence or acquit on legal grounds, and finally the United States Court of Military Appeals. Mr. Latimer may also appeal through the civil courts all the way to the Supreme Court.

Mr. Latimer said he hoped that President Nixon would set aside the sentence, but he expressed doubt that the President would grant him an audience.

The 70-year-old lawyer from Salt Lake City, a retired judge of the Court of Military Appeals, said he felt Lieutenant Calley

had been dealt "an awful rap."

Lieutenant Calley had been charged by the Government with four counts of premeditated murder of at least 102 Vietnamese. The jury convicted him of three counts of premeditated murder and reduced the number of his victims to no less than 22. It also found him guilty of assault with intent to commit the murder of a small child at Mylai.

The child had attempted to escape from a ditch filled with the corpses of unarmed civilians. The government said Lieutenant Calley had grabbed the child by the wrist, thrown it back into the ditch and shot it.

Lieutenant Calley said on the witness stand that he was acting on orders from his superior, Capt. Ernest L. Medina, whose court-martial is pending at Fort McPherson, in Atlanta.