

## Curb Sought on Pentagon Statements on Mylai

FOT MEADE, Md., May 21 (UPI) — Col. Oran K. Henderson's lawyers sought today to prohibit the Defense Department from making any more public statements about the Mylai case on the ground that such statements were prejudicing the colonel's defense.

Singling out Army Secretary Stanley R. Resor's publicly announced punishment of two other officers, the attorneys said they would also move for dismissal of all charges against Colonel Henderson on grounds of pressure from the Pentagon and too much pretrial publicity.

Colonel Henderson faces a court-martial on charges of dereliction, failure to obey lawful regulations, making a false official statement and false swearing in connection with the alleged covering up of the killings of South Vietnamese civilians at Mylai in 1968. Pretrial hearings are being held here.

Henry Rothblatt, the colonel's civilian attorney, asked the military judge, Col. Peter S. Wondolowski, to issue a restraining order prohibiting the Defense Department from making further public statements on any aspect of the Mylai case. Colonel Wondolowski said he would consider the motion.

Mr. Rothblatt said that Mr. Resor's demoting of Maj. Gen. Samuel W. Koster and censuring of Brig. Gen. George H. Young Jr., both Colonel Henderson's superiors in Vietnam, left a clear implication that "the opinion of the Secretary is that Colonel Henderson is guilty."

The Henderson defense up to now has tried to prove that the Army considered the colonel a prime suspect at the time he was voluntarily giving evidence about the incident to the Army investigators.

Attempting to buttress its contention that Colonel Henderson had been given ample warning of his legal status, the prosecution today closely questioned Lieut. Gen. William R. Peers, who headed the Army's investigation.

General Peers said he did not begin to suspect Colonel Henderson of criminal involvement in the cover-up until the colonel had appeared four times before his panel. He described Colonel Henderson as a "very cooperative witness" and said he was warned that he might be a suspect in the case each of the seven times he appeared.



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Lieut. Gen. William R. Peers, who headed the Army's investigation of Mylai case, at Fort Meade, Md., yesterday.