

Court-Martial Told Copter Pilot Protested to Superior on Mylai

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FORT MEADE, Md., Sept. 8 —A helicopter pilot who flew missions near Mylai 4 during the infantry attack on the hamlet on March 16, 1968, said today that a fellow pilot had made an "angry and emotional report" to his superior officer about the killing of civilians.

The testimony at the court-martial of Col. Oran K. Henderson, who is charged with failing to make an adequate inquiry into the shooting of South Vietnamese men, women and children, was the first time at this trial that the Government had shown that an official report was made of the incident.

The witness, Maj. Thelmar A. Moe, now stationed at Fort Leavenworth, Kan., said that one of the pilots, Warrant Officer Hugh Thompson, had returned to his base at Landing Zone Dottie from Mylai and had sought out his commander, Maj. Frederic Watke.

Major Moe told the court that Warrant Officer Thompson, now a captain, had told his commander that ground troops were killing civilians at Mylai and that he had tried to halt the killings.

The pilot, Major Moe went on, told Major Watke that he had landed twice to protest the killings. The witness, quoting the pilot, said he had talked first with a "colored sergeant" and then with "a caucasian lieutenant" about the shooting.

Ditch Filled With Bodies

Major Moe said that Warrant Officer Thompson had also told of seeing a ditch filled with the bodies of 25 to 30 people. Under questioning, however, the witness said he had been "under the impression, erroneous perhaps," that the people

in the ditch had been killed by fire from helicopter gunships.

In a legal wrangle that surrounded Major Moe's testimony as to whether it was or was not hearsay, the chief Government prosecutor, Maj. Carroll J. Tichenor, maintained that from the moment Warrant Officer Thompson's report was given to a superior officer, the Army, by its own rules, was compelled to make an investigation.

In testimony before a House subcommittee and at the court-martial of First Lieut. William L. Calley Jr., Colonel Henderson has contended that he did carry out an inquiry and that those men he had talked to had told him they had seen nothing unusual at Mylai. Colonel Henderson has not yet testified at his trial.

Earlier today, another helicopter pilot who had provided air cover for the attacking infantry force, told of hearing a radio transmission during the assault that accused the gunships of shooting down civilians. "I don't remember our reply, but there was a definite response," said Russell E. Doersam of Wharton, Ohio.

Both Mr. Doersam, who is now a carpenter, and another former pilot, Lenny J. McCrary of Amarillo, Tex., maintained that no civilians had been shot at by the helicopter gunners.

Both said that three armed Vietcong soldiers wearing packs had been killed by air gunners out in the rice paddies near Mylai. But that civilians fleeing down a road had merely been "screened" from the air.