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**PAROLE OF CALLEY  
GRANTED BY ARMY  
EFFECTIVE NOV. 19**

**He Is Completing a Third of  
His 10-Year Term—May  
Be Freed on Bail Today**

**By R. W. APPLE Jr.**

Special to The New York Times

WASHINGTON, Nov. 8 —

Former Lieut. William L. Calley Jr., who was convicted of murdering 22 South Vietnamese civilians at MyLai, will be paroled later this month, the Army announced tonight.

Howard H. Callaway, the Secretary of the Army, said that Mr. Calley would be freed on Nov. 19, when he will have completed one-third of his 10-year prison sentence.

Mr. Callaway made his announcement several hours after the United States Court of Appeals in New Orleans ordered that the 31-year-old former infantry officer be promptly freed on bail. That release may take place tomorrow.

An Army statement said that the Secretary had acted following "a thorough review of Calley's application for parole and the recommendation of officials at the United States Army disciplinary barracks and the Army and Air Force Clemency and Parole Board."

**14 U.S. Judges Act**

The day's fast-breaking developments in the Calley case began in New Orleans. Fourteen of the 15 judges of the United States Court of Appeals for the Fifth Circuit were secretly called together to decide whether Mr. Calley should be freed on bail pending review of a lower court's decision freeing him completely.

The deliberations ended in a 10-to-4 affirmative vote. The 15th judge, Thomas Gibbs Gee, excused himself because of his military background.

After exhausting his military appeals, Mr. Calley, who was convicted in a court martial in March, 1971, turned to the civil courts for relief. He was originally sentenced to life imprisonment, but that was cut to 10 years.

On Sept. 25, United States District Judge J. Robert Elliott in Columbus, Ga., where Mr. Calley had once been confined under house arrest, threw out the conviction, largely on the ground of prejudicial pretrial publicity.

**Order Signed Oct. 30**

That decision was appealed to the Fifth Circuit by the Army. Pending its review, the Circuit Court directed the Army to take Mr. Calley from Fort Leavenworth, Kan., where he has been incarcerated, to Columbus, Ga., tomorrow "for the purpose of releasing him on bail."

According to The Associated Press, Mr. Calley's lawyer, J. Houston Gordon, said after the decision that he expected his client to be released by Monday. He described Mr. Calley as "elated, excited and pleased."

The news of the decision prompted Mr. Callaway to disclose that he had signed a parole order on Oct. 30 to become effective Nov. 19. There was no explanation as to why United States Court of the Northern District of Ohio while

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the order had not been made public earlier.

Mr. Callaway said that the Army would take Mr. Calley to Columbus as directed and would not ask "any terms or conditions in connection with Calley's bail" because of the parole. But he said that the Army would press its appeal "because of the important legal issues raised in this case."

Regardless of the fate of that appeal, it will not affect Mr. Calley's freedom. After more than three years in custody, he has won his battle.

Mr. Callaway's order was based on his authority to review all court martials. He was once a Republican member of Congress representing the dis-

trict that includes Columbus and Fort Benning, Ga., where Mr. Calley was tried.

No details of Mr. Calley's movement from Fort Leavenworth were immediately known, but spokesmen there said that he might be released within a few hours to fly to Fort Benning for tomorrow's court appearance.