

Seven Ex-POWs Face New Charges of Mutiny

Washington

Seven former prisoners of war in North Vietnam have been accused anew of misconduct charges, the Army announced yesterday.

Just three weeks ago, the Pentagon dropped the first charges against the two Marines and five Army men.

The new allegations — of mutiny — were brought by Air Force Major Edward W. Leonard Jr., who was imprisoned with the accused.

The Army said Leonard filed his charges late Monday at Maxwell Air Force Base, Ala., where he is now stationed. A spokesman said the secretaries of the Army and Navy had been advised, but had not yet received copies of the specific accusation.

CHARGES

The Army said Leonard filed his charges against Marine Private Frederick L. Elbert, 25, Brentwood, N.Y.; Marine Sergeant Alfonso R. Riate, 28, Santa Rosa, Calif.; Army Specialist 4 Michael P. Branch, 26, Highland Heights, Ky.; Army Sergeant Robert P. Chenoweth, 25, Portland, Ore.; Army Sergeant James A. Daley, 25, New York; Army Sergeant King D. Rayford, 27, Chicago, and Army Sergeant John A. Young, 27, Grayslake, Ill.



AP Wirephoto

MAJOR LEONARD He filed charges

The same seven men — along with Marine Sergeant Abel L. Kavanaugh — were accused July 3 by Colonel Theodore Guy of prison misconduct and collaborating with the enemy. While the charges were pending, Kavanaugh took his own life. The charges against the men were later dropped by the Army and Navy.

Since that time, three of the men — Chenoweth, Rayford and Branch — have been honorably discharged.

Pentagon legal officials said that because these three are now civilians, Leonard's charges against them under military law

carry no legal weight and that there is no way to try them under civilian law for prison camp offenses.

ACTION

The four men still in the service, however, cannot be discharged until some action is taken on Leonard's accusations.

In dropping the initial charges brought by Guy, the secretaries of the Army and the Navy said there was too little evidence to support them and cited the Pentagon's policy of leniency toward those who made propaganda statements for the North Vietnamese.

Military sources said Leonard was upset because the Army conducted no formal investigation before dropping the charges against the five Army men and that he felt the Navy dropped charges against the Marines because of the Army's action.

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