

Thieu May Yield on Appeal of Ex-Legislator

Former Official Asks Not to Be Released to Vietcong

By FOX BUTTERFIELD
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SAIGON, South Vietnam, May 9—President Nguyen Van Thieu is giving "favorable" consideration to a petition from Tran Ngoc Chau, a former member of the National Assembly and respected friend of many American officials, requesting that he not be released to the Communists, along with other civilian prisoners, a Government spokesman said today.

However, the spokesman added, if President Thieu decides not to turn Mr. Chau over to the Communists, Mr. Chau will have to serve the remaining 7 years of his 10-year prison sentence for "treasonable" activities.

According to Vietnamese sources familiar with the case, Mr. Chau's letter to President Thieu, a copy of which was received today by The New York Times, was regarded in the Presidential Palace as still too antagonistic, or "obstinate" for an outright grant of amnesty.

Mr. Chau's imprisonment in 1970, despite his legislative immunity to arrest and a Supreme Court order overturning his conviction, led to one of the most bitter and divisive political controversies of President Thieu's administration.



United Press International
Tran Ngoc Chau

He was accused of illegal contacts with his brother, a North Vietnamese spy, but most Vietnamese and Americans believed he was prosecuted because of his outspoken opposition to Mr. Thieu and his accusations of corruption against one of Mr. Thieu's closest supporters.

Ambassador Ellesworth Bunker was widely criticized by members of the American community in Saigon for having failed to use his influence with the President to obtain the release of Mr. Chau, who had been one of the architects of the pacification program.

Saigon Says Chau Must Serve 7 Remaining Years

In an unrelated case yesterday, Nguyen Tan Doi, another member of the National Assembly and the head of South Vietnam's largest bank, was sent to prison despite his immunity because of charges that he had embezzled millions of dollars in investors' funds. He was taken to Chi Hoa Prison, where Mr. Chau has been kept.

The action against Mr. Doi, who was a pro-Government legislator and reportedly on friendly terms with the Presidential Palace, ironically aroused some anti-Government assembly members to protest that the Government had violated his immunity to arrest. However, a move to have the lower house discuss his case was said to be aimed more at President Thieu's action than at defending Mr. Doi, one of South Vietnam's richest men.

Six Missing Listed as Killed

WASHINGTON, May 9 (UPI)

—The Defense Department announced today that six servicemen previously listed as missing in Indochina had been declared dead as a result of hostile action. There remain 1,329 men listed as missing. Among the six is Maj. George M. Jourdenais, of the Air Force, whose widow lives at Plattsburgh Air Force Base in upstate New York.