

Army Drops Mylai Cover-Up Charge

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WASHINGTON, Oct. 15—The Army announced today that it had dropped charges against Maj. Gen. John W. Barnes, who, along with Col. J. Ross Franklin, had been accused by a fellow officer of dereliction of duty by failing to report alleged war crimes by American and allied servicemen two years ago.

Charges against Colonel Franklin were dropped by the Army several months ago.

Maj. Gen. Roland M. Gleszer, commanding general of the Washington Military District, said in announcing the dismissal of charges at the Pentagon that an official inquiry had failed to turn up any evidence of guilt against General Barnes.

Exactly one week ago, the Army dismissed an efficiency report added to the file of Lieut. Col. Anthony B. Herbert by the two accused officers that could have led to his ouster by the military.

Colonel Herbert, the most decorated enlisted man in the Korean War, made the charges against the two officers.

War Crimes Alleged

Colonel Herbert said that while serving as a battalion commander in Vietnam two years ago he observed war crimes committed by American and allied troops.

He said that he had reported to the two officers eight such incidents — four of which he asserts to have seen — of murder, torture and other mistreatment of prisoners of war in Culoi and Bongson.

At the time of the alleged report, General Barnes was commander of the 173d Airborne Brigade in Vietnam. Colonel Franklin served as his deputy commander.

Not long after Colonel Herbert made public his plans to level official charges against the two, they added to his record an efficiency report that said that he had "no ambition, integrity, loyalty or will for self-improvement" and that he had "a terrible appearance."

Based on these and additional charges that Colonel Her-



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Maj. Gen. John W. Barnes

gade commander," General Barnes relieved Colonel Herbert of his battalion command, reassigned him to a custodial assignment and recommended that he never again be allowed to command.

The efficiency report covered only 58 days in the almost two decades of service of the 41-year-old veteran who won a fourth Silver Star as battalion commander in Vietnam.

Colonel Franklin, who is still stationed in Vietnam, has declined to comment on the charges, and General Barnes has maintained that they are unfounded and that no reports of atrocities were made to him by Colonel Herbert.

bert "had a tendency to exaggerate and had on occasions deliberately lied" as well as "pittied himself against the bri-

In announcing the dismissal of the charges against General Barnes, General Gleszer said that the six-month inquiry had resulted in a report of about 3,000 pages of sworn testimony involving 52 witnesses and more than 100 documents and memorandums.