

Lieutenant Accused Of Murdering 109 Civilians

By SEYMOUR M. HERSH

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FORT BENNING, Ga., Nov. 13 — Lt. William L. Calley Jr., 26 years old, is a mild-mannered, boyish-looking Vietnam combat veteran with the nickname "Rusty." The Army is completing an investigation of charges that he deliberately murdered at least 109 Vietnamese civilians in a search-and-destroy mission in March 1968 in a Viet Cong stronghold known as "Pinkville."

Calley has formally been charged with six specifications of mass murder. Each specification cites a number of dead, adding up to the 109 total, and charges that Calley did "with premeditation murder . . . Oriental human beings, whose names and sex are unknown, by shooting them with a rifle."

The Army calls it murder; Calley, his counsel and others associated with the incident describe it as a case of carrying out orders.

"Pinkville" has become a widely known code word among the military in a case that many officers and some Congressmen believe will become far more controversial than the recent murder charges against eight Green Berets.

Year's Investigation

Army investigation teams spent nearly one year studying the incident before filing charges against Calley, a platoon leader of the Eleventh Brigade of the Americal Division at the time of the killings.

Calley was formally charged on or about Sept. 6, 1969, in the multiple deaths, just a few days before he was due to be released from active service.

Calley has since hired a prominent civilian attorney, former Judge George W. Latimer of the U.S. Court of Military Appeals, and is now awaiting a military determination of whether the evidence justifies a general court-martial. Pentagon officials describe the present stage of the case as the equivalent of a civilian grand jury

proceeding.

Calley, meanwhile, is being detained at Fort Benning, where his movements are sharply restricted. Even his exact location on the base is a secret; neither the provost marshal, nor the Army's Criminal Investigation Division knows where he is being held.

The Army has refused to comment on the case, "in order not to prejudice the continuing investigation and rights of the accused." Similarly, Calley —

350-Pound Campus Queen

BELLINGHAM, Wash., Nov. 13 (UPI) — A 350-pound pig named Grenalda has been elected homecoming queen at Western Washington State College.

Grenalda was sponsored by the college rugby club.

although agreeing to an interview — refused to discuss in detail what happened on March 16, 1968.

However, many other officers and civilian officials, some angered by Calley's action and others angry that charges of murder were filed in the case, talked freely in interviews at Fort Benning and Washington.

Factors Agreed On

These factors are not in dispute:

The Pinkville area, about six miles northeast of Quang Ngai, had been a Viet Cong fortress since the Vietnam war began. In early February 1968, a company of the Eleventh Brigade, as part of Task Force Barker, pushed through the area and was severely shot up.

Calley's platoon suffered casualties. After the Communist Tet offensive in February 1968, a larger assault was mounted, again with high casualties and little success. A third attack was quickly mounted and it was successful.

The Army claimed 128 Viet

Cong were killed. Many civilians also were killed in the operation. The area was a free fire zone from which all non-Viet Cong residents had been urged, by leaflet, to flee. Such zones are common throughout Vietnam.

One man who took part in the mission with Calley said that in the earlier two attacks "we were really shot up."

"Every time we got hit it was from the rear," he said. "So the third time in there the order came down to go in and make sure no one was behind."

"We were told to just clear the area. It was a typical combat assault formation. We came in hot, with a cover of artillery in front of us, came down the line and destroyed the village."

"There are always some civilian casualties in a combat operation. He isn't guilty of murder."

The order to clear the area was relayed from the battalion

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Accused Of Murdering 109 Civilians In Vietnam Mission

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commander to the company commander to Calley, the source said.

Calley's attorney said in an interview: "This is one case that should never have been brought. Whatever killing there was was in a firefight in connection with the operation."

"You can't afford to guess whether a civilian is a Viet Cong or not. Either they shoot you or you shoot them."

"This case is going to be important — to what standard do you hold a combat officer in carrying out a mission?"

"There are two instances where murder is acceptable to anybody: where it is excusable and where it is justified. If Calley did shoot anybody because of the tactical situation or while in a firefight, it was either excusable or justifiable."

Adding to the complexity of the case is the fact that investigators from the Army inspector general's office, which conducted the bulk of the investigation, considered filing charges against at least six other men involved in the action March 16.

A Fort Benning infantry officer has found that the facts of the case justify Calley's trial by general court-martial on charges of premeditated murder.

Pentagon officials said that the next steps are for the case to go to Calley's brigade commander and finally to the Fort Benning post commander for findings on whether there should be a court-martial. If they so hold, final charges and specifications will be drawn up and made public at that time, the officials said.

Calley's friends in the officer corps at Fort Benning, many of them West Point graduates, are indignant. However, knowing the high stakes of the case, they express their outrage in private.

"They're using this as a God-damned example," one officer complained. "He's a good soldier. He followed orders."

"There weren't any friendlies

in the village. The orders were to shoot anything that moved."

Another officer said "It could happen to any of us. He has killed and has seen a lot of killing . . . Killing becomes nothing in Vietnam. He knew that there were civilians there, but he also knew that there were VC among them."

A third officer, also familiar with the case, said: "There's this question — I think anyone who goes to (Viet) Nam asks it. What's a civilian? Someone who works for us at day and puts on Viet Cong pajamas at night?"

There is another side of the Calley case — one that the Army cannot yet disclose. Interviews have brought out the fact that the investigation into the Pinkville affair was initiated six months after the incident, only after some of the men who served under Calley complained.

The Army has photographs purported to be of the incident, although these have not been introduced as evidence in the case, and may not be.

"They simply shot up this village and (Calley) was the leader of it," said one Washington source. "When one guy refused to do it, Calley took the rifle away and did the shooting himself."

Asked about this, Calley refused to comment.

One Pentagon officer discussing the case tapped his knee with his hand and remarked,

"Some of those kids he shot were this high. I don't think they were Viet Cong. Do you?"

None of the men interviewed about the incident denied that women and children were shot.

A source of amazement among all those interviewed was that the story had yet to reach the press.

"Pinkville has been a word among GIs for a year," one official said. "I'll never cease to be amazed that it hasn't been written about before."

A high-ranking officer commented that he first heard talk of the Pinkville incident soon after it happened; the officer was on duty in Saigon at the time.

Why did the Army choose to prosecute this case? On what is it basing the charge that Calley acted with premeditation before killing? The court-martial should supply the answers to these questions, but some of the men already have their opinions.

"The Army knew it was going to get clobbered on this at some point," one military source commented. "If they don't prosecute somebody, if this stuff comes out without the Army taking some action, it could be even worse."

War Tribunals Mentioned

Another view that many held was that the top level of the military was concerned about possible war crime tribunals after the Vietnam war.

As for Calley — he is smoking four packs of cigarettes daily and getting out of shape. He is 5-foot-3, slender, with expressionless gray eyes and thinning brown hair. He seems slightly bewildered and hurt by the charges against him. He says he wants nothing more than to be cleared and return to the Army.

"I know this sounds funny," he said in an interview, "but I like the Army . . . and I don't want to do anything to hurt it."

Friends described Calley as a "gung-ho Army man . . . Army all the way." Ironically, even his staunchest supporters admit, his enthusiasm may be somewhat to blame.

"Maybe he did take some order to clear out the village a little bit too literally," one friend said, "but he's a fine boy."

Had High Ratings

Calley had been shipped home early from Vietnam, after the Army refused his request to extend his tour of duty. Until the incident at Pinkville, he had received nothing but high ratings

from his superior officers. He was scheduled to be awarded the Bronze and Silver Stars for his combat efforts, he said. He has heard nothing about the medals since arriving at Fort Benning.

Calley was born in Miami, Fla., and flunked out of the Palm Beach Junior College before enlisting in the Army. He became a second lieutenant in September 1967, shortly after

going to Vietnam. The Army lists his home of record as Waynesville, N.C.

An information sheet put out by the public affairs officer of the Americal Division the day after the March 16 engagement contained this terse mention of the incident: "The swiftness with which the units moved into the area surprised the enemy. After the battle the Eleventh Brigade moved into the village searching each hut and tunnel."

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