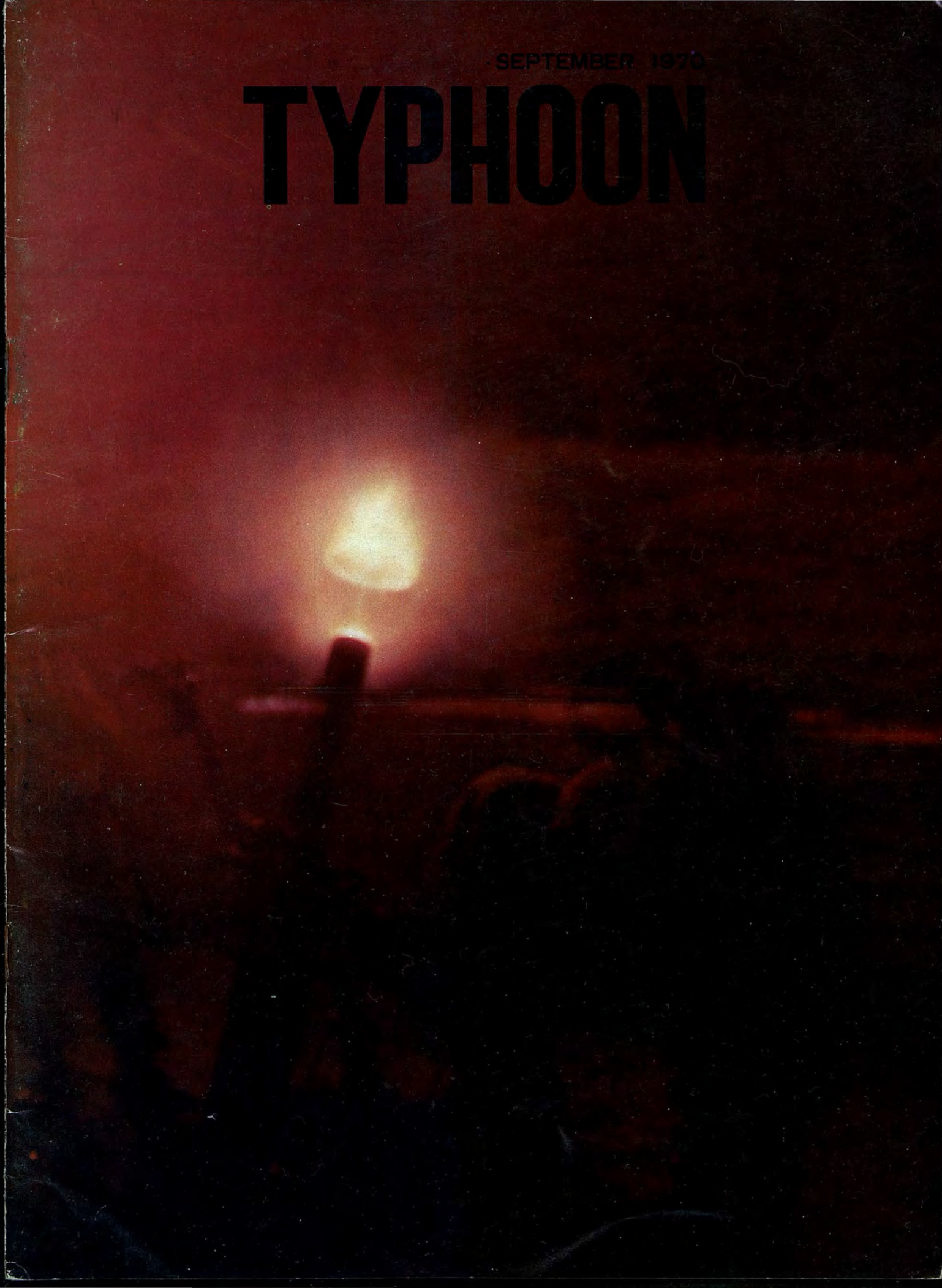
SEPTEMBER 1970

TYPHOON



FRONT COVER: The tube flash of a 4.2 inch mortar lights up the night sky as soldiers from Charlie Troop, 1/10th Cavalry recon by fire. The mortar crew was pulling road security on QL 19, just west of An Khe (story on page 2). Cover by SP5 Lonnie Voyles.

OPPOSITE: SP4 Eric Mistretta checks a winding stretch of QL 19 with an electric minesweeper. Charlie Troop, 1/10th Cavalry also patrols the jungle along the road as part of their security mission on QL 19. Photo by SP5 Lonnie Voyles.

BACK COVER: Hon Tre island boasts some of the most beautiful panoramas in all of Vietnam. The blues and greens of water, mountain, and sky form a scenic backdrop to the island's "bottomsite" installation" (story on page 12). Photo by SP5 Ed Perez.

TYPHOON

Vol IV, No. 8 September, 1970

I FIELD FORCE VIETNAM

LTG Arthur S. Collins, Jr.,

LTC Robert J. Berens, Information Officer

5th Public Information Detachment

MAJ Thomas P. Malloy, Commander

Editor: 1LT Richard L. Brasher; Managing Editor: SP5 Lawrence D. Maloney

Typhoon Staff

SP5 John Wilcox, SP4 Joe Farmer, SP4 Michael E. Maattala

TYPHOON, an authorized publication, is published monthly by the 5th Public Information Detachment, APO San Francisco 96350, under the supervision of the Information Officer, I Field Force Vietnam. Opinions and views expressed herein are not necessarily those of the Department of the Army. All photographs are U.S. Army photos unless otherwise credited.

Above: Sweeps along QL 19 take up much of the 1/10th's day. Here APCs from 1st Platoon, Charlie Troop conduct a sweep near An Khe. Below: A lone tank stands sentinel at a bridge near the treacherous An Khe Pass.

Photos by SP5 Lonnie Voyles

Lord Give Me The Courage

By SP4 Joe Farmer

A long stretch of road—winding, winding,
Who knows where it leads?
Truck after truck—driving, driving,
Who knows where they go?

The war in Vietnam is a strange type of war. There is no front and there is no rear. Its legality has been challenged; its morality has been challenged, but it is a war.

This war is not so much one of fighting and dying as it is waiting and watching. It is looking and not finding until you begin not to expect to find anything—then you do.

This war has its heroes, like any other war. The men who throw themselves on grenades to save their buddies, and the men who stand and fight in the face of seemingly insurmountable odds.

But there is another type of hero. The man who goes through the same routine day after day after day and stays ready all the time, consistently winning, although a small bit at a time.

The battles have been sung and resung and the heroes have been hailed, but many of the men fighting the war still go unrecognized. One such group is the 1st of the 10th Cavalry at An Khe. Their job is not glamerous, nor does it create many heroes, but it is a necessity. It is road security. It is road security on QL 19 from just east of An Khe to just west of Pleiku 115 clicks.

You don't hear about their winning many major battles, because they don't fight many. They hunt the VC down one or two at a time. When they find Charlie, he runs, because it's hard to match the firepower of an APC or a tank, and almost impossible to match a combination of the two.

The 1/10th not only has tanks and APCs, but an aero-rifle platoon. Its soldiers are all infantry qualified, and every day they go on at least one dismounted sweep of the area surrounding their operational point.

Walking through jungle
Wading through rice,
Looking for Charlie
All day and night.
When will I find him?
Where will he be?
In the next clearing
Waiting for me.

Specialist Four Kenneth F. Thompson, Frazier, Ky., had just finished a "Thunder Run." (The run consists of driving an APC or tank along the highway between two operational points with one track on the paved roadway and the other on the shoulder in search of mines.) It was still early, about 0800, and it looked as though the day would be clear.

"Man, sitting on this damned bridge could drive me out of my mind," he said as he popped the top on a beer. "I think I'll go talk to the L.T. (First Lieutenant Ronald M. Houck, platoon leader, 1st Platoon, Charlie Troop) and see if I can lead a sweep."

He left the newly opened can sitting on top of the bunker which serves as his living, sleeping and eating quarters, as well as a guard point, and headed for the headquarters bunker on bridge one-niner. About ten minutes later, he returned with permission to go on a dismounted sweep.

Charlie Troop's dismounted

sweeps usually consist of three to five men. These sweeps are designed not to search and clear, but only to look for and report signs of movement for later mounted sweeps. Three men are not as easy to spot as eight or ten, and can cover more ground faster. Before going on a sweep with an APC or tank, there must be a report of enemy activity. You can hear the big motors for miles, rendering the huge vehicles useless for reconnaissance.

There was no problem finding men to accompany Thompson on the patrol. PFC James McCullough, Anderson, Ind., and SP4 Eric P. Mistretta, New Orleans, were the first to volunteer. Others volunteered but were not allowed to go.

The mission of the 1/10th is taxing on its men and its equipment. Strong points are set up all along the highway, and every day an APC and crew, or a tank and crew must man each of these points from 0700 until 1800. The bridges along the route must also be guarded by one or two vehicles, depending upon how critical it is to keep the highway open.

Strong point and bridge security are necessary, just as the sweeps are necessary. You fulfill your mission with the men and equipment you have. It's dangerous for three men to go on a sweep alone, but if that's all the men you can spare, then they do it. They're not ordered to go; they volunteer. They volunteer to get away from the routine of the bridge, to get away from the scorching heat of the open sun, and to get away from the dust of the ever passing convoys. They volunteer because time passes fast when you're humping through jungle, constantly aware and constantly in danger.

Shake off the boredom
Open your eyes,
Starting a mission
That could mean your life.
Don't want to do it
Don't want to die,
But don't want to sit on
Some damned bridge and cry.

The three men picked up their M-16s and two bandoliers of ammo

The platoon leader is responsible for his men and vehicles. First Lieutenant Houck glances back during a sweep to check on the trailing APCs.

and started into the jungle. The can of beer was sitting on the bunker, sweating in the heat and leaving a watery circle on the sandbag. The men were scared. Not the kind of scared that makes you tremble, but the kind that makes you hear things you normally wouldn't hear, and see things you normally wouldn't see. The kind of scared that makes every rustling leaf sound like the enemy moving toward your flank, and changes the beautiful sound of a bird singing in the morning sun into a possible enemy call. There is no beauty in the jungle for these men. There is no joy in seeing things they've only seen before in pictures. There is only the fear.

They had planned to walk about a click into the jungle, then go west about two clicks and return to the bridge. As they left the bridge perimeter, rounds were chambered in the 16s, and the men spread out, walking just off the edge of a well-used trail. Bunching up is dangerous. If the proper distance is not observed between members of a patrol, one B-40 round can kill or wound all of them.

All the Vietnamese in the area knew that the men at the bridge often used the trail to enter the thick foliage on patrol. A week before, these same men had found two booby traps a little farther down this trail.

Now I am walking
Step after step,
Worrying for others
And for myself.
Always I'm ready
Always aware,
Death chills my spine
With its cold, evil stare.

The roads and trails leading off QL 19 are muddy and rutted, but the big tanks push on.

"This is where we found the first booby trap," said Thompson.

"Yea," said MuCullough, "and right down there we found the second one." He was pointing about 10 meters down the trail. The traps were simple, but deadly. A sapling had been bent over with a string tied to its very top. The string had been run down and hooked under a branch, then across the trail into a grenade pin. Trip the string and the tree flies up and pulls the pin.

"We saw some old papasans working in a rice paddy just up the trail right after we found the traps," said Mistretta. "They ran when they saw us coming."

As the patrol rounded the next curve in the trail and topped a hill, the old papasans were back in the field working. "Let's circle around and come up from the other side," said Thompson. "Maybe we can talk to them this time."

As the men were edging around a rice paddy they found a spider hole just off the edge of the freshly plowed field. McCullough tossed an incendiary grenade inside and stepped back while the grenade burned out. Thompson went to the top of a small hill overlooking a ravine to watch the papasans across the field. The smoke from the grenade attracted three small boys, but, apparently, went unnoticed by the old farmers.

The boys were excitedly showing Thompson their small popguns made from bamboo, while pointing to his M-16. "Yea," said Thompson. "Number one. What is this hole for?" he asked, pointing to the cloud of smoke billowing from the spider hole.

"No biet," said one of the boys. "Come on," said Thompson, "I'll show you." He led the boys to the hole just as the smoke was beginning to clear. "This," he said, pointing into the hole, "what's it for?"

"Oh," said one of the older boys, "hole to let water run off rice." "Yea," said Thompson. "Number one." It was obvious that the hole had not been dug recently, nor had it been used as a drainage ditch. The sides had been caved in by the plow, and there was no canal to allow water to run out of the hole.

The boy was lying. But what do you say to a 12-year-old boy who has just shown you his favorite popgun, even though you know he is lying. You don't say anything. You walk across the log bridge and start around the hill to talk to the old papasans. You know the boys are taking the short way up, to tell their fathers or grandfathers that the Americans are coming up. When the patrol reached the top of the hill, the old farmers were crossing the bridge, heading toward the highway.

The men continued their trek through the jungle. There were VC close in the general area, so the patrol avoided the well-used trails and cut their own through the thick growth. Few words were exchanged as they continued through the jungle. When they hit the highway, sighs of relief were mingled with the beginnings of smiles as the men walked through the perimeter and back to the safety of the bridge. Tomorrow a mounted sweep would be conducted in the area where the hole had been found in hopes of finding the VC who had dug it.

Now it is finished
Another day past,
Another day closer
To walking my last.
When I am through
What have I done?
Will life be better
For my young son?

The 1/10th was designed for breaking brush—driving through jungle all day where there are no roads and very few trails. But it is also perfect for road security. Each troop has nine tanks and 30 APCs, three tanks and 10 APCs for each of three platoons. The troop commander divides his area of operation into three sections, one for each platoon. Charlie Troop's area includes two sections on the road and Firebase Schueller, the troop's headquarters. Charlie Troop also has a headquarters platoon, dividing its men and equipment into even smaller groups. The platoons are rotated each week in the AO to break the monotony. Two platoons are on the road, one in Schueller, and another at 1/10th Headquarters at Camp Radcliffe for standdown. Three meals a day are driven to the men on the bridges and strong points, but what began as a hot meal is usually cold by the time it reaches the men. They take what they like and use it as a supplement to big bowls of steaming hot Vietnamese noodles they buy from the mamasans who visit the bridges.

The mamasans help make life on the bridges a little more bearable. They bring ice every morning for sodas and beer, and can come up with almost anything on order and for a price. Close tabs are kept on the sales, to make sure everything is paid for in piasters and to prevent the purchase of Black Market goods. The hottest items include Montagnard headbands, Ho Chi Minh sandals, and camouflage jackets with maps of Vietnam on the back made from sequins. At night almost everyone is wearing his sandals, headbands, and the omnipresent chain with the AK-47 or M-16 round, a crucifix and a peace symbol. It's each man's way of being different, and in doing so they have all become the same.

Dangers are many
Pleasures are few,
Long days and nights
With nothing to do.
Ride down the highway
Walk through the grass,
An ugly reflection
In war's looking glass.

The thunder runs each morning are quite possibly the most dreaded of all the troop's duties. A soldier walks ahead of an APC or tank, watching for mines. To be sure he doesn't miss one, the vehicle drives with one track on the road and the other off. If there is a mine, one of the two will find it, sometimes with disastrous results.

Between November 1969 and July 1970, Charlie Troop lost 45 APCs on thunder runs. In May 1970 the troop found 47 mines—13 of them were run over and detonated. In June they hit 8 of the 24 they found. In the first days of July they found three and hit one.

Once a week one of the troops electrically sweeps a kilometer of their AO. This sweep covers the entire roadway and shoulders and is safer than the thunder run, but takes much more time.

"The little clips from belts of M-60 ammo were scattered all over the road," said Specialist Mistretta after completing a recent sweep. "I had to try and pick them all up. The detector will register them 20 yards both ways."

The majority of the mines found along QL 19 are the basket type. A sandbag is packed with a 20 to 25 pound charge, then covered with bamboo webbing. A pressure detonator is attached to the mine, and depending on the setting of the detonator, can be touched off by a man stepping on it. They can be set so one man's weight won't detonate them but an APC or tank will. Usually placed between an inch and two feet off the main roadway, the mines leave a four-by-six-foot crater.

Charlie Troop is commanded by Captain Ronald L. Barnable, New York, a tall, thin man with a wide knowledge of cavalry techniques. He can appreciate the job his men are doing, and can understand their problems because he works directly with them.

"The only unit in the Army which could secure this area with the men we have is a cav unit," he commented. "It would take at least a brigade of infantry to cover the area the 1/10th does. One APC carries more ammunition in its basic load than an entire infantry company. We don't like road security. We'd rather be breaking brush and minding our own business, but we have to do it, so we do it the best."

Captain Barnable is from the old school that believes the best way to teach a man to do a job is to show him. "I won't ask my men to do anything I won't do myself. How can they have any respect for me as a leader if I am back here in base camp ordering them to risk their lives?" He does anything and everything his men do too, and a lot of things they'd probably rather not do.

Road security is a thankless job. While other units were in Cambodia, the 1/10th was sitting along QL 19 making sure the supply trucks made it through and reading about the action in Stars and Stripes. One group of men who really appreciate the job the cav is doing are the truck drivers who roll across the highway every day.

Road security is a dangerous mission. It combines every phase of jungle warfare into one operation. The men of the 1/10th face as many threats every day as several other elements of the Army combined.

Walk with me Jesus
Through death's eerie vale,
Stay by my side Lord
When my strength starts to fail.
Give me the courage
To just carry on,
And keep me alive Lord
I want to go home.

■

SP5 John Jamieson

The morning dies under a
near-peaking sun.
Amid these signs, the mind,
Slowing to a crawl,
cries for rest—
How soothing the answer.

Ka Peng's Decision

Story and Photos by 1LT Tom Sundermann

Signs of prosperity and security vary all over the world. In the United States, two cars, a color TV, and a home in the suburbs are usually the outward criteria for measuring success. In the Central Highlands of Vietnam the signs are different. Success and prosperity are measured by how much rice is in the storage bins that circle the village, how much livestock roams lazily about, and how strong the fence is that guards the village from the outside world.

Ka Peng's village now has all these status symbols. Ka Peng is proud to be the village chief of a prosperous group of Montagnards, and proud of his newly won self-respect.

As he stood on one of the many hills that encircle his village and watched the men working in the rice paddies, Ka Peng saw the American Mobile Advisory Training (MAT) Team approaching. He walked toward the village gate to greet them. If the men had time, he would invite them to his hut for some rice wine. Ka Peng knew that he and his villagers owed a great deal to these Americans. They were one of the primary reasons why the village was secure and prosperous.

Not long ago the situation in the village had been quite different. Although many of the programs recommended by the district chief had been tried, they hadn't been successful. The fence was in ill repair, and the villagers lacked the confidence needed to organize an effective popular force (PF) and people's self defense force (PSDF). The villagers did not feel that they were capable of adequately defending themselves against the VC. Threats had been made against the village chief, and the people were afraid that if they actively supported the district chief their village and crops would be burned one night.

They had already tasted VC terrorism. Small VC units had entered the village at night and called on the village chief. They had demanded food and other supplies. At other times they had kidnapped some of the young boys and forced them to join the VC. The threat of a burned village or the murder of several elders was sufficient to make the chief comply.

For these reasons, the American MAT team was viewed with some disfavor when they first arrived. Ka Peng knew it was dangerous for him to even talk to the Americans, and many of the elders warned him against it. The MAT team, however, promised something other than danger to Ka Peng. To him these Americans represented hope—hope that someday the village would be able to defend itself against the nights of VC terror. Maybe this group of men could give the villagers the knowledge and confidence needed to create an effective defense force. Ka Peng was willing to take the chance, because he felt that his people were entitled to determine their own way of life.

The team leader, a young captain from a place called Texas, introduced himself and the rest of the team to Ka Peng. There was another young officer whose blond hair presented a striking contrast to the dark Montagnard people. There were also two American sergeants who, he was told, would teach the people the basics of

A Montagnard farmer works the soil in preparation for seeding. The American MAT team introduced new seeds and plants, as well as new ideas, into the village's garden system.

Popular force soldiers on patrol. Building a strong local defense force was essential to the security of Ka Peng's village.

military tactics and weaponry. Another sergeant, perhaps the oldest but certainly the one with the most spirit in his eyes, was a medic, or "bacsi" as he is known in Vietnam. The remaining member of the team was quite different from the others. He was the interpreter, a young Chinese who had come to Vietnam as a child. He had fled the same kind of terror that was now facing Ka Peng's village. Ka Peng could tell that he was as much a part of the team, as much a friend, as any of them.

The Americans told the chief what they wanted to do. He was impressed by their enthusiasm. He was sure these young men would do exactly what they promised. The first task would be to build a strong fence that would present an impressive ring of strength to any VC approaching the village at night. Trip flares and claymore mines would be used to detect and destroy anyone who dared to test the courage of the Montagnards. Additional weapons would be employed in order to give the PSDF greater firepower. The men in the village, after working in the fields all day, would man the fence at night so their families could once more enjoy the restful nights that the VC had denied them.

Once adequate security was assured, other programs could be undertaken. Agricultural diversification would come with the introduction of new seeds and plants. This way the villagers wouldn't have to depend solely on the rice crop. New breeding strains would be used to improve the quality of stock. "Doc" would teach proper methods of sanitation, show the villagers first aid techniques, and show treatments for the illnesses common to mountain people. A school teacher would also come from the district chief to teach the children.

After listening to what the Americans had to say, Ka Peng was convinced they were right. He and his people had been victims of the Viet Cong for too long. It was time to muster their courage, to accept the help of the Americans and regain the pride that has always characterized the Montagnard.

Although many of the village elders were skeptical at first, they accepted Ka Peng's decision to cooperate with the MAT team. They were afraid that the Americans could not fulfill their promises, but they agreed that it was time to break away from the threats the VC held continually over them.

As the team leader had explained to Ka Peng, the first objective was the fence. Wire, flares, mines and local bamboo were used to build a fence strong enough to repel the small groups of VC that nightly terrorized the village. Progress was slow at first, because many villagers were not convinced that they could actually defend themselves against the VC. But as the fence grew, the villagers were amazed at their own workmanship. It was a good fence, and it might just give them the protection they needed. Their pride and confidence increased. They began to believe that if they listened to the Americans they really could defend themselves.

As more of the villagers realized the value of the fence, the number of workers increased and they worked harder. Progress in other areas became more evident too. There were more volunteers for the PSDF and PF platoons. Gardens sprang up in the village and, with the help of one of the American sergeants, the first sprouts broke through. Medcaps were run by the team's medic. The Doc's skilled work coupled with his personality made him the most popular person in the village.

Long hours of weapons training and instruction in tactics prepared the PF for patrolling the jungles surrounding the village. This training was also an exercise in leadership. The young captain knew that he had to develop good leaders from the PF platoon. It would be these men who would hold the effort together after his team left. These men would have to continue the training and instill and nourish the confidence needed to stand up to the VC.

Things have greatly changed since the Americans first arrived. Now Ka Peng confidently offered his hand in greeting to the young officer and wished him a good day. Together they walked around the perimeter of the village and discussed the progress that had been made in the past months.

The young captain was proud of what he saw around him and proud that his team had helped these people. It is these efforts that are the key to the war. The people must ultimately win the victory. The American units can defeat the NVA and VC, but eventually they will have to leave. The ARVNs too can battle the enemy successfully, but in the end victory must come through the will and efforts of simple farmers and herdsmen—like those in Ka Peng's village. With their newfound courage, fostered by MAT team efforts, the people will deny Charlie the support he so desperately needs. ■

Dr. Smith at work in the lab.

For the Montagnards of Kontum, Dr. Pat Smith lends . . .

A Healing Hand

By SP5 John Wilcox

"What reason could they have had for attacking?" asked Dr. Pat Smith, founder and director of the Minh-Quy Montagnard Hospital in Kontum. She was recollecting the dark night two and a half years ago when she, her staff and patients had been driven out of their new hospital on the outskirts of the city. During the month-long Tet Offensive of 1968, the hospital, which had been built without fortifications and too far from Kontum for protection by friendly forces, had been continuously surrounded by the enemy.

"All during the worst part of the fighting they didn't attack us," said Dr. Smith, "and we carried on even though they were fighting right up to the streets of Kontum. The Montagnards were risking their lives to come to us—and many of them had gunshot wounds—so we kept treating them. We knew we were completely open to attack, but we decided to stick it out."

The gamble had paid off until one night more than a month after the main offensive was over. At 3:00 a.m., following a mortar attack on the airstrip a few kilometers from the hospital, a small band of enemy soldiers, eight or 10 at most, swept through the hospital grounds tossing grenades among the sleeping Montagnard families and running through the halls firing their rifles. They took three women patients and one child, lined them up, and shot them in the hands and feet. Then they captured a German nurse and escaped with her into the night, leaving one man dead and many wounded. That was at 3:00 a.m. By 9:00 a.m. the hospital and all the patients had been "temporarily" relocated to a vacated school building in central Kontum. They are still there today.

The memory of that attack and the continuing lack of protection outside Kontum have prevented Dr. Smith from moving back to the hospital, and work continues in the crowded temporary quarters. As the reputation of the hospital spreads among the tribes in the Central Highlands, more patients keep coming, some walking from their villages as far as 100 kilometers. Dr. Smith never turns them away. In spite of overcrowding, there is always room for new patients.

The Montagnard patients are almost always accompanied by their families, who set up their households in the hospital courtyard and stay for as long as treatment lasts, often three months or more. If there is no room in the wards, the sick member will stay outside with his family. Sick children stay with their parents, and pediatrics is conducted outside to save space.

As she talked about the attack, Dr. Smith walked slowly down the long ward among the double files of flat metal beds crowded with patients. She knew many of the Montagnards by name, and spoke to them reassuringly in the rhythmic Bahnar dialect. The patients, mostly women and children, answered shyly in quiet tones. They seemed to fear their sickness and the treatment they could not understand.

In the main ward of the hospital, converted from two long, high-ceilinged classrooms, more than 200 patients were crowded into 88 beds. Because of the overcrowding there was an impression of disorder, but the beds, floor and equipment were clean and the rooms were quiet. Activity centered on a small laboratory separated from the ward by partitions and steel cabinets. Here the medicines were prepared and cultures analyzed. Efficient-looking nurses in light blue uniforms worked among the patients, wheeling carts with trays of medicines, bottles, hypodermics and bandages. They too spoke to the patients in native dialect.

At the far end of the ward, through a storage room stacked with supplies donated by the Ministry of Health in Saigon, the U.S. Army and charitable organizations in the United States, a hallway led to a narrow office which had been fitted up as Dr. Smith's operating room.

Outside on the bare ground of the courtyard 300 more Montagnards camped among clusters of tents and improvised shelters. From wires and vines stretched among the trees, they had propped palm fronds and hung long strips of cloth and shelter halves. Each family had set up its portable household of mats and cooking utensils and had built its own small fireplace to carry on life much as in the Montagnard village. The people smiled and nodded respectfully when they saw Dr. Smith.

"We usually see 100 to 150 patients every day," said Dr. Smith, pointing to the small wooden building which served as outpatient clinic and pediatric treatment center. "But at the time of year when the monsoon is just beginning we often treat twice that number. The flies and mosquitoes are heavier then, causing an increase in trachoma and malaria cases, and the first rains washing accumulated dirt and contamination into the rivers cause dysentery and typhoid."

Although overcrowding is now Dr. Smith's major problem at the hospital's temporary quarters, she was quick to point out that the Montagnards had not always been so willing to accept medical treatment. Village laws and ancient customs among the tribes, who are animists, had endowed priest-like medicine men with spiritual and physical healing powers. When Dr. Smith, who received her M.D. degree from the University of Washington, Seattle, and served her internship at Cincinnati General Hospital, first arrived in the Highlands in 1959 she was met with suspicion. For four years she travelled from village to village, coaxing the Montagnards to overcome their resentfulness of outsiders and to accept medical treatment. Then in 1963 she set up Minh-Quy Hospital in Kontum.

Dr. Smith has had remarkable success in persuading the Montagnards to become involved in the hospital, and she hopes that they will eventually take over full control. The present staff includes 60 Montagnard nurses and aides trained in every aspect of medical treatment and hospital management. "The difficulty," said Dr. Smith, "is that these people are well-trained and know their jobs, but they don't have the necessary credentials. They couldn't qualify for government assistance without us here running the hospital officially. We can teach them, but we can't give them university degrees."

Dr. Smith's plan is to send some of the staff to schools in Vietnam for further training and academic credentials. This fall a Montagnard nurse will leave for a year's training in New York City.

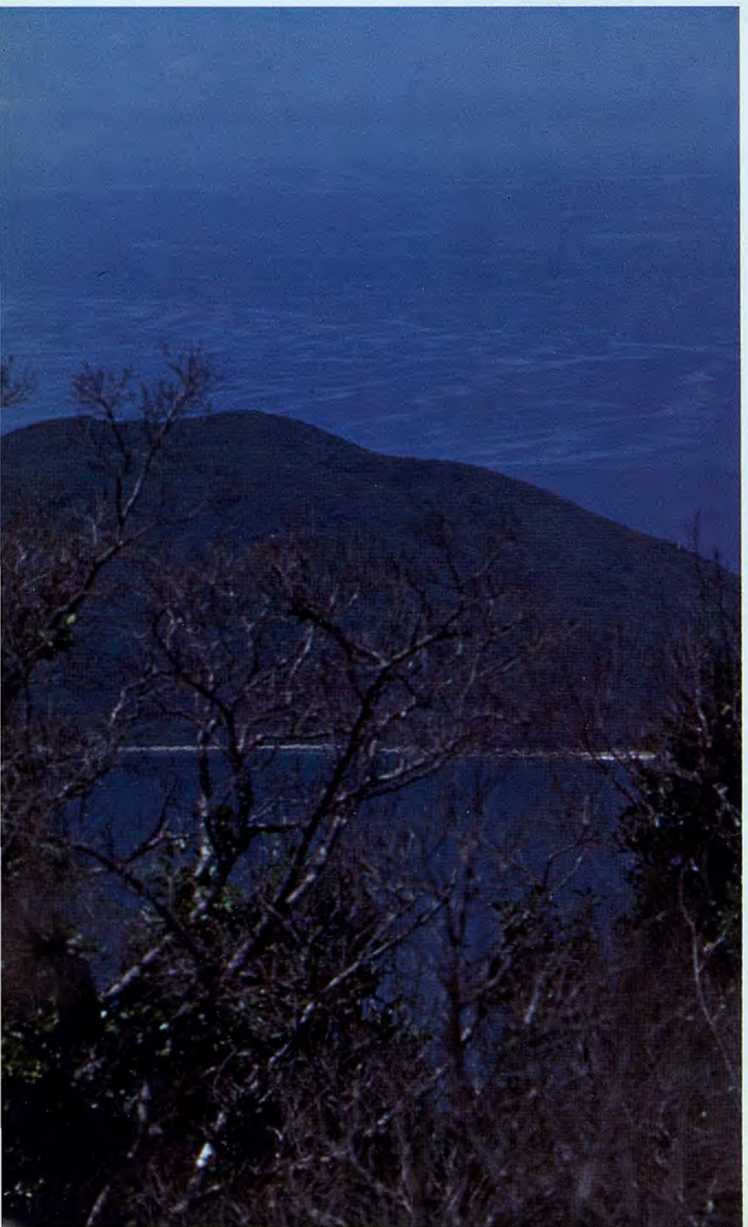
In the meantime work continues in the overcrowded school building while Minh-Quy Hospital stands quiet and vacant in a field outside Kontum. Dr. Smith and the Montagnards wait patiently for the time when they will be able to move back in peace to their home at Minh Quy. ■

Above: One of the major problems of the Minh-Quy Hospital is overcrowding. A Montagnard family waits for treatment at the hospital's temporary site in Kontum. Below: Tents and improvised shelters serve as homes for the Montagnards during extended treatment at the hospital. Though sorely pressed for space, Dr. Smith turns no one away.

Photos by SGT Jerry Burchfield

Mystery Isle

By SP5 Larry Maloney



Like a crouching watchdog, Hon Tre island quietly guards the Bay of Nha Trang. In bygone days the lighthouse on its southern tip warned ships to avoid the island's craggy coastline. Now sophisticated air control and radar equipment, situated on the island's highest peak, chart a safe course for friendly aircraft. In performing these functions Hon Tre seems to be unconsciously telling the world to stay away. Even to its inhabitants the island seems reluctant to reveal itself.

Hon Tre's message of aversion to the outside contrasts sharply with the natural magnetism of its rough-hewn beauty. Very few people stand on the Nha Trang beach and gaze at the island's green-gray presence without wondering "what's out there?" The island is so big (about seven miles long) that the imagination conjures up varied visions of what it might offer.

The lure of Hon Tre has prompted many Nha Trang-based servicemen to rent a local fishing boat and spend a day of swimming and picnicing on one of the island's isolated but beautiful beaches. As you move toward the island on the brightly colored fishing craft, Hon Tre almost appears to be several islands—its many slopes dip severely into narrow saddles that seem to cut the island into segments.

On such a trip there is plenty of time to survey the island and the surrounding bay. During the 75-minute voyage the boat will pass by the huge steel-gray generator ships that supply Nha Trang's installations with power. It will ease near a sunken Panama freighter, with part of the masts still stretching above the surface of the water. As the fishing craft edges farther out into the bay, the sparkling turquoise waters seem almost too bright to gaze at. Pitching gently up and down and from side to side, the boat will pass other fishing vessels with their tiny RVN flags and their fishermen dressed in short pants and coolie hats.

Nearing the island, the boat will follow Hon Tre's rocky coastline. Stunted trees and shrubs grow near

grotesque caves and crevices that flow out of the island's hills and meet the sea. Along this primitive coast are a few small fishing villages, and in the adjacent waters rest large brown fishing nets looking more like great spider webs.

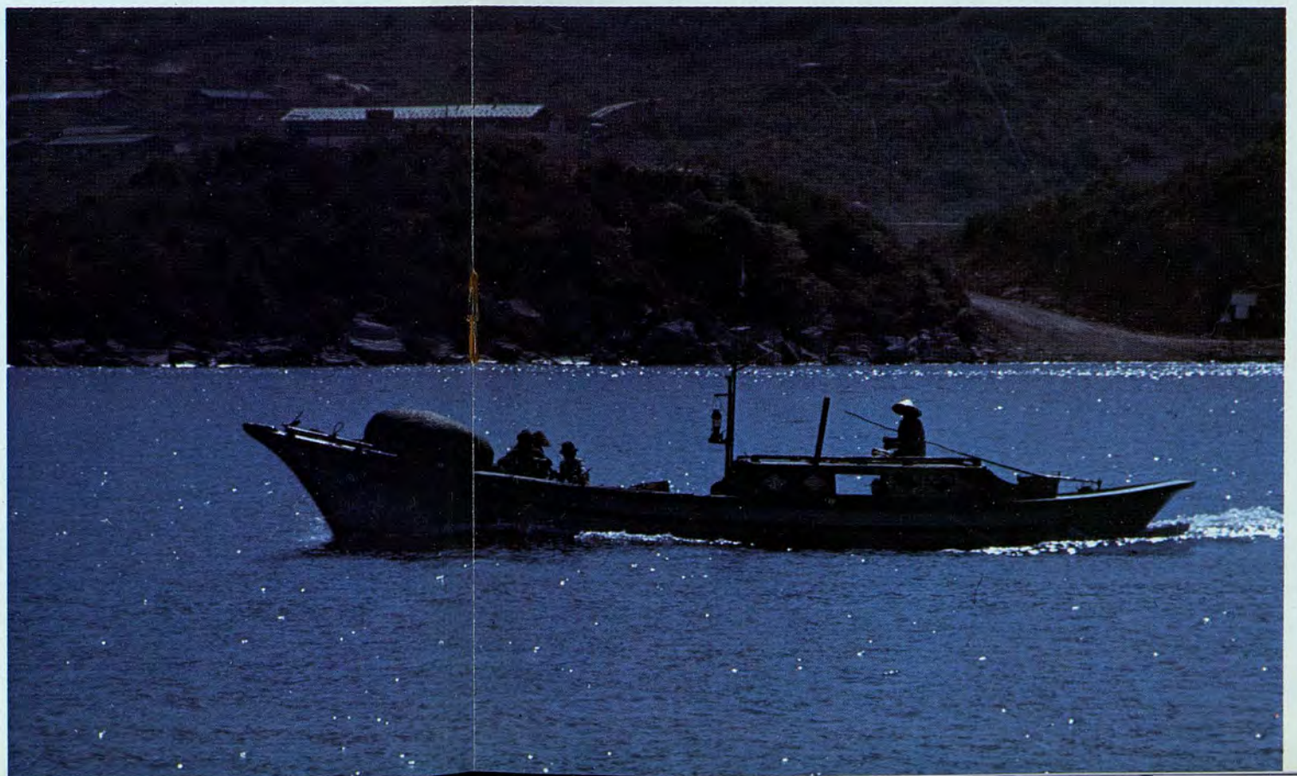
The only way you can reach these fishing villages or any of the beaches on Hon Tre's 28-mile coast is by private boat. The island's only road travels from the ferry landing to "topsite," the air control and communication installation 1700 feet above sea level. Thick jungles and steep, rocky terrain prevent passage by foot or vehicle around the island's perimeter.

Most people who come to Hon Tre island get there by the Army ferry which shuttles back and forth from Nha Trang several times a day. Its passengers are primarily Army and Air Force personnel who work and live on the island. In addition, all the Vietnamese office and maintenance personnel who support the island's military installations must also travel the ferry.

At the end of each work day, throngs of mamasans and pretty office girls in colorful ao dais wait at the ferry landing. They sit near the huge rocks that crowd the shoreline—rocks gayly painted in yellow, red, blue, and even pink with such slogans as: "Short—23 days," "New York, I'll be back forever," and "See you in three days, Miss Yum Yum." A few mamasans wade in the shallow water, searching for crabs and shells, watching out for the eels. Some pull out piaster notes and begin card games that will continue on the ferry—almost to Nha Trang.

Not far from this ferry landing, in the middle of a narrow saddle with the ocean visible on each side, lies "bottom site." This combined Air Force-Army installation houses the 5th Special Forces' RECONDO School for Long Range Reconnaissance scouts. Also at the site are the support and containment facilities for Detachment 11 of the Air Force's 619th Tactical Control Squadron.

To reach the island's second mili-



Above: View of an Hon Tre fishing village from the road leading to topsite. Far left: A small lagoon on the island's rear side. Left: A sampan glides through the waters near Hon Tre's ferry landing.

Photos by SP5 Ed Perez

tary installation, the 228th Signal Company compound, shift your jeep down to second or even first gear and climb the steep and windy road leading to topsite. At an altitude of almost 1500 feet, you swing left off the road that continues for another 200 feet upward to topsite. The turn left leads to the signal installation. Here the 228th and parts of several other signal units perform a variety of radio relay tasks, working mainly with VHF, microwave, and Tropo scatter systems.

The high peaks of Hon Tre enable radio signals to be received from Nha Trang and relayed south to Cam Ranh and north to Ninh Hoa, thus avoiding the mountains that would hamper direct communications between such coastal cities. Armed Forces Vietnam Network (AFVN) has also taken advantage of Hon Tre's choice site and established a television and FM radio station on the 228th's compound.

At topsite, Hon Tre's loftiest point, you can well understand why the military chose the island as a communications and traffic control site. At 1700 feet the Air Force's "big ball" or search radar tower can chart the range and direction of aircraft flying many miles out over the ocean. Together with the temperate tower which detects the altitude of aircraft, the "big ball" can judge the speed, height, range, and direction of planes. The equipment enables Air Force personnel to provide key flight control over a wide area.

The view from topsite is unbelievably breathtaking. The eye passes over miles of ocean and coastline as far as Phan Rang. From the ocean and up through the horizon and sky you view a panorama of blues broken only by wispy white clouds. You are up so high that you must block your ears for protection against the deafening thunder of jets which pass low over the tracking station. The temperatures are about 15 degrees cooler than on the mainland, and there is a marked absence of such sea-level menaces as mosquitoes.

For the 16 Army men who operate a 54th Signal Battalion installation on topsite, life on Hon Tre island is "almost like not being in Vietnam." Unlike topsite's Air Force personnel who descend to bottomsite at the end of the work day, the signalmen live 24 hours a day on the towering installation. Most of them love it.

"It's really an unusual experience living up here," said Sergeant David Mazzoni, Providence. "We are in our own little world. At night we can look down at the hundreds of tiny lights from sampans situated around the island. We can also sit peacefully here and watch Nha Trang get hit—almost like taking in a fire works display."

Even away from the heady, overpowering atmosphere of topsite, Hon Tre has a peculiar effect on the people living there. The men on the island's installations feel more relaxed, more independent, and seem to take pride in the very private world of their island existence—all of this despite living conditions which are far from ideal.

The men serving on Hon Tre can easily tell you about life on the military installations there, but few can tell you much, if anything, about the island itself. Somehow Hon Tre discourages familiarity.

The Special Forces cadre for Hon Tre's RECONDO School probably know the island, at least its terrain, better than any servicemen stationed there. They know it because their training program takes them on patrols over the island's unpopulated areas. They are well acquainted with the rocks, the prickly shrubs, the dense triple canopy jungles. Beating the bush as they do, they flush out owls, snakes, lizards, monkeys, and wild boar. The green berets have even found small deer, which they sometimes kill for chow.

On patrol the RECONDO School faithfully avoids contact with the island's inhabitants or areas frequented by them. The fishing villages, described by different people as "friendly," "unfriendly," or "neutral" are considered taboo for Americans on the island. And on the military installations themselves, no one ventures out after 1800 hours when the entire island becomes a "free fire zone."

These precautions do not stem from any proximate enemy threat. The last time an Hon Tre installation was hit was in December 1967 when a sapper destroyed a latrine and a couple of bunkers on the 228th's compound. And even this attack was supposedly provoked by a soldier's tampering with a grave in one of the island's tiny cemeteries.

Master Sergeant Richard Perkins, Burlington, Vt., training sergeant for the Special Forces RECONDO School, frankly points to evidence indicating VC presence on the island. "A few cycles ago, we chased two possible VC into a cave complex, but they managed to escape," he said. In addition to this incident, a sweep of the entire island last fall by Special Forces and Montagnard elements netted a 2500-pound bomb.

For servicemen stationed there, life on Hon Tre is almost like not being in Vietnam. Cooler temperatures and breathtaking scenery are the island's major advantages.

The search, which was prompted by the sinking of a Panama cargo ship in Nha Trang Bay, uncovered snorkels, face masks, and fins—all possibly used for underwater demolition work. From such evidence Sergeant Perkins concludes that there may very well be a small VC sapper platoon based on the island.

But even with such findings, the true role of the VC on Hon Tre island still remains highly questionable, very much like the many wild rumors that surround the island. Some say Hon Tre once sheltered a leper colony and a woman's prison. Others claim it once served as a game preserve for the Diem family. One soldier talked about the ruins of a French mansion and the traces of a now unserviceable French road on the island's back side. "I even had a Japanese war correspondent stop in here and ask me where the VC rest camp is on Hon Tre," said First Lieutenant Theodore Schaetzle, the 228th's XO from Akron, Ohio.

There are all kinds of myths and legends about Hon Tre, and somehow the island perpetuates them and discourages anyone from really understanding conclusively its past or even its present. None of the island's military personnel have any knowledge, for example, of the surprisingly large farm that spreads across a narrow saddle near the island's southern tip. These servicemen, who swear the island is bone dry and must depend themselves on the daily water supplies from the mainland, wouldn't believe that Lam Vo Tung's farm boasts four deep wells that yield great quantities of fresh water.

Lam Vo Tung is a squat, rotund, jolly man with a wife and 12 children. And whether anyone knows it or not, he is probably the first lord of Hon Tre. In 14 years of living on Hon Tre, Lam has brought his family from bare starvation to plenty. The years involved a great struggle. Lam first came to Hon Tre from Nha Trang to try fishing. He and his family still groped along with nothing, at times turning to selling wood to make a living.

Lam and his family were still caught up in the worst kind of poverty when he met Nha Trang businesswoman Marie Kim about four years ago. One sunny Sunday, Marie and her family visited a beach near the saddle land where Lam and his family were gathering wood and doing a little farming. She immediately took pity on the unfortunate family and offered to finance a genuine farming effort on the saddle land. Marie suggested raising livestock and producing cash crops that would be readily marketable in Nha Trang. Lam had nothing to offer but his promise to work hard and show future profit. That was enough for Marie Kim, who has since poured thousands of piasters into the farm.

The farm embodies the age-old concept of family enterprise. "There are no coolies here," says Lam. "My family does all the work." And within the ten-acre farm the results of this labor—and Marie Kim's money—are clearly evident. Fatted white sows and boars and dozens of piglets lie in clean stys with metal floors. Large sacks of feed and mash stand nearby. Gasoline pumps adjacent to the farm's four wells channel water to the troughs of pigs, cattle, and sheep. In the dry season the water will irrigate the farm's vegetable gardens and banana and coconut groves.

The Tung family has almost no contact with others, but seems totally content with its rather narrow world. "And how could they be lonely with such a family," jokes Marie Kim. This self-sufficiency even entails a quiet defiance toward such natural calamities as typhoons or serious illness. The Tungs just don't think about such things.

In the shade of several large coconut trees Lam has built a large roomy house with an adjoining patio where the family enjoys meals featuring the products of the farm. After meals Lam can be found teaching his children in the one-room school he built, an "Ecole Familial" as Lam calls it. The quiet attentiveness of the children testifies to their father's skill as a teacher.

With the help of a kind woman, Lam has found a comparatively prosperous life on his tiny farm on Dom Bay. When asked about the presence of VC on the island, he merely shakes his head "no" and laughs. Says Marie Kim, "I wouldn't bring my children over to the farm if there were VC, that's for sure."

Free from the violence and destruction that menace the mainland, Lam and his family can lead a remarkably free and productive life on Hon Tre island. Yet the existence of such a family and their thriving farm is still known only to a few. On Hon Tre island this paradox is not surprising. It merely follows the spirit of Hon Tre itself, an island to be seen, admired, thought about, even inhabited—but never understood.

Wilcox

Trial By Judge Alone

By SP5 John Wilcox

"The accused and counsel will report to the military judge."

The special court-martial of Specialist Four Randolph* on charges of assaulting a senior non-commissioned officer and using disrespectful language had lasted three hours. Now, immediately upon conclusion of argument, Captain Edmond A. Collins, the military judge, called the accused and defense counsel forward to announce his verdict.

There was a slight confusion in the courtroom. Counsel, clerks and spectators seemed not to be ready for the verdict. Expecting a period of deliberation or a recess before the judgment, they were still relaxed in inattentive stirrings, like the audience at a concert between movements of the symphony. As Specialist Randolph and Captain Burnett Miller III approached the bench, Captain Collins did not wait for silence in the courtroom. He looked up at the accused—it was impossible to tell if his eyes held approval or censure. His expression was calm in its concentration—it had been so throughout the argument. Now he spoke quickly and distinctly.

"Specialist Randolph, it is my duty as military judge to inform you that this court finds you of the specifications to charge I and charge I, not guilty; and of the specifications to charge II and charge II, not guilty."

In the darkened atmosphere after a night trial Captain Edmond A. Collins ponders the complexities of judgment and sentencing.

*fictitious name

The accused, at attention, looked straight ahead. There were seconds of silence; then a sudden break, and the accused, smiling, groped a confused salute to the judge, turned, and after a few words with his counsel and a quick handshake, fled from the courtroom. Innocent and redeemed, he fled in relief, as if in haste to get started again free of the charges which had hung over him for 93 days.

Inside the courtroom discussion of the verdict was tacitly put aside in the busy work of rearranging desks and chairs, sorting papers and gathering up forms, records and brief cases. People drifted apart in tension as if unwilling to talk, not knowing what to say. Captain Collins had been too quick for them; he had announced his decision before the other participants had had time to make up their own minds. Now it was difficult for them to think it all through.

What did it mean, that sudden and final verdict of not guilty? Was it right? The judgment had not been hasty. No, it had been straightforward and deliberate, carrying the force of personal conviction. But there had been so much conflicting testimony, so many loose facts left unresolved. It had not been an easy case. The witnesses had been nervous and at times emotional; the testimony had been unclear and difficult to follow; the legal issues had been dense. Yet Captain Collins had said without hesitation or qualification that the accused was not guilty of the charges brought against him.

Did the judgment mean that the accused was absolutely innocent; or did it mean simply that the case against him had not been proved? Perhaps that was a key: the burden fell on the government to prove beyond a reasonable doubt the charges it brought against the accused, and if it failed to do so the presumption of innocence prevailed. Or could it be that the judge had looked to motivation, to *mens rea*—the criminal intent of the accused—and found it to be lacking?

Limitless considerations, legal and personal, could have influenced Captain Collins' findings. He might have been convinced by the testimony of certain witnesses and unimpressed by the credibility of others. There had been conflict on the facts. The mess sergeant claimed that Randolph had picked up several eggs, had "hit" him and broken the eggs on the side of his face. None of the prosecution witnesses had seen the actual contact. Randolph claimed that there had been no hitting at all, that the eggs had broken in his hand and splattered when he was "pushed" by the mess sergeant. Even if the judge were not fully satisfied with either story, the burden of proof would require him to find for the accused.

Suppose the judge had felt that the accused, whether guilty or not, was repentant and had suffered enough during the 93 days he had waited for trial and should therefore go free? That would be an improper consideration. In his role as fact finder (distinct from his role as sentencer) the judge could not look to considerations of extenuation and mitigation. Only if he had found Robinson guilty would Captain Collins then have turned, in determining the sentence, to consideration of personal factors. No, the verdict of not guilty had been a question of fact determined on the basis of evidence, testimony and argument.

Whatever the path of reasoning that had led to Captain Collins' decision, it was final. Certain doubts might not be resolved, for the judge does not explain his ruling. But the verdict could not be questioned or censored; to do so might constitute a punishable offense. It seemed, nevertheless, that after the first few minutes of puzzled silence there grew in the courtroom a feeling of rightness: justice had been done; some truth rising above the confused tumult of facts had been grasped.

For Captain Collins the intricate procedures of trial and judgment have become a daily ritual. As the only military judge presently assigned to Headquarters, I Field Force Vietnam, he sits for a majority of the special courts-martial in this Corps-level command's 37 jurisdictions. He is restricted in practice to hearing special courts-martial for relatively minor offenses in which the maximum penalty is reduction in grade

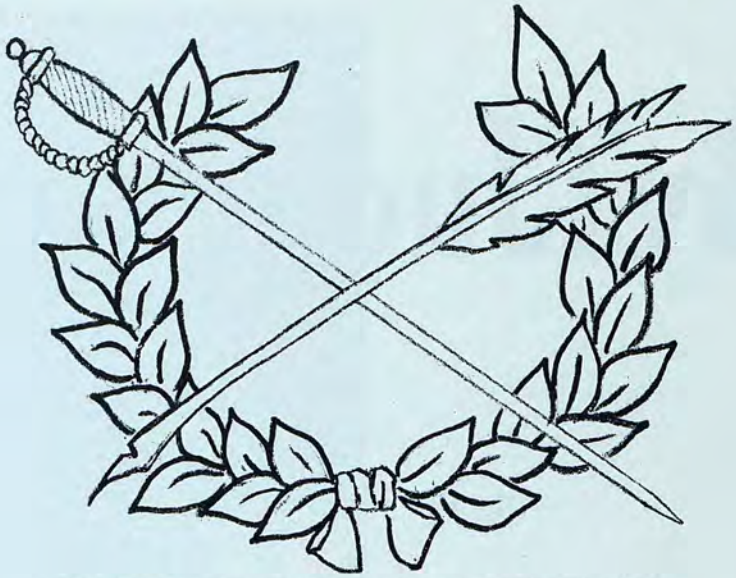
to E-1, confinement for six months and forfeiture of two-thirds pay for six months (known to the profession as "six and six").

On the books a clear distinction is maintained between minor and serious offenses, the latter punishable by more than a year's confinement and a dishonorable discharge (DD) or bad conduct discharge (BCD). A convening authority may choose to bring offenses ordinarily classed as "serious" before special courts-martial under the general rule that charges should be disposed of at the lowest level consistent with good order and military discipline. Thus Captain Collins, sitting only on non-BCD special courts-martial, tries a full variety of military offenses—from aggravated assault (with a deadly weapon) to lesser offenses such as failure to repair to place of duty, simple assault and battery, disobedience of orders, possession of drugs, absence without leave and disrespect to an officer or NCO.

Special courts-martial have become the forum for the bulk of military trials since Congress implemented the Military Justice Act of 1968. This law, which took effect on August 1, 1969, promulgated three new rights: it entitled the accused in special courts-martial to a lawyer certified by the Judge Advocate General (JAG); it gave him the right to refuse a summary court-martial and request trial by special court-martial; and it gave him the option of being tried before a military judge alone, if a judge had been detailed to the court, rather than before the traditional court composed of lay members appointed by the convening authority.

Defendants advised by counsel have taken full advantage of these rights, creating a need for more judges and certified JAG lawyers and increasing the number of special courts-martial. Captain Collins and other judges who are not members of the U.S. Army Judiciary were appointed to meet these new demands. There is no difference in training, education or responsibilities between the Judiciary and non-Judiciary judges other than chain of command and the limitations on their sentencing power.

Captain Collins' calendar averages nearly one court-martial per day, but with the time and complications of travelling around II Military Region, arranging transportation and coordinating with the teams of trial counsel who prepare and argue the cases, the work load becomes highly concentrated. Within a 10-day period he may be detailed to Phan Rang, Pleiku, An Khe, LZ English and Nha Trang (headquarters for I Field Force JAG), and his schedule may require him to try as many as two or three cases in one day.



The Judge Advocate General branch crest embodies the notion that the pen is mightier than the sword.

No matter how tight his schedule, the military judge will not hurry through a case. A court-martial must follow a detailed script. The ritual procedures, the formalities, the precise phrasing and careful terminology are as strict or stricter for a court-martial as for a civilian trial, and it is the judge's responsibility as director of the performance to make sure that no rules are violated. The contest is three-sided: the prosecution argues to prove the charges; the defense argues to sustain the not guilty plea; and the judge looks for the "truth" in both of the arguments.

Throughout the proceeding the military judge sits in two distinct roles. As presiding authority on questions of law, he participates actively, ruling on motions and objections. In his passive role as finder of the facts, or substitute for the jury, he listens without comment to the arguments of counsel and the testimony of witnesses. From time to time he may question witnesses directly.

The trial begins, even before the arraignment or plea, with a formal statement by the judge to the accused. Under Article 38 of the Uniform Code of Military Justice the accused may exercise two rights: in addition to appointed counsel, the accused may request a civilian lawyer at his own expense and he may request by name any other member of the military. Before the trial can proceed the accused, understanding these rights, must express his intention concerning them. Counsel will then be sworn.

The judge must then discuss with the accused the rights he has given up by requesting to have his case tried before a military judge alone. Although these decisions are worked out in advance by the accused and defense counsel, they must be reviewed again in court by the judge. The rights given up by the accused—to have a panel of court members, including enlisted men if he so desires, decide his guilt or innocence and determine his sentence—must be waived intelligently before the judge will grant the request for trial before him alone.

At this point, after the accused has been arraigned and the charges read, the court will entertain motions by the defense. In the Randolph case the defense immediately moved for dismissal of both charges—assault and use of disrespectful language—because the delay of 93 days since the offense had occurred was "unreasonable" and violated the accused's right to a speedy trial.

A legal contest began. The defense argued: the accused's records had been flagged; he could not be promoted; he could not go on R & R; his case had been prejudiced by the loss of one med-evaced witness; the reasons for delay were insubstantial and the fault of the prosecution; and this was an "easy" case—no difficulties of proof had prevented an earlier trial. The prosecution rebutted: the accused had not been restrained during those 93 days; the

lost witness' testimony would have been cumulative and was therefore not vital; each delay was unavoidable, caused by legal and practical matters; and the total delay caused no prejudice to the accused's case. Counsel cited cases; they consulted the Manual for Courts Martial for a definition of "speedy" trial. At times the dialogue became difficult to follow as counsel sprang new considerations, worked them into the general argument, distinguished cases and countered rebuttal by the other side.

Finally, the arguments concluded, Captain Collins announced his ruling. He broke down the 93-day delay, itemizing each period, and found that a 58-day period had been arguably "unreasonable"; but he then ruled that since there had been no pre-trial restraint and no prejudice to the accused's case, the motion to dismiss was denied. He added that the period of 58 days would be considered by the court in sentencing should the accused be found guilty.

It was a satisfying ruling. What had been obscure in argument became clear in the judge's statement. Counsels' arguments had been carefully evaluated and applied to the case. Now, with this and other motions disposed of, the formal plea of not guilty could be entered and argument on the merits—the heart of the trial—could begin.

Under the direction of the judge the process of trial becomes a kind of backtracking. We begin from an impasse of conflicting positions—the charges and the plea of not guilty—and we set off to reconstruct the facts. There is the fascination of a story disclosed disconnectedly, bit by bit, with patterns developing slowly as the testimony of each witness yields new facts or new interpretations of established facts. We are alert to details of consistency and credibility, thinking as we do in terms of the charge which hovers in balance over the proceeding.

The prosecution presents its case first, calling witnesses and eliciting testimony in support of the government's charges. Defense counsel intermittently cross-examines the witnesses, cutting down their testimony with conflicting facts, challenging their conclusions with alternate reasoning. The pattern of testimony, cross-examination and refutation continues until the prosecution has completed its case.

Then we return to the beginning as the defense takes the initiative. The story will now be retold, with different details offered by different witnesses, perhaps by the accused himself. The facts may or may not be different; their interpretation certainly will be. While the defense builds its case, the prosecution chips at it through cross-examination, recalling the salient arguments and conclusions of its own case. The defense may then conclude with a parade of character witnesses—commanding officer, NCOs, supervisors, co-workers of the accused—and other evidence of the accused's good character.

The military judge's activity subsides during this period of argument. He becomes a listener. But his presence may dominate the trial more than at any other time, for during this process of fact-finding and analysis there is an intense, although brief, relationship between the judge and the accused. Only the judge can establish a personal link between the massive structure of the law and the small personal events in the life of the accused which have brought him to trial. Only the judge can show how this elaborate proceeding relates to the accused's actions. At times this is the judge's most difficult responsibility.

In the Randolph case, the accused in a rash moment had splattered eggs on the mess sergeant. Now he was caught in the inexorable grinding process of a court-martial and faced the possibility of a federal conviction. To Randolph it must have seemed a nightmarish exaggeration that the casual events of that night 93 days ago had to undergo this intense dissecting examination. Now a judge, two lawyers, two legal clerks and a host of witnesses had to spend three hours (not to mention the many hours of pre-trial preparation) to find out whether or not Randolph had thrown eggs at the mess sergeant.

The situation can be made to sound ludicrous. It was not. Although military discipline is an important and basic concept, one which is too often undervalued in comparisons of military and civilian law, the accused rarely sees his offense in

SP5 Lonnie Voyles

Captain E. Edward Brown and Captain Sidney G. Dunagan work as a trial team preparing and arguing cases before the military judge. Both are certified JAG lawyers qualified to satisfy the requirement for defense counsel under the Military Justice Act of 1968.

The judge can establish a personal link between the law and the individual.

terms of general principles. In his own mind the accused can usually explain or excuse his momentary offense, and the fact of trial then seems to him frighteningly out of proportion. For this reason it was fitting that all of these specialized, highly-trained legal minds should work on Randolph's case. Although his offenses were relatively minor, the danger of conviction meant as much to Randolph as to any man with a clean record. To him the need for a fair trial was crucial.

Captain Collins did not question the appropriateness of Randolph's courtmartial. He could not question whether Randolph should have been offered an Article 15. The decision to prosecute had been made much earlier by the convening authority for reasons which would not be considered at the trial.

Captain Collins did exercise a humanizing influence in the courtroom. Gifted with a quality of character known to the profession as "judicial temperament," he impressed the force of his personality on the court-martial. He paid attention to the accused. He did not let the barriers of procedure separate him from the substance of the case. In explaining to the accused his rights, in questioning witnesses, in ruling on the admissibility of evidence, he avoided authoritarian aloofness. He was interested. For whatever reason —because he is a man without cynicism or because he believes in the integrity of law—Captain Collins was able to bring to the courtroom the reassuring and proper judicial atmosphere of dignity without stiffness, formality without coldness. The accused could not feel that his case was being run through a conviction mill or that it was treated frivolously.

The judge can also control potential imbalances through his sentencing power. He is empowered to give any sentence—from a minimum of no sentence (but a record of conviction) to the maximum of "six and six." But in a case where he feels that the offense does not warrant a federal conviction, he cannot "spare" the accused.

Military justice does not rest with the judge alone. In the complex procedure of apprehending, charging, trying and sentencing the accused, there are constant checks and reviews. The convening authority assumes responsibility for giving full consideration to the facts of the case and the accused's record as well as the nature of the offense. The Staff Judge Advocate may review and assess these charges before trial and recommend changes where appropriate. In this way many important decisions are already made by the time the case reaches trial, and the judge's role becomes one more step in a long series of interdependent decisions. These overlapping powers of review, which continue in the process of appeal after trial, assure that "justice" does not rest with the decision of one man.

After a year in practice the new system has met few detractors. There may be commanders who feel that military judges are too lenient. In fact, however, statistics show that the conviction rate for cases tried before a military judge is higher (77%) than for cases tried before a full court (71%), and that the sentences adjudged by the two types of court are approximately the same. What may seem like leniency in sentencing is sometimes based on practical considerations. Military judges know, for example, that "Long Binh Jail" (the USARV Installation Stockade) is so overcrowded that it usually cannot hold prisoners for full term. The judges therefore may give shorter terms of confinement which they know will be carried out.

Despite the statistics showing a higher conviction rate and the potential risk of a federal conviction for a relatively minor offense, most defendants opt for trial before a military judge. Their confidence measures the success of the new system. The judges and lawyers who administer military justice take this confidence as a positive sign, for they work on the theory that trial and judgment succeed as a deterrent only when trial has been impartial and only when judgment has been dispassionate. Trial by judge alone represents a major step toward these objectives. ■

As a non-judiciary judge, Captain Collins devotes a portion of his time to legal research and counseling.

Voyles

It Can't Go Wrong

For nine months Specialist Four Tom Jacobs had given his superiors fits. The kid was dumb. Not just a little stupid, he was exceptionally dumb. In nearly two years in the Army, including the nine months in Vietnam, Jacobs hadn't done a single thing right.

The men who worked with Jacobs were certainly not sorry to see him get short. Even Jacobs, in his own perverted way, was glad to be short. As a matter of fact, everyone in USARV, from the highest general to the lowest EM, was glad he was getting short. They never considered that, since he had never done anything else right, he wouldn't even go home right.

John Simon and Slim Jones, two of Jacobs' barracks mates, were sitting on their bunks one Tuesday. They both had the day off and had decided to play a few hands of gin rummy.

"Well, Tom is short," said Slim as he picked up the queen of hearts. "The Lord knows we deserve to have him go home."

"Yea," replied John, throwing away the jack. "Don't forget that he's still got a month to go. If he can do anything wrong in that length of time, he will."

"Shh. Here comes the 1432 Franklin Pike Circle Hero now."

"Hi guys," said Tom as he kicked the soda sitting next to Slim down the aisle and onto the mamasan who was sitting by the door polishing boots.

"Hello, Tom," replied John. "How's the clearing going?"

"Oh, pretty good. I'm packing my hold baggage now."

"You haven't got anything illegal in there, have you?" asked Slim.

"If I tell you guys something, will you promise not to tell anyone?"

"Sure, Tom," they replied.

"Well, I've got a poncho liner and sleeping bag stuffed in the box with my tape recorder. I know they don't x-ray magnetic tapes, so I'm home free."

"Well, Tom, old pal," said Slim in his best Southern accent, "that's right smart of you. Why, I reckon that's about the smartest plan anyone ever came up with for getting stuff out of Vietnam. Why, I mean in five years of soldiers coming and going over here, you're probably the first one that ever thought of that. Really! What do those guys at customs know anyway?"

"Thanks, Slim. I knew if anyone would appreciate my plan it would be you."

"That's a good plan, all right," said John. "There's just one little problem."

"What's that? I don't see how it could possibly fail."

"Anything they don't x-ray at customs, they open and take a little peek inside."

"They can't do that. They can't just go poking around my things like that. Where do they get the right to open my bags?"

"The government gave it to them, because of people like you. It's a big hassle to open all your bags for them to search. With my luck, you'll be just ahead of me in line, and they'll find the poncho liner and sleeping bag, and I'll have to dump all my stuff out on the counter."

"Wow! I sure didn't know they could do that. Have you guys got any ideas about how I can get the stuff home?"

"You can't" answered Slim. "Why don't you just forget it. I don't really think a poncho liner is worth two years in prison when you can buy one at any Army Surplus Store for five or ten bucks, do you?"

Tom couldn't be discouraged. He was convinced that he had earned at least a poncho liner out of his year in Vietnam.

The next 20 days went slowly for everyone around Tom. If he wasn't knocking over someone's soda, he was dropping his milk in someone else's lap. Through all this, he was still trying to develop a "fool-proof" plan for smuggling his ill-gotten goods home. Finally he came upon a plan to get the poncho liner through customs. When John and Slim walked into the barracks the night before Tom was to leave, he was seated in front of his tape deck, busily stuffing a poncho liner into the deck's guts.

"My God," said Slim, "he's lost his mind."

Tom was all smiles as they drove him to hold baggage and customs the next day. He was still smiling as he watched the customs official look through his bags.

"Say, this is quite a little machine," said the official when he came to the tape deck. "Did you get it through the PX?"

"No," replied Tom, "a buddy of mine bought it for me in Japan."

"Listen," said the inspector as he reached for a screwdriver. "I'm sort of an electronics bug, and I understand there's some kind of new transistor in this baby. You wouldn't mind if I opened her up and took a look at it, would you?"

The sound of the freedom bird's big jets awakened Tom that night as he lay in his cell. Two more weeks until trial date, and then where? All for one poncho liner.

JSF

Diary of a searchlighter:

Sending Out Sunshine

By SP4 Mike Maattala

(June 20) Well, here I am on top of Whisky Mountain. After two months of work on a 23" carbon arc searchlight in Phu Cat, I'm finally getting a chance to operate one of the big lights—a 30" Xenon. Compared to this baby, those jeep-mounted jobs are nothing. The light we've got puts out 1.2 billion candle power and can shine up to 30 clicks.

I arrived on the mountain by chopper early this morning, about 8:30. From what I heard, the pilots don't much like to land at Whisky after the morning. They say it's too windy. Since I'm going to be up here for a while, I've decided to keep a diary. I hear we have a lot of spare time, so this will give me something more to do.

The view from Whisky is really a trip. The mountain is located in Binh Thuan province, about 20 clicks northeast of Phan Thiet and LZ Betty. There are three other guys working on the light. We're all from the 3rd platoon of Bravo Battery, 7th Battalion, 29th Artillery (Searchlight). They told me the battery has been here since August 1969. One of the guys, Joe Miller, has been here four months. He says he likes it.

There are two tips on Whisky, with a small chopper pad built on the ridge between them. On the tip with us are guys from the 1st Battalion, 50th Infantry. There are seven of them right now and they pull security for us. The guys on the other tip man a radio relay station.
(June 22) Life here certainly is different than what I was used to at Phu Cat. There are just five bunkers on our tip of the mountain. Ours, which is sort of in the center, is the largest and has the searchlight installed on the roof. I was surprised to find that we have beds up here. We have electric lights, too. Actually they're bulbs which the guys took out of the generator for the light and strung from the ceiling. Most of the other bunkers, used by the 1/50th, only have cots and candles or diesel fuel lamps.

The tip of the mountain is only about 20 × 40 meters. Not much chance to wander very far. Our latrine, sitting over on the edge of the tip, has no roof, just a seat enclosed on three sides and a view that has to be unmatched in all of Vietnam.

I met most of the guys from the 1/50th today. They're pretty cool dudes; but I don't envy them. They pull guard every night and do what they want during the day, usually sleeping, reading, and working on their bunkers. Gray-haired Sergeant Ish is something else. When I met him he said, "All the young guys here call me 'Pop.' They think I'm two years older than God."
(June 23) It's nice and peaceful to sit up on top of the bunker during the afternoon. Because of the strong wind it's pretty cool even if the sun is shining. But we're expecting the monsoons to start pretty soon. Already we can see huge rain clouds moving across the land each day.

When I look toward Phan Thiet, the South China Sea coast starts on my left and stretches out in a slow curve, past LZ Betty and out of sight. The noise from the engineers' camp below sounds like a busy expressway back in the world, with all the rumbling trucks. But it seems so far away. The countless rice paddies look like little lakes from here, especially when the low sun reflects off them in the early evening. QL1 is a thin, black line, running out of Phan Thiet, past Whisky, and inland toward the mountains.
(June 25) This searchlight really does the job. When someone calls for some "sunshine," we give it to them. The first thing we do every night is radio Task Force South at LZ Betty to get our perimeter clearance. This tells us where and how far we can shine our light and fire our weapons. That way we won't bother any troops who are working in the area.

We shine for all the LZs around us—Sandy, Sherry, Betty, and Nora. We work the engineers' camp, the bridge on QL1, and the villages from here to the coast. Every night we shine ourselves, the engineers, and Nora, where the ARVN compound is. These are H & Is (harassment and interdiction), and we do them automatically. We get called to shine for ambushes and dustoffs. We'll shine so that lost ships can get a bearing and we'll light up an area for airstrikes. If one of the LZs gets hit and we notice it, we'll have the light on them before they can call us. And if they want their peri-

Photos by SP5 John Jamieson

meter lit up, even if there's no contact, we'll do that too. We may be the forgotten people up here during the day, but at night we get an awful lot of calls.

(June 26) There are two ways to get down from Whisky—by chopper or by foot. Today Jerry Turner and I took the hard way. As Pop Ish said, "It's not hard going down. All you've got to do is fall once and you'll go all the way to the bottom." It really wasn't too bad, took us about 20 minutes. But we had to be careful. In some places there's all sorts of loose rock and it would be easy to slip.

After we made it to the bottom, we rode into Betty to get a shower and hot meal, and pick up some stuff at the PX. Then we headed back to Whisky, because we knew we'd have to climb back up and didn't want to do it in the dark. When Jerry told me it would take us an hour to climb it, I didn't believe him. I mean, how long does it take to walk 385 meters? Well, he made a believer out of me.

When we took a break after about ten minutes of climbing, I didn't feel too bad. My legs were beginning to get a little heavy and my heart beat had picked up, but I figured we had covered a pretty fair distance. Then I made the mistake of looking back to see how far we had gone. It wasn't very encouraging. After getting past the first rocky section, there were small trees that we could use to help pull ourselves up and larger rocks that served as steps. But the hill also got steeper and soon we had to zig-zag as we went.

Finally, after a total of six stops, we made it to the barbed wire at the top. Looking back, I decided it would be quite a while before I felt the need for a shower and hot meal.

(June 28) It has been a little slow around here lately. With a full moon, Charlie isn't quite so active. But we still shine ourselves every night, lighting up the wire and the ridges all around us. It gets pretty cold working on top of the bunker at night, cold enough to wear a field jacket.

Everybody up here says Charlie won't ever bother us, that we're too hard to get to. But this morning we found five of our claymores turned around. We can never be too careful. That's why we vary the time and order of shining on H & Is every night. So Charlie has no chance to "work around" any pattern. And if we're deadlined, we won't even call up anyone to tell them.

The light we're using now has been up here since early June. It already has three "assisted kills," which we got for shining an area where troops had made contact.

The most exciting thing that happens on Whisky is getting mail. If we're lucky, a chopper will bring some every three days or so. We're supposed to have food and water dropped in every other day, but if there are a lot of combat assaults going on in the area, we might go six or seven days without seeing a chopper. All we have to eat is C rations and LRPs, and anything we might be able to pick up during a trip to the PX.

The 1/50th guys got a little low on food and ammo today, so we helped them out. They are supplied from their own unit and sometimes don't get as much as us. We've also been helping them pull guard lately, because they've been shorthanded. I guess we really can't complain about it. Since we're the only ones here, we're just taking care of ourselves.

(June 29) The bridge on QL1 got mortared last night. Right away we threw the light down there—the guys said the mortars usually stop as soon

Once darkness sets in, the searchlighters of Bravo Battery, 7/29th Artillery are kept busy providing "sunshine" for US and ARVN troops within 30 clicks of Whisky Mountain.

as the area gets lit up. But this time, Charlie started walking the mortars right up the beam. We let loose with the 50 and 60 and, luckily, Charlie stopped firing when he got just past the ridge. All in all, he sent about five rounds at us. It would be pretty hard for him to put one right on us, because the tip is so small. They would probably just come up one side and then start going down the other. Probably.

(July 1) The light's been off for two nights now. Something wrong with the rheostat. We're supposed to get a mechanic up here with the new part. Our unit doesn't stock parts for these lights—we have to get them from another light that's down. It's a bummer up here without the light. Especially when the fog sets in and the guards can't even see the wire. Everyone was firing up the area pretty good tonight just in case Charlie decided to pay us an unexpected visit.

I'm glad the mechanic's coming for another reason, too. He'll probably have some other guys with him and it will be nice to see some new faces. About the only regular visitor we get is the pay officer, and that's just once a month.

Operating our light is sort of like working artillery. Except we send out a beam instead of a projectile. When someone calls for light, they give us a grid and we shine it. Then they adjust it until we're on target. We can do a few things that arty can't do, though. Besides sending out a direct beam, we can reflect it off a cloud or close the door and have a diffused light which will drop down into "unreachable" gullies. We can also adjust the width of the beam.

(July 4) The light finally went back on tonight. Lieutenant Macfie, our platoon leader, humped up the mountain this morning with our assistant platoon sergeant and a mechanic from battery headquarters in An Khe. It turned out to be some burnt wires and not the rheostat that was causing the problem. It was good to get the light going. Though it meant we had to go back to work, everyone felt a little more comfortable, especially the guards.

Being a holiday, there was quite a light show going on below. All sorts of flares were popping over Betty. Tracers from the dusters at Sherry arced out into the night, exploding one after another in a red flash. We had planned on contributing to the celebration, but a restricted clearance kept us from doing much.

(July 5) I'm not sure how long I'll be working up here. Probably a few more months at least. After being on Whisky for two weeks, I'm fairly satisfied with the whole thing. There are good and bad points to life on this mountain.

We do rough it a little, without real hot meals or running water. How nice it would be to have something besides chicken stew or beef and rice—LRP style. The mail's slow and every so often I notice we all seem to get tired of seeing the same faces every day. And the work with the light—it gets sort of routine after a while.

But I can't complain too much. Everybody is pretty easy-going. I guess they have to be. There is hardly ever a hassle over anything. I know that when we help fix the barbed wire or put new sandbags on our bunker, we're doing it not because we're told to but because we're looking out for ourselves. I like being here for another reason. You can't beat the view. ■

From: _____

To: _____

TWO
AIR MAIL
STAMPS

Hon Tre's "bottomsite"
Story on page 12