

# George W. Latimer papers, 1926-2007

## Overview of the Collection

<b>Creator</b>	Latimer, George
<b>Title</b>	George W. Latimer papers
<b>Dates</b>	1926-2007 (inclusive) 1926 2007
<b>Quantity</b>	10.25 linear feet
<b>Collection Number</b>	Ms0237
<b>Summary</b>	The George W. Latimer papers (1926-2007) consists of records and papers of civil court and court-martial cases handled by Latimer. Of particular interest are the files regarding the My Lai Massacre and Lieutenant William L. Calley, whom Latimer defended in 1974. Latimer was a lawyer and judge. He was elected as Utah State Supreme Court justice in 1946 and was a judge on the U.S. Court of Military Appeals in 1951.
<b>Repository</b>	<a href="#">University of Utah Libraries, Special Collections.</a> Special Collections, J. Willard Marriott Library University of Utah 295 South 1500 East Salt Lake City, UT 84112-0860 Telephone: 801-581-8863 <a href="mailto:SPCreference@lists.utah.edu">SPCreference@lists.utah.edu</a>
<b>Access Restrictions</b>	Twenty-four hour advanced notice encouraged. Materials must be used on-site. Access to parts of this collection may be restricted under provisions of state or federal law.
<b>Languages</b>	English

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## Historical Note

George W. Latimer was born in Draper, Utah, to John and Petria Jensen Latimer on 28 November 1900. He studied law and received his Doctor of Laws from the University of Utah in 1924. From 1924-1940 Latimer practiced law in Salt Lake City, Utah. He married the former Rhoda Carroll on 5 October 1929. In 1932, Latimer joined the Utah National Guard. During the second world war, Latimer served his country as a Colonel in the 40th Infantry Division of the United States Army (1942-1943). The following two years from 1944-1945 he was the Chief-of-staff of the 40th Infantry Division. Following his war service, Latimer returned to his law practice until he was appointed a Justice of the Utah Supreme Court a position he held from 1946-1951. Following his tenure as a Justice, Latimer served as a Judge of the United States Court of Military Appeals. In 1961 he returned to private practice as a partner in the firm of Parsons, Behle and Latimer. From 1969-1974 he represented Lt. William Calley in a capital court case.

## Content Description

The George W. Latimer papers (1926-2007) consists largely of materials connected with Latimer's defense of William Laws Calley in his trial for murder in connection with the 1968 My Lai incident in Vietnam. Included are correspondence between the members of the defense counsel and the government prosecution; court orders, motions and petitions; materials related to the government investigation, such as depositions taken by the military investigative team; and hearings reports, trial records, and appellant exhibits. Also present are materials from the post-court martial appeals, including correspondence, motions, petitions, drafts, exhibits, statements, briefs, and government replies. Other materials relating to the trial of Calley include correspondence seeking Presidential clemency and consideration of the Calley case by the military Parole and Clemency Board; correspondence with people supporting Calley either morally or financially; information on two civil suits by Calley and one against him by the Buddhist Congregation of Vietnam; correspondence concerning articles or books to be written about Calley and drafts of the articles by John Sacks written from interviews with the lieutenant for publication in Esquire magazine; and news clippings about the trial. Additional documents regarding other court cases that involved Latimer are in the collection, as are briefs from court cases in which Latimer's law firm was involved.

## Use of the Collection

### Restrictions on Use

It is the responsibility of the researcher to obtain any necessary copyright clearances.

Permission to publish material from the George W. Latimer papers must be obtained from the Special Collections Manuscript Curator.

### Preferred Citation

*Initial Citation:* George W. Latimer papers, Ms 237, Box [ ]. Special Collections and Archives. University of Utah, J. Willard Marriott. Salt Lake City, Utah.

*Following Citations:*Ms 237.

## Administrative Information

### Acquisition Information

Boxes 1-24 were donated in 1980 (8 linear feet).

Box 25 was donated in 1990 (0.5 linear feet).

Boxes 26-27 were donated in 1994 (1 linear feet).

Boxes 28-29 were donated in 2006 (0.75 linear feet).

### Separated Materials

Photographs were transferred to the Multimedia Division of Special Collections (P0467).

### Processing Note

Processed by Marlene Lewis and Manuscripts staff in 1980-1990s.

Addendum processed by Matthew Weathered in 2013

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## Detailed Description of the Collection

### Calley Case Pre-trial, 1969

Box1

Container(s)	Description	Dates
Box		
1		
Folder		
1-9	Legal Correspondence Letters exchanged between members of the defense counsel concerning the petitions and motions to be presented to the military court-martial in behalf of Lt. William L. Calley. Also included are letters from the Army prosecution panel relaying necessary information about witnesses and evidence.	1969-1970
10	Press Briefing Transcript of a press briefing held at the Pentagon on 17 December 1969 with Major General K. J. Hodson the Judge Advocate General regarding military justice.	1969
11	Westmoreland Statement Statement concerning events at My Lai by US Army Chief of Staff, General William C. Westmoreland, before the Special Subcommitte on Son My of the House Committee on Armed Services.	1969

### Court Orders, Motions, Petitions, Replies

Box2

Container(s)	Description	Dates
Box		
2		

Container(s)	Description	Dates
Folder		
1	Court-martial Miscellaneous information about military trials, including regulations governing court-martial.	
2	Court Orders Orders governing conduct of the witnesses and the trial.	1969-1970
3	Motions to Dismiss Motions filed in December of 1969 giving defense reasons to dismiss all charges against Lieutenant Calley. Including a copy of the motion to dismiss "all charges and specifications because the Court-martial lacks jurisdiction over the person of the accused.	1969
4-14	Motions to Dismiss	1970
15	Bill of Particulars	1970
16-19	Moton for Production of Information	1970
20-24	Motions, Petitions, and Replies Various defense motions and petitions seeking relief from the charges, access to witnesses and evidence and other legal material. Also included are the government replies to many of these motions.	1970
25	Brief on Constitutional Questions Brief which presents the defense view that a continuation of the proceedings would deny Lt. Calley his constitutional rights.	1970
26	Brief on Command Control Brief describing what the defense feels in unfair influence exercised by military authorities or the influence of statements of military commanders of the military court martial.	1970
27	Notes, Summaries Handwritten notes regarding the case and possible arguments, and summaries of witness depositions.	1970
28	Calley's Statements Drafts of statements made by Lt. Calley concerning the events at My Lai.	

## Witnesses and Accused Statements, A-O, 1968

Box3

Container(s)	Description	Dates
Box		
3		
Folder		
1	Company Roster Roster for Company C of the 1st Battalion, 20th Infantry, 11th LIB, the American Division which was involved in Task Force Barker, the assault on My Lai.	1968
2-26	Witnesses and Accused Statements, A-O Depositions taken by military investigators concerning the events at My Lai. The statements, arranged alphabetically, range from heresy evidence, to remarks made by men involved in the assault force.	

## Witnesses and Accused Statements, P-W

Box4

Container(s)	Description	Dates
Box		
4		
Folder		
1-13	Witnesses and Accused Statements, P-W	
14	My Lai Maps Maps drawn by witnesses to illustrate and show locations of events in and around My Lai.	

## Investigations, Trial Record, 1968-1969

Box5

Container(s)	Description	Dates
<b>Box</b>		
5		
<b>Folder</b>		
1	Investigation, Trial Record Report of the investigation of the Department of the Army Inspector General on the "incident of 16 March 1968 My Lai (4), RVN.	
2-5	Criminal Investigations Report The report itself is not included, only the "case progress forms" making up enclosures 6 through 14.	
6-7	Article 39 (a) Sessions Transcripts of the hearings of 20 January and 23 October 1970.	1970
8	Article 32a Investigation List of written witness testimony offered at the Article 32 investigation hearing.	
9	Charge Sheets This document details the charges brought by the United States Government against Lt. William Laws Calley.	1969
<b>Item</b>		
1	Report of Investigation Bound Volume Volume 1, Transcript of Testimony (Quintuplicate) Report of Article 32 Investigation.	
2	Trial Record Bound Volume Volume 1, Book 1. Article 32 Investigation, Allied Papers of the investigation hearings.	

## Trial Record

Box6

Volume 1 books 2-3 Included of the Article 32 Investigation.

## Trial Record

Box7

Container(s)	Description
Box	
7	
Folder	
1	Trial Record Volume 1, Book 2 Allied papers of the investigation hearings.
2-3	Trial Transcript Volume 3, Books 3-4

### **Trial Transcript Volume 3 Books 3-4**

Box8

### **Trial Transcript Volume 3, Books 5-6**

Box9

### **Trial Transcript Volume 3, Books 7-8**

Box10

### **Trial Transcript Volume 3, Books 9-10**

Box11

### **Trial Transcript Volume 3, Book 11**

Box12

### **Accused Copy Transcript**

Box13

Container(s)	Description
Box	
13	
Folder	
1	Volume I, Trial Transcript
2-12	Volume I, Appellant Exhibits

Container(s)	Description
	Appendices 1-7 and exhibits 1-22.

## Legal Correspondence, Court Orders, Motions, Petitions

Box14

Container(s)	Description	Dates
Box		
14		
Folder		
1	Legal Correspondence	1971
2	Court Orders	1971
3-5	Legal Correspondence	1972
6-10	Appeal Preparations, Motions and Motion Drafts	1972
11-12	Petition for New Trial	1972

## Assignment of Errors, Statements and Brief, 1972

Box15

## Assignment of Errors and Hearing, 1972

Box16

Government reply to assignment of errors and correspondence, motions, and information on the hearing.

## Grant of Review

Box17

Container(s)	Description	Dates
Box		
17		



Container(s)	Description	Dates
Folder		
1	J. Houston Gordon, Correspondence	1973
2	Petition for Grant of Review	1973
3-19	Brief	1973
20-26	Government Reply	1973
27	Court Order	1973

## Review and Reply

Box18

Container(s)	Description	Dates
Box		
18		
Folder		
1-4	Incomplete Review Brief	1973
5	Final Draft Review Portions	1973
6-7	Incomplete Government Review Reply	1973

## Petitions, Cross-Appeal

Box19

Container(s)	Description	Dates
Box		
19		
Folder		

Container(s)	Description	Dates
1-12	Petition for Write of Habeas Corpus	1974
13	Petition for Revocation of Stay	1974
Volume		
1	Appeal	1974
Folder		
14-19	Cross-Appeal	1974

## Circuit Court Appeal Appendix, Volumes 1-4

Box20

Includes extracts from district court record, testimony transcript, and some appellate, prosecution, and defense exhibits.

## Parole and Clemency Board, Correspondence, Allied Cases, Miscellaneous

Box21

Container(s)	Description	Dates
Box		
21		
Folder		
1-2	Parole and Clemency Board, Correspondence and Petitions	1971-1973
3-11	Correspondence	1969-1973
12-17	Calley vs. Talbott	1970
18	Buddist Congregation vs. Calley	1971
19	Calley vs. LaVerne	circa 1973
20	Incomplete Legal Documents	

Container(s)	Description	Dates
21	South Vietnam Chronology	
22	<i>Crime and Delinquency</i> , Vol. 15, No. 1	1969
23	James Houston Gordon, Resume	

## Articles and News Clippings

Box22

Container(s)	Description	Dates
Box		
22		
Folder		
1-7	<i>Esquire</i> Interviews, Correspondence and Article Drafts	1969-1973
8	Norman J. Weber Article Draft, letter, and press release.	
9	News Clippings	1969-1989

## Latimer Court Cases

Box23

Container(s)	Description	Dates
Box		
23		
Folder		
1-17	United States vs. Fleener Trial record, exhibits, and appeal process materials.	1970
18	United States vs. Borys Includes United States Court of Military Appeals opinion.	1969

Container(s)	Description	Dates
19-22	Allen vs. VanCanfort Appendix for a writ of habeas corpus.	

## Seminar, Competition, Miscellaneous

Box24

Container(s)	Description	Dates
Box		
24		
Folder		
1-5	Senior Seminar on the Laws of War Course description, reading list, and case examples.	1970
6-8	National Moot Court Competition Rules and respondent and petitioner briefs.	1971
9	United States Steel Corporation vs. Industrial Commission of Utah, Plaintiff's Brief	
10	Kennecott Copper Corp. vs. Industrial Commission of Utah, Defendant's Brief	
11	Diana L. Jones vs. Magna Oil Corp., Plaintiff Memorandum	
12	Miscellaneous Court Cases	
13	Physicians Drug Manual	1969
14	George Latimer, Biographical Material	

## Personal and Trial Materials

Box25

Container(s)	Description	Dates
Box		

Container(s)	Description	Dates
25		
Folder		
1	Biographical Materials	
2-3	Correspondence	1950s-1960s
4	News Clippings	
5	Civilian Life, Manuscript	
6	Judicial Career, Manuscript	
7	Lt. Calley's Case, Manuscript	
8	Military Career, Manuscript	
9	Utah National Guard	1926-1982
10-13	Lt. Calley Trial News clippings, media dialog, and periodicals.	1969-1970

## My Lai Trial

Box26

Container(s)	Description	Dates
Box		
26		
Folder		
1	Turkish Criminal Code	
2	Hearing Aid Dealers Committee and Board Minutes	1982; 1984
3	Personal Materials News articles, retirement and military records, and miscellaneous.	

Container(s)	Description	Dates
4-5	News Articles	
6	Statements, Briefings, and Documents	1969

## Weyman E. Wooten

Box27

Container(s)	Description	Dates
Box		
27		
Folder		
1	Memos and Correspondence	
2	Legal Documents Affidavits, case summary, brief, and records proceedings.	1974-1980
3	Court of Appeals Documents Motions, appeals, orders, and answers.	

## Personal Materials

Box28

Container(s)	Description	Dates
Box		
28		
Folder		
1	Various Typewritten Family Histories	
2	Handwritten Family History	
3	Death Documents	

Container(s)	Description	Dates
4	Personal Information and Mementos	
5-7	Correspondence	1926-1972
8-9	Correspondence, Lt. William Calley Incident	1973-1974
10	Correspondence	1976-1992
11	Awards and Citations	1922-1985
12	Statements of G.W. Latimer Contained in Hearings Before the Subcommittee of the Committee on Appropriations	1956
13	Military Appointments and Various Documents	1925-1986
14	Photographs	
15	The Calley Case-Research and Reflections	
16-17	Newspaper Clippings	

## Personal Materials

Box29

Container(s)	Description	Dates
<b>Box</b>		
29		
<b>Folder</b>		
1	Awards	1965
2	Correspondence	1998
3	Family Histories and Genealogical Records: Latimers and Carrols	2007
4	Manuscript, Journal of AOAC INTERNATIONAL	2007

Container(s)	Description	Dates
5	Newspaper Clippings	1941

## Names and Subjects

### Subject Terms :

My Lai Massacre, Vietnam, 1968--History--Sources

Vietnamese Conflict, 1961-1975--Atrocities

Vietnamese Conflict, 1961-1975--Public opinion--United States

### Personal Names :

Calley, William Laws, 1943--Trials, litigation, etc.

Latimer, George--Archives

Finding aid prepared by Marlene Lewis  
1980



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