

WITNESS STATEMENT

For use of this form, see AR 195-10 - TB PMG 3; the proponent agency is Office of The Provost Marshal General.

PLACE Quang Ngai, Republic of Vietnam (RVN)	DATE 25 Dec 69	TIME 2230 hrs	FILE NUMBER 69-CID011-00014
LAST NAME, FIRST NAME, MIDDLE NAME MCLELLAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS An Khe Field Office, Det E, 8th MP Gp (CI), APO SF 96294			

SWORN STATEMENT

I, Kenneth Paul McLellan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 25 Dec 69 and interview with Truong Thi Tung began at 1050 hours and terminated at 1510 hours. The time span included a one hour lunch period. The interview was conducted through Allan B. MADDOX, Interpreter. TUNG's personal data is as follows:

Name: Truong Thi TUNG
ID#: None
Address: Son My Village, Son Tinh ^{DISTRICT 5} Province, Quang Ngai Province, RVN
DOB: 1909
POB: Tu Cung, Son My Village, Son Tinh Province, Quang Ngai Province, RVN
Occupation: Farmer
Sex: Female
Marital Status: Widow

TUNG stated substantially as follows: Her former residence was Tu Cung (My Lai #4) and she was present when the American soldiers came to the village in Mar 1968. This was determined by using the Lunar Year as a reference. On the morning the soldiers came she was in her home with her son Do THAM, age 43; her son's wife Pham Thi EM, age 30; and Do THAM's son Do Thi LOC, age 3; and all are now deceased. She did not see or hear the American planes land near the village, but was told so by her nephew. A while later two white soldiers and one black soldier came to her house and took them all outside. Three pigs owned by her and two cows owned by her son were shot and killed by the soldiers and her home was set on fire. They were then marched to a ditch on the Eastern side of the village with about 20 other villagers. There were about 40 to 50 other villagers already at the ditch and all were motioned to sit down. About eight soldiers were guarding them at the ditch. She ~~believes~~ believes six were white and two were colored. She made her way to the rear of the group at the ditch and slid off into the tall grass nearby. Sometime later she heard much firing of guns but did not come out of the tall grass until she thought the soldiers left the village. It was sometime in the afternoon when she went to the ditch again and found her son, his wife, and their son had been shot and killed. She estimated seeing about 40 dead bodies in the ditch. She then went back to the village area and met a girl named Do Thi TANG, age 13, and they walked to Trung An Village and later were settled in Son My, where TANG currently lives with her. She did not know of any Viet Cong being in the village that day or on any previous occasion. Attempts to orient her with the sketch of the village were unsuccessful and she could relate to times and distances. She could not read well and claimed she could not write. She could not identify any individuals or buildings in the photographs she viewed. She refused to furnish any names of persons she knew were killed by the soldiers or name any witnesses to the incident. She appeared to take little interest in the interview and was very ~~reluctant~~ reluctant to answer questions. A photograph of TUNG was obtained.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>E</u>	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF TAKEN AT DATED CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE OF PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

DA FORM 2823
1 JAN 68

STATEMENT (Continued) TUNG claimed that her son, his wife, and their son were buried by her in the ditch where she found them dead.

AFFIDAVIT

I, Kenneth Paul McLellan

HAVE READ OR HAVE HAD READ TO ME THIS STATE-

MENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

SA Allan B. Maddox,
524 MI Det, APO SF 96307

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

Kenneth Paul McLellan
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Dec, 19 69 at Quang Ngai, RVN

Arvil J. Kirk Jr.
(Signature of Person Administering Oath)

ARVIL J. KIRK JR

(Typed Name of Person Administering Oath)

Art 136 Par (b) (4), UCMJ, 1969

(Authority To Administer Oaths)