

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, RVN	DATE 26 Dec 69	TIME 1200	FILE NUMBER 69-CID011-00024
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS Det B, 8th MP Gp (CI), APO SF 96312			

SWORN STATEMENT

I, Arvil J. KIRK, Jr., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 26 December 1969, TUAN was interviewed by me in the presence of 1Lt John C. WOOD, SSAN: , Hq MACV, APO SF 96222, acting as interpreter. Personal data of TUAN is as follows:

NAME: Do TUAN
ADDRESS: Xom Lang, Tu Cung, Son My, Son Tinh District, Quang Ngai Province, RVN
ID #: None
DOB: 1961
POB: Same as address
SEX: Male
Education: None

It should be noted that TUAN has no education and appears much younger than eight years both in appearance and actions. If TUAN is now eight he would have either been 6 or 7 on the day in question. TUAN stated substantially as follows: On the day of the killing in his village he was out in the field. He heard much shooting from his village but saw no US soldiers. He ran and hid in the rice paddies. He does not know how long he stayed there but later went to the village. At a trail leading into the village he saw many dead people but does not know how many. He saw no other dead persons at any other location. He states his family's home was burned. They owned two pigs and four cows which were killed. He saw the dead cows but did not see the pigs. He was told they had been killed. TUAN could not remember if US soldiers, had been to the village and could furnish nothing further concerning the day in question. A photograph of TUAN was obtained.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT AJK	PAGE 1 OF 2 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)

AFFIDAVIT

I, Arvil J. KIRK, Jr. HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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.

Arvil J. Kirk Jr.
(Signature of Person Making Statement)

WITNESSES:

1LT JOHN C. WOOD, ~~USMC~~
Hq MACV, APO SF 96222

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of December, 19 69 at QUANG NGAI, RVN

Thomas J. McGreevy
(Signature of Person Administering Oath)

THOMAS J. MCGREEVY, MAJ MPC
(Typed Name of Person Administering Oath)

Art 136 (b)(4), MCM, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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