

901

S/a 3A LAC

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 1730	FILE NUMBER 69-CID011-00014
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, LAC was interviewed by me in the presence of 1LT John C. WOOD, Hq MACV, APO SF 96222, acting as interpreter. Personal data of LAC is as follows:

NAME: Truong LAC
 ID: None
 ADDRESS: Xom Lang (Sub Hamlet), Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1912
 POB: Same as address above.
 OCCUPATION: Farmer
 SEX: Male

LAC stated substantially as follows: He was not in his village, Tu Cung, in Mar 68. Sometime in Jan 68, he was captured by ARVN soldiers at an unknown location in Quang Ngai City, while participating in a Viet Cong demonstration. He states that he was forced to participate by the communist. He was then taken to a POW camp at an unknown location in Quang Ngai until he was released in Oct 69. He knows nothing about what happened in his village other than what he was told by people of the village. He could not furnish the names of who told him what happened. He did state that while in the camp, his sister, Truong Thi TUNG, 59, visited him and told him that his family had been killed during an American operation. When he returned to his village in Oct 69, he found his home burned and destroyed. He was told that his wife Do Thi XUYEN, 57 and son Truong DOC, 27, had been killed by U.S. Soldiers. He had four other sons, who had been in the village, but he was told by unknown persons that they had ran away on that day when the soldiers came. They are Truong VAN, 34, Truong LUYEN, 22; Truong THANG, 19 and Truong THANG, 12. Since his release, he has not been able to locate VAN, LUYEN and THANG, 19, however, THANG, 12, now lives with him in Son My. He stated that there were four or five others now in Son My, who had been wounded. He could not remember but four: Thi DOC, 79, female; Do BA, 14, male; Pham DAT, 40, male and Pham Thi TUU, 60, female. He remembers the names of four persons with families, who had homes near his home, which were all destroyed. They are as follows: 1. Truong THO, 80, male, killed; Truong Thi MAI, 40, female, killed; Le Thi BAY, 40, female, killed; Truong CHAN, 20, male, killed; Truong KHIET, 22, male, killed; Truong Thi NIEP, 7, female, killed; Truong Thi SUU, 14, female, killed and one male child, name and age unknown, killed. 2. Truong SOM, 65, male, killed; Nguyen Thi KIEU, 70, female, wounded in arm and now at unknown address in Saigon and Truong TRUC, 20, male not wounded, at unknown address in Quang Ngai City at present. 3. Truong CHAU, 75, male, alive at unknown address in Saigon; Quang Thi LIEU, 70, female, killed; Truong DE, 34, male, killed; Nguyen Thi BOM, 25, female, alive at unknown address in Saigon and two children age, sex and names unknown in Saigon with BOM. 4. Nguyen DO, 60, male, killed; Pham Thi LAU, 59, female, killed; Nguyen DUC, 10, male, killed; Nguyen Thi HOA, 30, female, not wounded and presently at unknown address in Saigon and

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <u>AJK</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.

STATEMENT (Continued)

Nguyen DINH, 15, male, not wounded, presently at an unknown address in Saigon. LAC stated that the following relatives lived with his family in his home and all were killed. He knows of no other relatives other than those mentioned who were killed or wounded. They are as follows: Do Thi LOI, 27, female, daughter-in-law; Truong Thi BO, 5, paternal nephew; Truong Thi KHAI, 3, female, paternal niece; Truong KICH, 15, male, paternal nephew; Truong THAN, 12, male, paternal nephew; Truong CUU, 9, male, paternal nephew; Truong Thi BICH, 3, female, paternal niece and Truong Thi XI, 4, female, paternal niece. LAC stated that he had two water buffalo, nine pigs, about thirty chickens and four ducks and was told that the Americans had killed them. He does not remember the Americans coming to the village prior to this date or the date he was taken to the POW camp. He was told by the people that Americans had been there twice before and gave the people food, water and had harmed noone. ARVN soldiers have also been to the village but did not harm anyone. LAC identified a photograph depicting an old man with two children as Truong CHAU, who had moved with the children to an unknown address in Saigon. He did not know the names of the children. He identified a photograph depicting a woman with a head wound and a hat lying beside her (number 7 colored photograph) as Le Thi DONG, 65, female. She has no husband living but a daughter Do Thi BUONG, 30 and son-in-law Do TU, 34, lived with her, they (the daughter and son-in-law) are alive and at an unknown address in Saigon. BUONG is dead. LAC stated that he could not read or write but was able to point out on the sketch the locations of homes and events and this information was recorded on the sketch by LT WOOD as related by LAC. LAC stated that he knew of no Viet Cong being in the village at anytime. A photograph of LAC was obtained, and he could furnish no further information at this time.

AFFIDAVIT

I, ARVIL J. KIRK JR.

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.

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

WITNESSES:

John C. Wood
1LT JOHN C. WOOD,
HQ, MACV, APO SF 96222
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 26 day of December, 19 69
at Quang Ngai, RVN

Kenneth P. McLELLAN
(Signature of Person Administering Oath)

KENNETH P. MCLELLAN
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Art 136 b (4), UCMJ, 1969
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

AJK

PAGE 2 OF 2 PAGES

My Lai Hamlet

John Cleland for TRUONG LA
26/12/69

HP My Lai (4)

CAVE

TRUONG
CHAU

TID

SCM DO BA
BO
TU

CAVE

WELL

DONG

CHURCH

De WURCK

PHAP

NGUYEN THI DUC

CAVE

CAVE

APPROXIMATION

Coast Road

Đường Hải Sản Biên