

NHAN

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 27 Dec 69	TIME 1600	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 JACKSON KIRK JR., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

INVESTIGATOR'S STATEMENT

On 27 December 1969, between 0915 - 1100 hours, NHAN was interviewed by me in the presence of 1LT John C. WOOD, Hq MACV, APO SF 96222. NHAN's personal data is as follows:

NAME: Do Thi NHAN
ID: None
ADDRESS: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN.
POB: Same as address.
DOB: 1943
OCCUPATION: Farmer
EDUCATION: None
SEX: Female

NHAN stated substantially as follows: She does not know the date but sometime during the morning on a day in 1968, U.S. soldiers came to her village. At the time she was in her house with her husband Nguyen CO, 40, her son, known only as HOANG, 2, and her mother Nguyen Thi CO 49. The soldiers ordered the four of them from the house and they came outside. She was then grabbed by a white soldier who also struck her across the back with a rifle. They were then taken to a place on the main trail into the village where a group of villagers were gathered. They were then put into this group. She stated that two soldiers, one white and one colored, began to shoot into the group with fast shooting. She was holding her baby and both fell under bodies and were not hurt. After the soldiers left she then got up and discovered that her mother was dead with wounds of the head and the right arm. She then ran away to an unknown location with her son. She later learned that her husband had escaped unhurt also. She estimated that there were about forty bodies on the trail in her group. She could not describe the white and colored soldier other than the white soldier had a beard as if he needed a shave. NHAN stated that she would only say what she saw with her own eyes and she knows nothing else and heard nothing about what happened. She stated that the only body she saw other than those on the trail was the body of a person she knows only as MOT, 80, male, who was dead in front of his house. She saw this as she was being taken to the trail by the soldiers. She identified a photograph of an old man on the porch of a house as MOT. She stated that her house was located on the west side of the village near a trail at the rice paddies or near the paddies. Her house was burned and she saw one soldier kill her animals and birds, consisting of four pigs, and five chickens. She was not raped or molested and saw no one raped or molested. She does not think she could recognize the soldiers if seen again. She stated that there were no Viet Cong in her village. The U.S. soldiers had been there two times before, dates unknown, and each time did not harm anyone and gave the people candy, food and water. She stated that there were six people in her group who escaped injury. They are Do Thi EM, 40, female and two children, names, age

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT ASK	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.

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STATEMENT (Continued)

and sex unknown, all now in Saigon at an unknown address. Also a person known only as PHU, 40, female and one child known only as THAT, 6, male, both in Son My at this time. NHAH included her husband as the sixth person not injured. She stated that she saw helicopters in the air but did not see any land. She has never seen ARVN soldiers in the village. NHAH stated that she only remembers three families who lived near her.

1. Mrs. TO, age, and present location unknown, however, she was not injured.
2. Mrs. SONG, age unknown and three children, HOA, 13, female; MOT, 2, female and MEO, 3, male were all killed in the group she was in at the trail. She could not furnish the full names of these individuals.
3. CAN, age unknown, female and child KIEN, 8, female both killed in her group. She could not furnish the full names.

NHAH could not understand the sketch and could not relate places, directions or events. She could furnish no further information. A photograph of NHAH and her son, who was either two or three years of age in Mar 68, was taken and the son was not interviewed due to his age.

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 27th day of December, 1969 at Quang Ngai, RVN

Kenneth P. McLeellan
(Signature of Person Administering Oath)

KENNETH P. McLELLAN

(Typed Name of Person Administering Oath)

ART 136 b(4), UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

AJR

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