

WITNESS STATEMENT

QUY

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

PLACE Quang Ngai, RVN	DATE 3 Jan 70	TIME 0900	FILE NUMBER 69-CI0011-00014
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS Det B, 8th MP Co (C), APO SF 96222			

SWORN STATEMENT

1. ARVIL J. KIRK JR.

, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 2 January 1970, between 0925 - 1205 hours and 1255 - 1455 hours, QUY was interviewed by me in the presence of 1LT John C. WOOD, Hq MACV, APO SF 96222. QUY's personal data is as follows:

NAME: Truong QUY (AKA QUI)
 ID: None
 ADDRESS: My Lai (4), Tinh Khe Hamlet, Son Tinh District, Quang Ngai Province, RVN
 POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1923
 OCCUPATION: Farmer
 EDUCATION: None
 SEX: Male

QUY stated substantially as follows: He was captured in Tu Cung about 0800 hours, 31 Dec 69, while working in the rice fields trying to make a living, by U.S. soldiers. He states that he has been a security cadre for Tu Cung since 1967, however, now does not have much to do since there are very few people in the area. His function in the security was only to call people to meetings. He did not lecture or speak. He was in Tu Cung on 18 Feb 68, of the lunar calendar, when the U.S. soldiers came. He did not have any advance information that they were coming. About 0600 hours, artillery began to come in and hit in the rice fields on the outside of the hamlet on the western side. He does not know how long the artillery lasted. He then ran from the area across the coast road and hid a short distance from the road. From here he saw helicopters land on the western outskirts and saw U.S. soldiers move into the village. He heard firing and saw soldiers firing into the homes. He does not know if the people of the village were resisting by returning the fire. He saw a helicopter come down and land near Truong An and six U.S. soldiers got out. The helicopter then flew away and the six soldiers came down the coast road. Two farmers, Nguyen TOAN, 25 and Nguyen NHIEU, 35, ran from the village across the road near QUY and the soldiers shot and killed them. The soldiers then shot and killed the following persons, who were running down the coast road away from the soldiers: Do DOAN, 25; Nguyen KHAN, 20; Pham AN, 45; Nguyen CHUNG, 60; Nguyen Thi CHAC, 20 and her daughter, Dan Thi MAI, 1. The soldiers then started up the main trail into the village and shot and killed five people, Truong NHAT, 43 and his four children, Truong CU, 10, Truong CU, 3 Truong CU, 2 and Truong Thi MAI, 1. QUY insisted that the three children ages 10, 3 and 2 were all named CU. He does not know if any of the people killed had weapons, but he did not see any. He can not describe the soldiers other than they had uniforms, four were caucasian and two were Negroes. He does not know how many of the six actually fired or killed the people. From his hiding place he states that he could then see people being gathered up and brought to the main trail about one hundred and fifty meters from where he was located. He guessed there were about eighty people. He then heard several bursts of fire from rifles, but doesn't know how long

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT A JK	PAGE 1 OF 3 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.

it lasted. He then stayed where he was until the soldiers left. When asked what time the soldiers left, QUY pointed to the sky and said the sun was about "there." From the position he indicated, LT WOOD and I estimated the time to be around 1100 hours. He stated then he went into the village after seeing the bodies already mentioned around the coast road. He saw a gathering on the main trail of many men, women and children to include many babies about one month old. He states there was blood all over everything. The only one he saw alive there was Nguyen GIEN, 75, wounded in the wrist and lying on the trail. He then went to the left of the trail and saw about ten more bodies in the rice paddies. He stated that he saw the bodies of Mrs TAU, 42 and three children names unknown, ages 10, 15 and 3; Nguyen Thi BI, 17; Nguyen Thi KIEN, 17; Tran Thi LY, 36; Truong Thi THU, 7 and two others, identity unknown. He then went back across the trail into the rice paddies and saw six women and children dead. They were Pham Thi BI, 22; Tran Thi HIEN, 41; Nguyen Thi DUONG, 50 and three children names and ages unknown. He then approached the home of Do NGUYEN and saw about thirty dead people about four meters from the house. Of the dead, he recognized the following: Nguyen Thi CUNG, AKA PHU, 43; Do Thi BI, 3; Do Thi CAN, 30; a girl known only as Phong Thi, 10; Mrs SO, 75, seller of fish sauce; the unknown daughter of SO, 20; Do AN, 10; Do THANH, 12, and Do CHO, 15. He then went to a well and saw the body of Truong THO, 80, dead inside the well. He then went to the home of Nguyen GAP, 41. He saw the bodies of GAP, GAP's son Nguyen CU, 3, daughter whose name is unknown, 10 and GAP's wife ~~NGUYEN~~, Truong Thi NGUYEN, 28, in the house, which had been burned. While going through the village he saw three dead girls at three separate houses, which he stated looked as though they had been raped. They were Pham Thi NHAN, 22, Do Thi MAN, 12 and Pham Thi NUOI, 11. All had been inside their home's, which were burned, and all had been naked. QUY stated that the vagina of each girl had been ripped and they looked as if they had sexual intercourse. There was a bruise on the upper leg of NHAN. QUY stated that the bodies had been burned in the houses but he could still recognize them, saw blood on the floor, and could tell the condition of their vagina. He stated in addition that NHAN had been shot in the stomach. QUY states that he left the village and went to Truong An for he was afraid the soldiers would return. He found that his family was safe in Truong An and no relative of his had been killed or injured. He returned to the village the same day, buried some people, left again and came back the next day. When he returned the next day he saw about twenty bodies in a ditch and stated that most of the people killed there had already been buried. Of the twenty still remaining he recognized the following: Mrs CO, 33, Mrs THINH, 41, Pham KY, 15, three relatives of a Mr THO, names unknown and several women, who travelled from hamlet to hamlet selling things. He does not know their names or where they lived. He stated that he saw the bodies of four children, names unknown, children of Le LY, 63 and Le CO, who are alive in Son My. During the interview QUY stated that he saw the body of Do DUNG, 10 near the watch tower. He saw the bodies of Nguyen Thi LAM, 10, Le Thi GIAU, 35 and Pham QUY, 80, which he states were killed at the western edge of the village by artillery. QUY identified B & W photograph frame 34A as Truong CHAU with two unknown children. CHAU is alive at unknown address in Saigon. QUY identified the persons in color photograph # 14 as Truong NHAN, 45 and son Truong CU, 15. He saw them dead on the trail as he entered the trail from his hiding place. He stated that the place in color photograph # 16 is the trail where he saw the group of dead persons. He identified the person in colored photograph 17 as Nguyen SANH, 63, whom he saw dead on the trail. QUY indicated seventy one locations on the stretch of homes,

STATEMENT (Continued)

locations of bodies, events and others. He could furnish no further information at this time. AJSK

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 3. 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

MR. JOHN C. WOOD,
HO NACV, APO SR 96222

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3d day of January, 1970

at Quang Ngai, RVN

James M. Gilmore

(Signature of Person Administering Oath)

KENNETH P. McNEILAN

(Typed Name of Person Administering Oath)

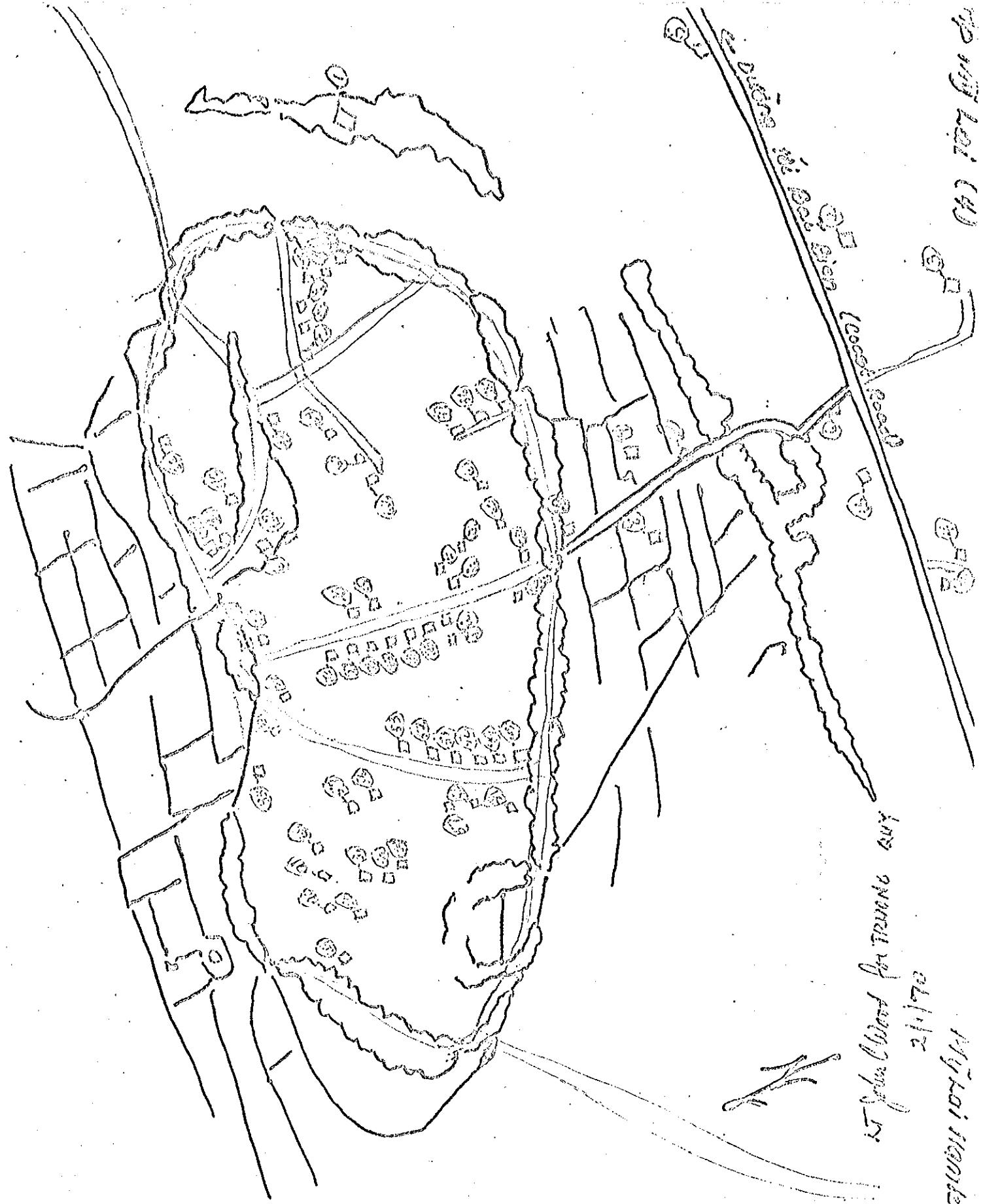
AET 136 b (4), UCMJ, 1969

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

AJSK

PAGE 3 OF 3 PAGES



John Clegg for friends 2/1/70

John Clegg

Map by TRUONG QUY

2/1/70

- ① Irrigation Ditch where civilians executed
- ② QVY's hiding place
- ③ TOAN killed
- ④ NHAN killed
- ⑤ 6 persons killed on highway
- ⑥ 5 persons killed on trail
- ⑦ Gathering where 80 persons kia
- ⑧ Gathering in rice field where 10 persons kia
- ⑨ Gathering in rice field where 6 persons kia
- ⑩ Watch Tower / Bldg of DO DUNG.
- ⑪ HOUSE OF MR. NGUYEN
- ⑫ Gathering of 30 persons killed
- ⑬ WELL belonging to HUAN, place where TRUONG THO killed
- ⑭ HOUSE OF MR. HUAN
- ⑮ " " DO PHU
- ⑯ " " TRUONG QUY
- ⑰ " " TRUONG PHU
- ⑱ " " DO TUNG
- ⑲ " " NGUYEN GIA
- ⑳ " " NGUYEN CO
- ㉑ " " NGUYEN SUANG
- ㉒ " " NGUYEN NHUNG
- ㉓ " " DO THINH

(24) HOUSE OF LE THI NGU

(2)

(25) " " NGUYEN BOB

(26) " " NGUYEN SONC

(27) " " NGUYEN CAP

(28) " " NGUYEN THOI

(29) BUDDHIST PAGODA

(30) HOUSE OF TRUONG THAO

(31) " " TRUONG GIAU

(32) " " TRUONG SUNG

(33) " " DO NGUYEN

(34) " " NGUYEN HOA

(35) " " NGUYEN SANG

(36) " " NGUYEN KHAI

(37) " " NGUYEN TRI

(38) " " NGO TRU

(39) " " DANG THIENG

(40) " " TRANH BO

(41) " " NGUYEN CHI

(42) " " NGUYEN DO

(43) " " NGUYEN TRI

(44) " " NGUYEN TAI

(45) " " NGUYEN CHI

(46) " " NGUYEN SAN

(47) " " NGUYEN CHUNG

(48) SCHOOL HOUSE

(4) NEW HOUSE OF NGUYEN DONG

(3)

" " PHAM DUY

" " DO NGU

" " DO NGO

" " NGUYEN TIEN

" " NGUYEN SON

" " DO GAN

" " TRAN THI HIEP

" " NGUYEN CUONG

" " NGUYEN DONG

" " LY GIAI

" " DO THI HIEP

" " DO CHUC

" " PHAM KY

" " PHAM BN

" " PHAM SON

" " NGUYEN NAMED

" " PHAM LIEU

" " NGUYEN CAM

" " NGUYEN THIET

" " TRANH CHAU

" " TRUONG CHAN

" " TRUONG DONG