

WITNESS STATEMENT

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

THI

PLACE Quang Ngai, RVN	DATE 3 Jan 69	TIME 1200	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 96222 AJK

SWORN STATEMENT

I, ARVIL J. KIRK JR., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 2 Jan 70, between 1615 - 1650 hours, THI was interviewed by me in the presence of IIA John C. WOOD, Hq MACV, APO SF 96222. THI's personal data is as follows:

NAME: Dang THI
 ID: None AJK
 ADDRESS: Truong Dinh Hamlet, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 POB: Same as address.
 DOB: 1947
 OCCUPATION: Farmer
 EDUCATION: 3 years
 SEX: Male

THI stated substantially as follows: He has been a Viet Cong medic for Tu Cung Hamlet for about two years. On or about 30 December 1969, he was captured near the area by U.S. soldiers. He states that he went to Tu Cung Hamlet from Binh Dong after the U.S. soldiers had left. He gave the date as 16 March 1968 and stated that he was familiar with the lunar and western type calendars. He states that he saw about one hundred or more people dead in an irrigation ditch. He treated about ten people for gunshot wounds of the head, legs, buttocks and arms. He does not know their names but stated there were three women and seven men. He also saw a group of forty or fifty bodies on the trail leading into the hamlet. He heard that a girl known only by the name NGUYEN, 13, had been raped and then killed. He stated that he did not know any names because he was from Binh Dong. He stated that about fifty people were killed in Binh Dong. He stated that the U.S. soldiers left the Tu Cung area about 0900 hours. When questioned as to the time he became very evasive with answers. He stated that there were no Viet Cong in the village before or when the soldiers came. THI could not or would not furnish any names or locations within the hamlet. No further information was obtained. AJK

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 1 JAN 68 2823

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)

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

WITNESSES:

John C. Wood

1LT JOHN C. WOOD,

ORGANIZATION OR ADDRESS

Kenneth P. McLellan

(Typed Name of Person Administering Oath)

Art 136 b (4), UCMJ, 1969

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

ASK

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