

THAN

## 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, Republic of Vietnam (RVN)	DATE 9 Jan 70	TIME 1700 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME MCLELLAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS USACIBA, Task Force #2 (RVN Team), Hq MACV, APO SF 96222			

## SWORN STATEMENT

I, Kenneth Paul McLellan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

## INVESTIGATOR'S STATEMENT

On 9 Jan 70 an interview with Nguyen THAN, conducted through SA Nicholas A. VONZALIDES, Interpreter, began at 1115 hours and terminated at 1345 hours. There was a 45 minute lunch period. THAN's personal data is:

Name: Nguyen THAN  
ID#: None  
Address: Son My Village, Son Tinh District, Quang Ngai Province, RVN  
DOB: 1913  
POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
Occupation: Farmer  
Sex: Male  
Marital Status: Widower

THAN stated substantially as follows: Early one morning during the second month of the Lunar Calender, 1968 (Mar 68) he left his home in Tu Cung to work in the rice fields located on the western side of the village. His wife Do Thi LY, age 36; his daughters Nguyen Thi PHUNG, age 6 and Nguyen Thi GIA, age 15; a son Nguyen TUONG, age 4; and his mother Phong Thi CANG, age 76 were in the home when he left for work. Shortly after arriving in the fields he heard bombs (artillery) going off around the village. Then he saw some airplanes in the sky and heard gunfire. He fled the fields and made his way to Trung Hoa, a nearby village. He did not see any airplanes land near the village or any American soldiers on the ground. Sometime during the mid afternoon of the same day he returned to Tu Cung, went to his home in the village, and saw that it had been burnt and destroyed. He also saw several other homes in the area that were destroyed. He owned three buffalo which he found had been shot and killed. He owned five pigs which he never did locate. He then searched for his family and found his mother, wife, son, and two daughters listed above dead on the main trail which leads from the village to the coast road. He found them along the trail between the irrigation ditch and the village. There were many other bodies along the main trail but he could not estimate the total number of dead. He recalled seeing the dead bodies of the following villagers along the main trail: Nguyen SO, age 76; Nguyen KY, age 55; and Phong DOC, age 32. He claims not to know any other names of villagers that were killed that day. He was told the American soldiers had killed the villagers and destroyed the homes. He did not bury or witness the burial of his deceased family members, but was told by one of the villagers that his family was buried along the main trail. He has a daughter Nguyen Thi Phung, age 9 and a son Nguyen CO, age 11 who reside with him in Son Ky. They were in the village that morning but he could not recall if they were in the house when the soldiers came. They told him that they fled the village before the soldiers came. He found them living in Son Hoa a few days after the incident. He could furnish no further information concerning the incident. American soldiers had been to the village on two previous occasions and there was no trouble. He has never heard of any Viet Cong being in

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	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.

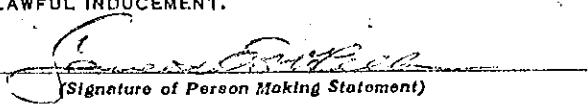
STATEMENT (Continued) the village. He identified the elderly Vietnamese male in photograph frame #34A as Buc CHAU, age 70 and the two children as CHAU's nephews (NFI). He heard they are all living in Saigon, RVN at an unknown address. He was not well oriented with a sketch of Tu Cung but did indicate the locations of his home, where he found the dead members of his family, the home of a neighbor, and the area in which he was working when he fled the village. A photograph of THAN was obtained.

## AFFIDAVIT

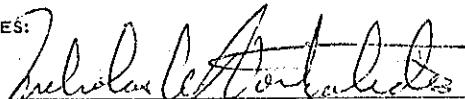
I, Kenneth Paul McLellan

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.

  
 (Signature of Person Making Statement)

WITNESSES:

  
 SA NICHOLAS A. VONTZALIDIS,  
 HHC, 5th SFGA, APO SF 96240

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9th day of Jen, 19 70  
 at Quang Ngai, RVN

  
 (Signature of Person Administering Oath)

ARVIL J. KIRK JR.

(Typed Name of Person Administering Oath)

Art 136 par (b) (4), ICMJ, 1969

(Authority To Administer Oath)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

  
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Đô Thị Mỹ Lai (4)

Mỹ Lai Hamlet (4)

