

28 JAN 1970

CHUC

## 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<br>Quang Ngai, RVN  | DATE<br>12 Jan 70           | TIME<br>1850 | FILE NUMBER |
| LAST NAME, FIRST NAME, MIDDLE NAME<br>KIRK, Arvil Jackson Jr.                       | SOCIAL SECURITY ACCOUNT NO. | GRADE<br>CW2 |             |
| ORGANIZATION OR ADDRESS<br>USACIDA, TASK FORCE #2 (RVN Team), Hq MACV, APO SF 96222 |                             |              |             |

## SWORN STATEMENT

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

## INVESTIGATOR'S STATEMENT

On 12 January 1970, CHUC was interviewed by me between 1015-1030 hours, in the presence of SA Arthur D. HARRIS, , 25th MID, APO SF 96225, acting as interpreter. Personal data of CHUC is as follows:

NAME: Do CHUC  
ID: None  
ADDRESS: Truong An, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
POB: Thuan Yen, Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
DOB: 1921  
EDUCATION: Can read and write  
OCCUPATION: Farmer  
SEX: Male

CHUC was interviewed to clarify the location of Do HOAI's house in Tu Cung. When interviewed on a previous occasion by Investigator FENNER, CHUC located a house near his own house in Thuan Yen as Do HOAI's house. This conflicted with several other witnesses that the house of DO HOAI was outside the village. CHUC stated substantially as follows during this interview. The house he located inside the village was Do HOAI's father's house where Do HOAI grew up. After Do HOAI was married he moved to the house identified as number forty four on Do VIEN's map. CHUC was shown HARRIS's Black and White photograph # 18 A and ~~positively~~ positively identified the village watch tower at the point where the main North-South trail enters Thuan Yen from the south in the left background of the photograph.

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|---------|--|-------------------|
| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT<br>A J K | 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 2823  
1 JAN 68

STATEMENT (Continued)

AFFIDAVIT

I, ARVIL J. KIRK JR.

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT 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:

*Arthur D. Harris*  
SA ARTHUR D. HARRIS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 12th day of January, 19 70 at Quang Ngai, RVN

ORGANIZATION OR ADDRESS

*Kenneth P. McJellan*  
(Signature of Person Administering Oath)

KENNETH P. MCJELLAN

(Typed Name of Person Administering Oath)

Art 136 b(4), UCMJ, 1969

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

ASK