

WITNESS STATEMENT

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

KHOA

PLACE Quang Ngai, Republic of Vietnam (RVN)	DATE 13 Jan 70	TIME 1545 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME MCLELLAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS USACIDA, 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 13 Jan 70 an interview with Nguyen KHOA, conducted through SA Nicholas A. VONTZLAIDES, Interpreter, began at 1300 hours and terminated at 1345 hours. KHOA's personal data is:

Name: Nguyen KHOA
 ID#: None
 Address: Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1930
 POB: Tu Cung, Son My Village, Son Tinh District, Quang Ngai Province, RVN
 Occupation: Farmer
 Sex: Male
 Marital Status: Married

KHOA stated substantially as follows: He formerly resided in Tu Cung and his home was located between the coast road and the village just west of the main trail. Early one morning, date unknown, during the second month of the Lunar calendar (Mar), 1968 he left his home to work in the rice fields located about one mile west of Tu Cung. His wife Vo Thi Mai, age 35; and his sons Nguyen KINH, age 6; and Nguyen TRIEU, age 4; left their home at the same time he went to work. They took the two family water buffalo to the fields outside the village. His brother Nguyen TAI, age 48; his wife Do Thi GAI, age 40; and their two daughters Nguyen Thi LANH, age 10; and Nguyen Thi THANH, age 8; who lived with him were in the home when he and his family left. While working in the fields he thought he saw airplanes flying around the vicinity of Tu Cung. Later that day he was told by some people from another village that met him working in the fields that American soldiers had been to Tu Cung and killed many people. He was scared to return to his home and he slept in the fields overnight. The next morning he went to his home in Tu Cung and found his brother and the family of his brother dead in his home from gunshot wounds. The home had been burnt and destroyed. He buried his brother and the family just east of the main trail near his home. He saw some dead bodies that villagers were burying along the main trail, but he did not know any of them by name. He also saw many homes that were destroyed. After burying his brother and family he went to Truong An Village and found his wife there the next day. His wife told him that when she saw the soldiers coming she fled to Truong An with the children and that one of their water buffalo was killed. He could not add anything further concerning the incident. American soldiers had been to the village on two previous occasions and there was no trouble. He had no knowledge of Viet Cong ever being in the village. He indicated the general location of his home, the burial site of his brother and family, and the watchtower at the main entrance to the village on a sketch of Tu Cung. A photograph of KHOA was obtained.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT <i>E</i>	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.

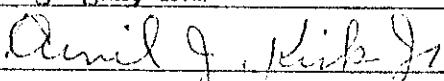
DA FORM 1 JAN 68 2823

AFFIDAVIT

I, Kenneth Paul McLellan 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.


(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 13 day of Jan, 1970
at Quang Ngai, RVN


(Signature of Person Administering Oath)

ARVIL J. KIRK JR.

(Typed Name of Person Administering Oath)

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

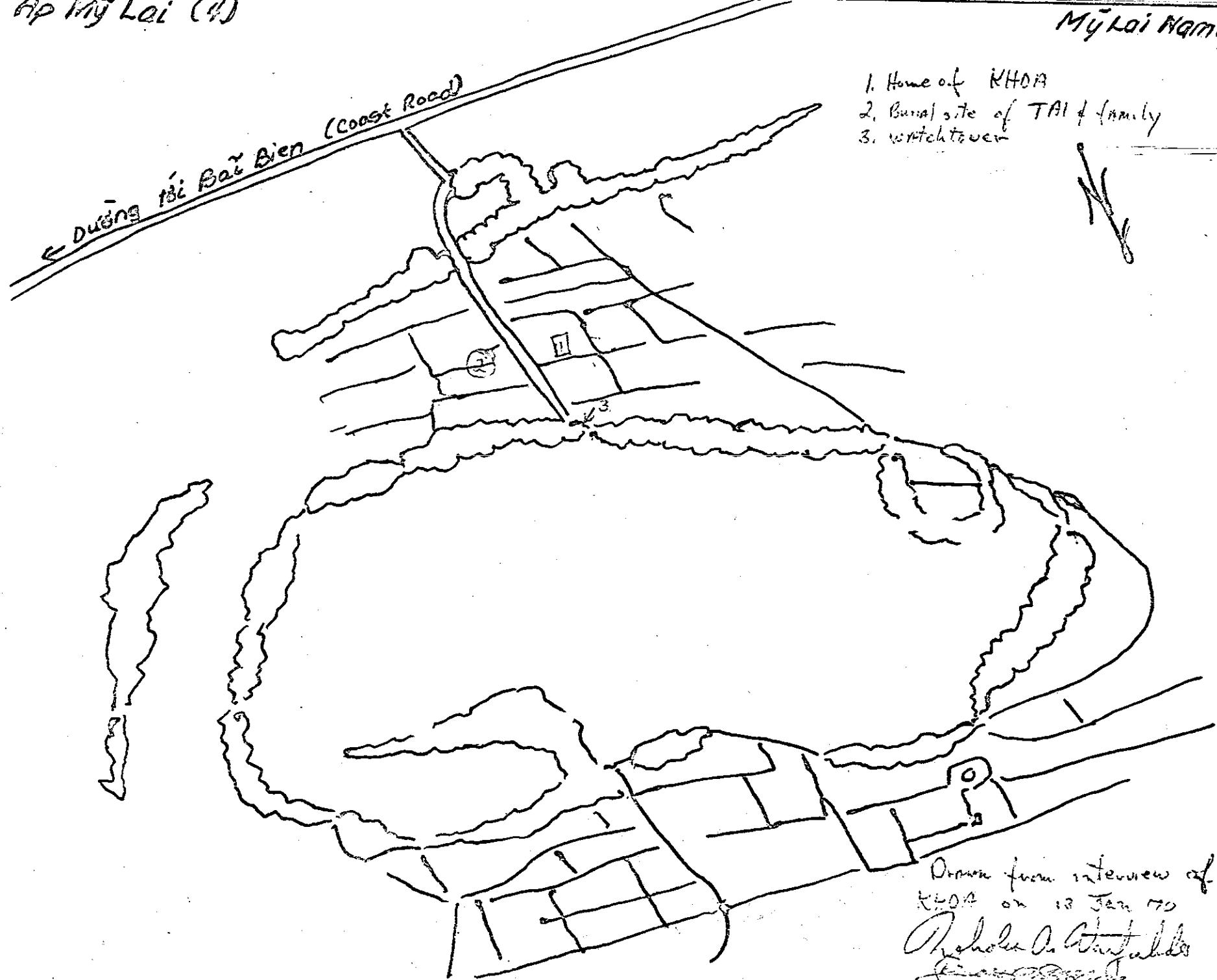
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

 PAGE 2 OF 2 PAGES

Đô Lai (4)

My Lai Name



1. Home of KHOA
2. Burial site of TAI + family
3. watchtower

Drawn from interview of
KHOA on 13 Jan 70
Archelaus Winkfield
Ginsburg