

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 18 Jan 70	TIME 2100 hrs	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME McGILLIAN, Kenneth Paul	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS USACJDA, Task Force #2 (RVN Team), HQ MACV, APO SF 96222			

SWORN STATEMENT

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

INVESTIGATOR'S STATEMENT

On 18 Jan 70 an interview with Pham Thi ME, conducted through SA Nicholas A. VONZALDEBS, Interpreter, began at 1435 hours and terminated at 1545 hours. ME's personal data is:

Name: Pham Thi ME
 ID#: None
 Address: Son My Village, Son Tinh District, Quang Ngai Province, RVN
 DOB: 1937
 POB: Son My Village, Son Tinh District, Quang Ngai Province, RVN
 Occupation: Farm Girl
 Sex: Female
 Marital Status: Married

ME stated substantially as follows: Early one morning on the 18th day of the second month of the Lunar calendar, two years ago she was in her home with her husband Truong THI, age 33, her son Truong CO, age 3, and her cousin Truong HIEU, age 10. They heard gunfire in the Hamlet of Co Luy where they lived and they were all scared. Her husband ran from the home to an unknown location. Her cousin ran to his parents home in Co Luy and she fled the Hamlet with her son to a sub-hamlet named My Noi. During the mid afternoon she returned to Co Luy and the home of her mother, Pham Thi RAN, age 54. She found her mother and HIEU in the home dead from gunshot wounds, and the house had been set on fire. She then went to her home and found it had been destroyed by fire. She buried her mother and HIEU near the home of her mother and then left for My Noi where she met her husband about three days later. He told her that he hid in the fields and was not caught by the soldiers. Her husband is now a soldier in the Vietnamese Army somewhere in Quang Ngai. She saw many other dead bodies in the Hamlet that day but did not know who they were by name. She did not know of any American soldiers being in Co Luy before but recalled the ARVN soldiers had been there about four times and there was no trouble. She knew of no Viet Cong ever being in the Hamlet. She had no other relatives in Co Luy. She could not furnish any additional information pertinent to this investigation and ended by stating she knew of no rapes committed by American soldiers. A photograph of ME was obtained.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT	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.

STATEMENT (Continued)

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.

WITNESSES:

[Signature]
(Signature of Person Making Statement)

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

ORGANIZATION OR ADDRESS

[Signature]
SA NICHOLAS A. VOLZATZAKIS,
MSG, 5th SFGA, APO SF 96240

ORGANIZATION OR ADDRESS

[Signature]
(Signature of Person Administering Oath)

JUEL M. ROSES

(Typed Name of Person Administering Oath)

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

(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT