

HAI

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 City, RVN	DATE 15 Mar 70	TIME 1000	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.	GRADE CW2	
ORGANIZATION OR ADDRESS USACIDA, Task Force #2, Washington, DC			

SWORN STATEMENT

I, ARVIL JACKSON KIRK JR.

WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH.

Between 0945 - 1030 hours, 14 Mar 70 at Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN, Nguyen Thi HAI was interviewed by me in the presence of SP5 Jeffery M. JOHNSON, acting as interpreter. Personal Data of HAI is as follows:

NAME: Nguyen Thi HAI  
ID#: None  
ADDRESS: Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN  
DOB: 1952  
POB: My Hoi sub hamlet, Co Luy Hamlet, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
OCCUPATION: Fisherywoman  
EDUCATION: None, can not read or write.

HAI stated substantially as follows: She does not remember the date but on a day in Mar 68 she left her sub hamlet of My Hoi and was fishing a short distance away from My Hoi. About 0800 hours she heard shooting from the direction of her sub hamlet but could not see what was taking place. She returned to My Hoi about 1500 hours that day and saw many houses burned to the ground. They were thatch homes and she does not know how many were burned. She went to her home and found it burned to the ground. At the front of the family bunker she found her mother, Nguyen Thi HUE, age 51, dead. She had been shot once in the chest area. Inside the same bunker she saw the bodies of the following persons: BUNG, female, age 17; CHUA, female, age 14; CHOC, female, age 50; MAU, female, age 20; BUNG, male, age 15; XI, female, age 2 and SON, female, age 5. She did not know the full names of any of these persons. She stated that all had been sitting down inside the bunker. She stated that it appeared that a grenade had killed some of them for they had many little holes in them. Some of the persons also appeared to have been shot by bullets. Near the home of a person known only as Ba PHU, age 30, HAI saw the body of PHU and PHU's daughter, HOA, age 3. PHU had been shot but she saw no wounds on HOA. She stated that both had been burned very bad but she could not tell if they had been dead before being burned. She stated that it looked like they had been set on fire outside of the house for they were not in a bunker or a house. Also with the body of her mother was the body of a person just known as LA, a female age 55. She had been shot in the head. HAI stated that 97 people had been killed that day. She stated that this figure was determined by many different people counting dead and then they got together and added up the numbers which totaled 97. She did not see any other bodies other than those described above. She stated that there had been no Viet Cong in the village. She had no animals as her family earned a living by fishing. She did not see any gathering of many people dead other than what she saw in the one bunker. HAI could furnish no further information and affirmed that what she stated was the truth.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT A J K	PAGE 1 OF 2 PAGES
---------	--	-------------------

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

## 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.

## WITNESSES:

Walter M. J. Thompson  
SENTER, M. THOMPSON  
Co A, 519th Sst Bn, APO SF 96307  
 ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

A J K

Arvil J. Kirk Jr.  
 (Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15th day of March, 19 70 at Quang Ngai City, RVN

Thomas J. McGreevy  
 (Signature of Person Administering Oath)

THOMAS J. MCGREEVY

(Typed Name of Person Administering Oath)  
 Crim Inves, Art 135b(4), UCMJ

(Authority To Administer Oaths)