

CUONG

## 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 1630	FILE NUMBER
LAST NAME, FIRST NAME, MIDDLE NAME KIRK, Arvil Jackson Jr.	SOCIAL SECURITY ACCOUNT NO.		GRADE CW2
ORGANIZATION OR ADDRESS UWACIDA, Task Force # 2, Washington, DC			

## SWORN STATEMENT

I, ARVIL J. KIRK JR., <sup>AJK</sup> WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Between 1305 - 1330 hours, 14 Mar 70 at Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN, Nguyen Thi CUONG was interviewed by me in the presence of SP5 Jeffery H. JOHNSON, acting as interpreter. Personal Data of CUONG is as follows:

NAMES: Nguyen Thi CUONG  
 ID#: None  
 ADDRESS: Co Phu Hamlet, Tu Hien Village, Tu Nghia District, Quang Ngai Province, RVN  
 DOB: 1958  
 POB: My Hoi sub hamlet, Co Tay Hamlet, Son My Village, Son Tinh District, Quang Ngai Province, RVN  
 OCCUPATION: Fishergirl  
 EDUCATION: None, can read and write

CUONG stated substantially as follows: About 0800 hours, 18 Feb 68 of the lunar calendar, she was on the beach about 100 meters from her home in My Hoi. At this time she saw between twenty and thirty U.S. soldiers coming across the bridge from the mainland into My Hoi. The soldiers then went into My Hoi. She stated that she did not know at what point the soldiers began to fire their rifles but that they fired their rifles. She hid on the beach until the soldiers left about 1000 hours. She could not tell what the soldiers did when they got into My Hoi for she could not see them at that point. However, she stated that she saw them leave and went into the sub hamlet at this time. She then went to the home of the family with whom she lived and found them all dead in the family bunker. She found the bodies of her aunt, Ngo Thi MUOI, age 40; cousin, Luong Thi HU, age 14; Luong THANH, age 9, a cousin; Luong Thi CU, age 5, a cousin and Luong Thi DIEP, age 3, a cousin. MUOI was shot in the lower left side. HU was shot in the head. THANH was shot in the upper left chest. CU was shot in the left hip. DIEP was shot in the lower left part of the back. She was very much afraid and saw no other dead bodies. There were no family animals. She knew of no Viet Cong in the village, hamlet or sub hamlet. She stated that her real parents had been killed a long time ago and since that time she had lived with MUOI as a foster child. She could furnish no further information. CUONG affirmed that her statement was true as she remembers it. It should be noted that if CUONG was born in 1958 as stated, she would have been approximately ten years of age in March 1968.

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT AJK	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

STATEMENT (Continued)

AFFIDAVIT

I, ARVEL 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.

*Arvel J. Kirk Jr.*

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 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 136b(4), UCMJ

(Authority To Administer Oaths)

*Jeffrey M. Johnson*  
JEFFREY M. JOHNSON  
CO A, 519th Spt Bn, APO SF 96307

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

*AJK*