

WITNESS STATEMENT

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

BAY

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|---|-----------------------------|--------------|--------------|
| PLACE Quang Ngai City, RVN | DATE 16 Mar 70 | TIME 1845 | 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 J. KIRK JR., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

INVESTIGATOR'S STATEMENT

On 16 March 1970, attempts were made to locate Nguyen Thi BAY to clarify portions of her statement made to Criminal Investigator FIFER on 17 Dec 69. The records of the Quang Ngai Province Hospital, Quang Ngai City, RVN, reflect that BAY entered that hospital on 20 Dec 69 and was released to her own custody on 30 Dec 69. This was verified by Luong Thi LIEN, nurse. BAY's present whereabouts are unknown by officials of the hospital. Nguyen HUONG, a National Police representative at the hospital was interviewed. He has no record of HUONG and when shown a photograph of BAY, he was unable to recall having seen BAY. There was no record of BAY at the patients prisoner section, the prisoner interrogation center or the Quang Ngai City Prison. All efforts failed to disclose the whereabouts of BAY.

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| EXHIBIT | INITIALS OF PERSON MAKING STATEMENT AJK | PAGE 1 OF TWO 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.

AFFIDAVIT

ARVIL J. KIRK JR.

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.



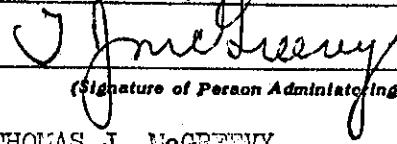
(Signature of Person Making Statement)

WITNESSES:


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

Subscribed and sworn to before me, a person authorized by law
to administer oaths, this 16th day of March, 1970
at Quang Ngai City, RVN

ORGANIZATION OR ADDRESS



(Signature of Person Administering Oath)

THOMAS J. McGREEVY

(Typed Name of Person Administering Oath)

Crim Inves, Art 136b(4), UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT



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