

26,120]

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

Dear Sir,

After having watched the story of the execution of Private Eddie Slovic and reading statistics on the number of men in the Army that were tried for the same offense and found guilty and also sentenced to death, could you please explain to me why only one such sentence was carried out. Why only one man's sentence was actually carried through?

Thanking you in advance for your cooperation in answering my question.

Yours truly,

Benny Mutch

26
DAAG-FA

3 APR 1974

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

Dear Mrs. Mutch:

This is in reply to your letter regarding the court-martial and execution of Private Eddie D. Slovik.

When judgment was passed on Private Slovik, this nation was engaged in an all-out war with a power which was dedicated to enslaving the world. The lives of thousands, both those on the battlefield as well as those in the infamous prisons of the Third Reich, depended upon the rapid prosecution and termination of the fighting. Shortly after Private Slovik's trial, American forces in Belgium were suffering heavy casualties in the Battle of the Bulge.

When the Army Assistant Judge Advocate General transmitted the Board of Review's decision in this case to General Eisenhower, the then Commanding General, European Theater of Operations, for his consideration in determining whether to approve and order the sentence executed, the following points were made. Private Slovik had performed no front line duty and his conduct demonstrated a deliberate intent to avoid such hazardous service by obtaining incarceration in a safe place. The sentence adjudged was more severe than he had anticipated, but the imposition of a less severe punishment would only have accomplished the accused's purpose of obtaining freedom from those dangers which his comrades were required to face daily.

All of the above factors should be remembered when attempting to understand Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

M/R Based on TJAG input.

DAAG-TCZ-C

SUBJECT: Court-Martial of Eddie Slovik, ASN 36896415

TO: JAAJ-CC

FROM: DAAG

DATE: 5 APR 1974

CMT NO 2

Mr. Miller/70922/be

1. Reference is made to DF from this office dated 20 March 1974 (Inclosure 1) which inclosed a letter to the President from Mr. and Mrs. Jim Leever. (Inclosure 2)
2. During coordination with the White House Liaison Office our reply based on input from your office, was not accepted because the specific points mentioned in the Leever's letter were not addressed from a legal standpoint. Colonel Plummer, White House Liaison Officer, directed this office to obtain legal consideration of these points.
3. Attached as Inclosure 3 is another case received by this office which requires coordination with the White House Liaison Officer and addresses specific points which no doubt will have to be answered.
4. In view of the above, request information which can be used in responding to the issues raised in these two letters.

FOR THE ADJUTANT GENERAL:

3 Incls
wd incl 1, 2, and 3
Added 3 incls
as

for *R. B. Belnap*
THOMAS E. MINIX
LTC, AGC
Executive Officer

R. B. Belnap
Special Advisor
To The Adjutant General



123/60

DAAG-TCE-C

SUBJECT: Court-Martial of Eddie Shovik, ASN 3886415

TO: JAA1-CC FROM: DAAG DATE: 5 APR 1974 CMT NO 2

Mr. Miller/10922/pe

1. Reference is made to DT from this office dated 20 March 1974 (Inclosure 1) which inclosed a letter to the President from Mr. and Mrs. Jim Leever. (Inclosure 2)

2. During coordination with the White House Liaison Office our reply based on input from your office, was not accepted because the specific points mentioned in the Leever's letter were not addressed from a legal standpoint. Colonel Plummer, White House Liaison Officer, directed this office to obtain legal consideration of these points.

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4. In view of the above, request information which can be used in responding to the issues raised in these two letters.

FOR THE ADJUTANT GENERAL:

H. E. Belsap
Special Advisor
To The Adjutant General

THOMAS E. MINIX
LTC, AGC
Executive Officer

3 Incls
wb incl 1, 2, and 3
Added 3 incls
as





Department of the Army
Office of the Adjutant General
Washington D.C. 203010

Atten: Major General Bowers

[1174]

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

Mrs. Robert J. Mutch, Sr.
10 Bell Avenue
Fords, New Jersey 08863

April 7, 1974

Dear Major General Bowers,

I would like very much to thank you for the letter you sent in response to my inquiries on Private Slovik. You helped me to understand what was going on around Private Slovik at the time and so ultimately why the decision was made and carried out.

I sincerely want to thank you again and wish you and yours a very happy Easter.

Yours truly,

Benny Mutch

JAAJ-CC (CM 290498)

SUBJECT: General Court-Martial Eddie Slovik, ASN 36896415

TO: DAAG

FROM: JAAJ-CC

DATE: 9 Apr 74

CMT 3

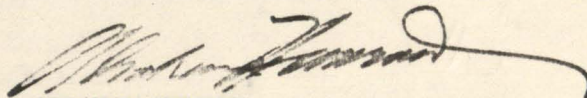
Mr Nemrow/pwc/756-1888

1. A review of the allied papers accompanying the record of trial in the subject case indicates limited information available to answer the general queries set forth in the inclosed letters.

2. It is our view that the questions pertaining to benefits to survivors of members of the Armed Forces should be answered by officials of the Veterans Administration. We note that the statute pertaining to NSLI payments provides: "No insurance shall be payable for death inflicted...for military...offenses."

3. The Pardon Attorney, Department of Justice, opined in a letter, dated 9 September 1960, that the President is without authority to grant a posthumous pardon, as delivery and acceptance are prerequisite to the validity of a pardon.

FOR THE JUDGE ADVOCATE GENERAL:



ABRAHAM NEMROW
Clerk of Court

3 Incl
nc

The guidance in para 3 is still valid according to Mr. Stephenson, Deputy Pardon Attorney.

*Thomas C. Lane
CPT, FA6C
DATA-CL
23 Nov 76*



Mr. Charles R. Newman
10091 Flanner Ave.
Garden Grove, California 92640

**RETURN RECEIPT
REQUESTED**



(VIA-AIR-MAIL)

CERTIFIED
No. 503085
MAIL

MR. HOWARD S. CALLAWAY
SECRETARY OF THE U.S. ARMY
THE PENTAGON
WASHINGTON, D.C. 20310

AIR MAIL

(VIA-AIR-MAIL)

DEFENSE REGISTERED
PENTAGON
APR 19 1974

C611203

OFFICE OF THE ADJUTANT GENERAL

MEMO 11 April 74

Mr Jack Miller
OWACE

Returned with thanks.
Gen Bowers took attached
to the DCSPER meeting
this morning to let
them be aware of responses
we are getting.

Dick

Certified Letter # (503085)

RECEIVED
ADMINISTRATIVE
GROUP

APR 22 12 35

OFFICE

SECRETARY OF

Mr. Howard S. Callaway
Secretary Of Th Army
The Pentagon
Washington D.C. 20310

Mr. Charles R. Newman
10091 Flanner Ave.
Garden Grove, Calif. 92640

April 17th, 1974

Dear Mr. Secretary,

On Wed. evening March 13th, 1974 I saw and watched completely the TV Program which of course showed in min-ute detail the Execution of Private Eddie D. Slovik which took place in France at the near close of World War Two on Jan. 31st, 1945. I must say Mr. Secretary that as the events unfolded regarding this matter, I became deeply concerned regarding it.

As you are probably well aware sir, during World War Two 49 men were signed up for execution, of the 49 men, Private Eddie D. Slovik was the only service man to have this sentence completely carried out as History records it etc.

My main concern right now is for Mrs. Antoinette Slovik. It is certain that we cannot undo what was done to Private Slovik himself way back there on Jan. 31st, 1945. However, Mrs. Slovik is still living as you may or may not be so aware of. I certinly feel (in my opinion) that she (Mrs. Slovik) deserves something from our Government in return for the years of suffering she has had to ensure over this terrible mistake. To me, this was and is a total disgrace to the then Army of 1945.

If I recall right Private Slovik was executed near St. Marie Aux Mines, France on Jan. 31st, 1945. This took place by a 12 man firing squad in deep snow at that time. I would like you to look up in old Army records there and see if you may be able to locate John Tankey who is still living and now 59 years of age, and let me have his last known address. I must also confess Mr. Secretary that I was quite angered at the time I saw this documentary and read articles about it in the papers. Therefore, I have waited until now, to try to write a sensible and understanding and intelligent message to you regarding this matter.

John Takney, (mentioned above) was one of Private Slovik's old Army buddies, hence, the reason for my wanting to contact him as well. What I am striving for regarding this matter simply is this, firstly, Mrs. Slovik lives near Detroit, Michigan now and is aged near 60 now, she also lives on only about \$160.00 a month Social Security payments, she has never re-married. These reports I have been able to derive from the newspapers. Now, I feel personally that the U.S. Army owes Mrs. Slovik the \$10,000 insurance money that she should have had way back when, as Private Slovik was never AWOL, also she should be given a pension, on a monthly basis of some sort for sure in my opinion.

As I well recall, it was approximately 7 years after the actual execution of Private Slovik until the U.S. Army at that time finally told Mrs. Slovik as to what had actually happened to her husband, Private Eddie D. Slovik! Prior to that time and immediately after the execution, Mrs. Slovik was told that her Husband died under strange circumstances. This indeed to me would appear to be a way to sidestep the matter at hand at that time and certainly is not really in keeping with the general policies of our way of life in this great Country of ours including of course the policies and regulations of the Military as well, here in this case, the United States Army of course.

I do not know, nor have never met or corresponded with Mrs. Slovik, and am totally hopping into this matter of my own valitation, this matter has bothered me since I firstly became aware of it on March 13th, 1974. I beleive that a great injustice was done regarding this matter back then, and that now, Mrs. Slovik can be taken care of and should be taken care of by all means by our Government for the terrible misjustice that has nonethless been done to her over the years.

Surely I shall hope to hear from you personally as to what you can or will actually do regarding this matter. I fully intend to strive to see that Mrs. Slovik is given something from our Government for her suffering all these years. I am personally aquainted with one of the Governor's of one of our Great States here in the United States, however, prior to writing to him and having him to intercede directly with the President, I wanted to firstly write to you and see what you personally will do regarding this matter before proceeding further up the line etc.

So, if you will write me soon and let me kbow what your intentions will be regarding this matter, I shall greatly appreciate it Mr. Secretary. I realize fully that you have a terribly busy schedule, however, I feel certainly that this matter deserves the utmost attention in that Mrs. Slovik has certainly suffered enough in my view over the years for this rather tragic mistake that was made by the then U.S. Army of 1945. Awaiting your reply I remain,

cc/ Three Copies Complete.

Very Truly Yours,
Mr. Charles R. Newman
Mr. Charles R. Newman
CA

Susan Smith
132 Via Undine
Newport Beach
California 92660



Richard M. Nixon
The President of the United States of America
The White House
Washington, D.C. 20501

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Ms. Susan Smith
132 Via Undine
Newport Beach
California 92660

April 17, 1974

TO DOD - FOR DIRECT REPLY
DATE APR 22 1974

Mr. Richard M. Nixon
President of the United States of America
The White House
Washington, D.C. 20501

Dear Mr. President:

I have just finished reading the Execution of Private Slovik. As a member of the generation whose sons and brothers died in the Viet Nam conflict I was sicked by what I read. It seems to me that the United States Military Complex made a terrible mistake.

Although I realize there are many important issues confronting you at this time I pray you can do something to compensate Mrs. Slovik for her loss and suffering. At a time when we are attempting to heal deep wounds of this most recent war, perhaps we can also find time to close this scar on our past.

I understand the magnitude of the man's supposed transgression. I do however feel that there is no correctness in the logic that a man's inability to serve in the front lines makes him undeserving of the right to life. This is a problem which we confronted in the 1960's; men willing to serve in some sort of non-combative role yet refusing front-line duty. Would we have been correct to have shot every man in Southeast Asia or at home who refused to fire his rifle? I doubt that the American people would have stood for that, and it is quite obvious that had they known about the pending execution of Private Slovik that they would have not have condoned the Army's action in that matter.

In a time when the question of amnesty is becoming more controversial with each day, should not amnesty begin with Eddie D. Slovik? Perhaps we (the people of the United States) asked more of this man than he was capable of giving.

I hope we can now in retrospect acknowledge our mistake and atleast pay Mrs. Slovik both the insurance and the other benefits she so obviously deserves.

Sincerely:

Susan Smith

Susan Smith

WH 5472

RECEIVED

A

Ms. Susan Smith
133 Via Umbine
Newport Beach
California 92660

April 17, 1974

TO DOD - FOR DIRECT REPLY
DATE APR 23 1974

Mr. Richard M. Nixon
President of the United States of America
The White House
Washington, D.C. 20501

Dear Mr. President:

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Sincerely,



Susan Smith

U S DEPT OF DEFENSE

24 APR 24 0 46

WH 5475

RECEIVED



[261, 24]

26481 Via Gorrion
Mission Viejo, California 92675



THE PRESIDENT

THE WHITE HOUSE

WASHINGTON, D. C.

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23

MILITARY ASST. TO PRES. A

26481 Via Gorrion
Mission Viejo, California 92675
April 19, 1974

TO DOD - FOR APPROPRIATE HANDLING

DATE APR 24 1974

The President
The White House
Washington, D. C.

Mr. President:

Hopefully, you are aware of the recent notoriety lended to the television film entitled: "THE EXECUTION OF PRIVATE SLOVIK." After the film was aired, I was compelled to read the book to ascertain similarity of fact. The book, in my opinion, more vividly details the atrocity committed against Mr. Slovik than the film.

I feel that it is imperative that some degree of restitution be afforded Mrs. Slovik. Certainly, she should receive Pvt. Slovik's insurance monies. This is such a small token when compared to the injustice done to both of them. Further, every effort should be made to have Eddie rest besides the other men who gave their lives for their country.

When apprised of the facts, it is inconceivable to me how one could judge the man a coward. He simply stated his limitations and made no secret of the fact that he would go to any means not to have to fight. Hasn't it been said that a wise man knows his limitations? Assuredly, he did not steal away in the dark of the night as is the way of a true coward. His sentence did not befit the crime!

Mr. Huie, the author of the book, states that this execution caused considerable embarrassment to many men in esteemed positions. However, too much time has passed and embarrassments should be asided so the entrinsic values our men died for can be upheld.

Purportedly the execution was done as a deterrent to future deserters, yet no one knew it [the execution] had taken place save for those few involved. Surely, this in itself is some admission of guilt on the powers that be.

Being a compansionate man, and one who also has been unjustly accused, I pray you will use the influence of your Office to take whatever measures necessary to see that some form of justice is carried forth.

Respectfully yours,

Patricia G. Smith

WH 5577

A

CP 1123

26481 Via Gorton
Mission Viejo, California 92675
April 19, 1974

M. L. ...
APR 21 1974

TO DOD - FOR APPROPRIATE HANDLING

DATE APR 21 1974

The President
The White House
Washington, D. C.

Mr. President:

Hopely, you are aware of the recent notoriety lended to the television film entitled: "THE EXECUTION OF PRIVATE SLOVAK." After the film was aired, I was compelled to read the book to ascertain similarity of fact. The book, in my opinion, more vividly details the atrocity committed against Mr. Slovik than the film.

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Being a compassionate man, and one who also has been unjustly accused, I pray you will use the influence of your Office to take whatever measures necessary to see that some form of justice is carried forth.

Respectfully yours,

Robert A. Smith

RECEIVED
WH 5277
26 APR 24 04 30
DEF SECY OF DEFENSE

A

DAAG-TCZ-C Slovik, Eddie D.
(19 Apr 74)

29 APR 1974

Ms. Patricia G. Smith
26481 Via Gorrion
Mission Viejo, CA 92675

Dear Ms. Smith:

On behalf of President Nixon, I am replying to your letter of 19 April 1974 regarding benefits for the widow of Private Eddie D. Slovik.

As much as he would like to, the President cannot reply personally to every communication he receives. Therefore, he has asked the departments and agencies of the Federal Government to reply in his behalf in those instances where they have special knowledge or special authority under the law. For this reason, your correspondence was forwarded to officials of the Department of the Army.

Although I appreciate your interest in the welfare of Mrs. Slovik, the nature of the offense for which Private Slovik was convicted precludes the granting of benefits or assistance by the Department of the Army. Benefits or assistance, which may be available to her from other agencies of the Federal Government are determined by the specific agency involved.

Sincerely,

Verne L. Bowers

VERNE L. BOWERS
Major General, USA
The Adjutant General

cc DACS-XSW (2)
WH Case 5577

RETURN TO OMARC,
TAGO Dallas