

~~CONFIDENTIAL~~

(GCMO 27, 23 Jan 1945, contd)

"HEADQUARTERS, 28TH INFANTRY DIVISION
APO 28, U. S. ARMY
27 November 1944

In the foregoing case of Private Eddie D. Slovik, 36896415, Company G, 109th Infantry, only so much of the sentence as provides that the accused be shot to death with musketry is approved and the Record of Trial forwarded for action under Article of War 48.

s/ Norman D. Cota
t/ NORMAN D. COTA
Major General, U.S.A.
Commanding"

The action of the confirming authority is:

"HEADQUARTERS
EUROPEAN THEATER OF OPERATIONS
UNITED STATES ARMY

In the foregoing case of:

Private Eddie D. Slovik, 36896415,
Company G, 109th Infantry,
the sentence, as approved, is confirmed. Pursuant to Article of War 50 $\frac{1}{2}$,
the order directing the execution of the sentence is withheld.

s/ Dwight D. Eisenhower
t/ DWIGHT D. EISENHOWER
General
United States Army
Commanding.

23 December 1944."

The sentence having been modified and approved by the convening authority, confirmed by the Commanding General, European Theater of Operations, and Article of War 50 $\frac{1}{2}$ having been complied with, will be carried into execution on 31 January 1945, at 109th Infantry Area, France.

The act of execution will be under the direction of the Provost Marshal, 28th Infantry Division.
(CM ETO 5555)

By command of General EISENHOWER:

R. B. LORD,
Major General, GSC, Deputy Chief of Staff.

OFFICIAL

R. B. LOVETT,
Brigadier General, USA, Adjutant General.

DISTRIBUTION: M
(Special)

~~CONFIDENTIAL~~

ROBERT N DE FINIS
523 EDMONT AVE
LANSDALE PA. 19446

C/O FRANCIS X PLANT
DEPUTY ASSISTANT SECRETARY
OIA REVIEW BOARDS
AND
PERSONAL SECURITY
THE PENTAGON,
WASHINGTON D.C. 20310

CM ETO 5555

U N I T E D S T A T E S)
vs.)
Private EDDIE D. SLOVIK)
(36896415), Company G.)
109th Infantry)

28TH INFANTRY DIVISION
Trial by GCM, convened at
Roetgen, Germany, 11 November 1944.
Sentence: To be shot to death with
musketry.

A PERSONAL REVIEW, COMPILED AND EDITED BY PRIVATE
EDDIE D. SLOVIK'S ARMY APPOINTED DEFENSE COUNSEL

MAJOR EDWARD PATRICK WOODS,
INFANTRY, ARMY OF THE
UNITED STATES, (RETIRED)

CONFIDENTIAL



RECORD OF TRIAL

of

Slovik Eddie F. 36896415
(Last name) (First name and middle initial) (Army Serial No.)

Private Company 1, 109th Infantry
(Rank) (Organization)

AFPC 28, U. S. Army
(Station)

by

GENERAL COURT-MARTIAL

appointed by the Commanding General of the

28th Infantry Division

Tried at

Notzen, Germany

11 November, 1944

Received
26 DEC 1946 3 AM.
Board of Review
OJAG-1000A
J.P.

CHECKED AND PASSED:

Chief of Division

Examiners' Section

.....

**CLASSIFICATION
CANCELLED**

20 JUL 1953

By Authority of TJAG

By *Carl E. Williamson*

CARL E. WILLIAMSON
Lieutenant Colonel, JAGC
Assistant Executive

THIS PAGE IS BARELY READABLE. IT WAS THE COVER FOR THE ENTIRE TRANSCRIPT OF THE RECORD OF TRIAL. THIS CONSISTS OF THE INVESTIGATING OFFICERS REPORT AND SUPPORTING DOCUMENTS, THE TRIAL PROPER, AND THE SUBSEQUENT REVIEWS AND OTHER RELATED PAPERS. IT'S MOST IMPORTANT SIGNIFICANCE IS THAT IT DECLASSIFIES THOSE PAPERS THAT WERE MARKED "SECRET"--"CONFIDENTIAL"--"Restricted."

EPJ

4408 5515

Level 3

(WRITE NOTHING ABOVE THIS LINE)

CHARGE SHEET

WFO 28, US ARMY, 17 October, 1944
(Place) (Date)

Name, etc., of accused Slavik, Eddie D. 36896415 Private Company G, 109th Infantry
(Give last name, first name, and middle initial in that order followed by serial number, grade, company, regiment, arm

or service, or by other appropriate description of accused. Alias names, etc., to follow in same manner)

Age 34 2/12 Pay, \$60.00 per month. Class E Allotments to dependents, \$15.00 per month.
(Base pay plus pay for length of service) Class F Deduction: 22.00 per month
Government Insurance deduction, \$ 2.70 per month.

Data as to service: Inducted Ed #3, Detroit, Michigan, 3 Jan 44; assigned B-59 Inf Reg Bn,
(As to each terminated enlistment, give including dates of service and organization in which serving at termination. As to
Cp Holters, Tex 31 Jan 44; attached GFRB, 1st Lt grade 11 July 44; attached to
current enlistment, give the initial date and the term thereof. Give similar data as to service not under an enlistment)
GFRB 14 Aug 44; attached to 3rd Replacement Depot 14 Aug 44; assigned to Co G,
109 Inf.

Data as to witnesses, etc.: FOR PROSECUTION: Ralph O. Grotte, Capt., Cndg Co. G, 109th I
(Give names, addresses, and note if for accused. List documentary evidence and note where each item thereof
1st Lt. Edward P. Hillinesworth, Co. G, 109th Inf; Capt. David B. White, Asst
may be found)
Adj Gen, Hq, 28th Inf Div; Capt E. L. McLeod, Personnel Officer, 109th Inf.

Documentary Evidence: Extract SO 94, Hq 3rd Repl Depot, 19 Aug 44.
Extract SO 183, Hq 28th Inf Div, 26 Aug 44.
Extract Morning Report, Co G, 109 Inf, 9 Oct 44.

FOR THE DEFENSE: None

Data as to restraint of accused: Confined at Recinental Prisoner of War Incl., 9 Oct 44
(Give date, place, and initial date of any restraint of accused)

Confined Division Prisoner of War Inclosure 26 October 1944.

W. D., A. G. O. Form No. 115
April 2, 1938

(1)

v 5555

(LEAVE THE SPACE ABOVE THIS LINE FOR BINDING)

APO 50, 505 USAPP

21 Oct, 1944

Subject: Court-Martial Charges against Private Cecil D. Slovik, Co. 1, 109th Inf.

To: Commanding Officer 109th Infantry.

1. In compliance with paragraph 32, M.C.M., there are forwarded herewith court-martial charges which it appears probable will not be disposed of either under A.W. 104 or by reference to a summary court-martial, signed by me as accuser against the person subject to military law named above.

2. Summaries of expected testimony upon which the charges are based are attached.²

3. Documentary evidence upon which the charges are based is attached, as follows:

- Extract SO 94, Hq 3rd Repl Depot 19 Aug 44
- Extract SO 183, Hq 88th Inf Div 26 Aug 44
- Extract Morning Report Co 1, 109th Inf 9 Oct 44

4. There is attached evidence of no previous convictions of accused, taken from his Service Record or other sources, which may be considered by the court in case of a conviction upon the present charges.³

5. Character of accused's service prior to offenses here charged: Poor

6. In my opinion he should be eliminated from the service⁵

7. I recommend trial by General court-martial.

THIS SHOULD HAVE BEEN EXTRACTED FROM SLOVIK'S SERVICE RECORD WHICH STATED "GOOD" AND "FAIR"

Incls.:

- Charge Sheet
- Summaries of Expected Testimony
- Documents listed in par. 3 and 4

Ralph O. Morris

RALPH O. MORRIS

Captain, 109th Infantry
Immediate Commander of Accused.

¹ This letter will be addressed to the company or other immediate commander of the accused (if this officer is not himself the accuser), and signed by the accuser immediately following paragraph 3. The company or other immediate commander will enter his "Forwarding Indorsement" (not numbered) to the regimental commander or other officer exercising court-martial jurisdiction, immediately following the signature of the accuser, so as to include the concluding paragraphs of the form. In case the company or other immediate commander is also the accuser, the letter will be addressed directly to the regimental commander, or other officer exercising court-martial jurisdiction.

² Summaries of expected testimony may be brief and informal.

³ Use the form provided if there are any previous convictions to be considered; if not, enter "no" in the blank space. This entry will be accepted as the company commander's certificate that there is no evidence of previous convictions to submit.

⁴ Enter "Excellent", "very good", "good", "fair", "poor" or "unknown", and such other comment as may appear appropriate.

⁵ Enter "should" or "should not". Add statement of reasons, e.g. "because of moral turpitude involved", or other appropriate comment in explanation of opinion and recommendation.

5555
5555

(LEAVE THE SPACE ABOVE THIS LINE FOR BINDING)

Private Eddie D. Slovik
(name of accused)

1st Ind.

Hq. 109th Infantry, APO 28, U.S. Army 22 October, 1944

To: Lt. Colonel William F. Train, Executive Officer, 109th Inf.

You are hereby designated to investigate, in accordance with the provisions of the 70th Article of War, paragraph 35a, M.C.M., and the supplemental Notes for Investigating Officers, locally supplied, the charges herewith dated 22 October 1944 against the accused named above.

By order of the Commanding Officer:

John E. McDonald
JOHN E. McDONALD Ass't Adjutant
WOJG, USA

Incls:
No change.

2nd Ind.

Investigating Officer, Lt. Col. Train 24 October, 1944

To the Commanding Officer 109th Infantry, APO 28, U.S. Army

Report of Investigation of Charges

1. The charges herewith have been investigated, as directed. The accused was informed at the outset of the purpose of the investigation, was acquainted with the charges against him and the evidence upon which they were based. His rights and privileges during and incident to the investigation were fully explained. Witnesses requested by him, and other witnesses whose expected testimony was not fully and satisfactorily indicated in statements attached to the charges (see page 25, M.C.M.) were thereafter, if reasonably available, examined by me in his presence. He was allowed to examine and cross-examine witnesses as he wished, with my assistance, and to make such statements and arguments as he wished in his own behalf, after due warning as to his rights and privileges.

2. The Summary of Evidence attached hereto includes all the substantial evidence I have been able to find, for and against the accused, or sufficient evidence to fully establish whether each specification and charge can be sustained.

3. In my opinion the following specifications and charges are not sustained by the evidence:

4. Lesser Included Offenses (to be substituted for charges not-sustained):
None

5. Additional Charges recommended: None

6. Further Amendments or Corrections of Charges recommended: None

THE SPECIFICATIONS AS ORIGINALLY DRAFTED WERE SUFFICIENT AS THE INVESTIGATING OFFICER STATED ABOVE; AND IN MY OPINION SHOULD NOT HAVE BEEN REDRAFTED. PLEASE REVER TO PAGES 13 & 14 paragraph 2

7. Except as indicated above, it is my opinion that all the specifications and charges, including additional charges, are correct in form and are sustained by the evidence.

8. I have no reasonable ground for belief that the accused is, or was at the time of any offense charged, mentally defective, deranged, or abnormal.

AS IN ALL CASES CHARGED WITH DESERTION THE INVESTIGATING OFFICER IN THIS CASE SHOULD HAVE MADE A STATEMENT "PHYSICALLY FIT FOR DUTY" OR "PHYSICALLY UNFIT" 5555

I DID NOT KNOW LT COL TRAIN EXCEPT BY REPUTATION. HE WAS CONSIDERED BY THOSE THAT KNEW HIM A VERY FINE OFFICER DUE TO THE COMPLEXITY OF THE COURT MARTIAL FORMS AND THE CLOSE INVOLVMENT WITH THE GERMAN ARMY AT THIS PARTICULAR POINT IN TIME, THIS IS CONSIDERED BY ME AN UNDERSTANABLE OVERSIGHT AND DID NOT SERIOUSLY PREDUDICE PRIVATE SLOVIK

(LEAVE THE SPACE ABOVE THIS LINE FOR BINDING)

SUMMARY OF EVIDENCE
in case of

Slovik, Addie D. 36196415 Company G, 109th Infantry
(Last name) (First name and middle initial) (Army Serial No.) (Rank) (Organization)

EXPECTED TESTIMONY

Witnesses named below will testify in substance as appears after their respective names:

Statements attached as follows:

Ralph O. Grotte, Captain, Co. G, 109th Inf.
Edward P. Killingsworth, 1st Lt., Co. G, 109th Inf.
David D. White, Captain, Asst Adj Gen, Hq 28th Inf Div.
E. L. McLeod, Captain, Personnel Officer, 109th Infantry
Thomas F. Griffin, 2nd Lt., CMP, Military Gov't., 112th Inf.
John W. Ellis, Staff Sgt., Company G, 109th Infantry
Coyd A. Fouts, Sgt., Company G, 109th Infantry
George F. Thompson, Private, Company G, 109th Infantry
John F. Tankey, Private, Company G, 109th Infantry

HEADQUARTERS SECOND BATTALION
109TH INFANTRY
APO 28 U.S. ARMY

A F F I D A V I T

Personally appeared before me the undersigned, authorized by law to administer oaths, one Ralph O. Grotte, Captain, O-1290237, Company G, 109th Infantry, who being duly sworn, deposes and says:

Upon questioning by me, Pvt. Eddie D. Slovik, 36896415, Company G, 109th Infantry, stated that on 25 August 1944, he was a member of this company, and that the company was ordered to leave foxholes, and move out to a new position. He stated that he thoroughly understood the order, and decided not to accompany the organization. Instead, he remained in his foxhole until after the company moved out. The following day, 26 August 1944, he joined the Canadian M.P.'s and remained there until on or about 4 October 1944.

Upon arrival at Company CP Pvt. Slovik reported to me where upon questioning he made above statement. I assigned him to the Fourth Platoon and turned him over to Lt. Owens, the Platoon Leader. I also gave him explicit instructions not to leave the company area without my permission. He said, "Yes Sir," I then asked him if he thoroughly understood my instructions, he again said, "Yes Sir." The Platoon Leader then took him to his platoon area where he was introduced to his squad leader.

At 1700 Pvt. Slovik, without proper authority, approached me and requested that he be placed under arrest. I asked him why. He answered, "I want a court martial for being AWOL." I then placed him under arrest, and guards returned him to his platoon area.

At about 1800, 8 October 1944, Pvt. Slovik inquired of me, "If I leave now will it be desertion?" I answered, "Yes." He then left me and went off in the direction of his platoon area, and has not been seen since.

Further dependent sayeth not.

Ralph O. Grotte
RALPH O. GROTTÉ
Captain, Infantry
Commanding, Company G, 109th Inf.

Subscribed and sworn to before me this 13th day of October 1944.

Henry P. Dobbin
HENRY P. DOBBIN
Captain, Infantry
Adjutant

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Slovik, Eddie D. 36896415 Company G, 109th Infantry

HEADQUARTERS SECOND BATTALION
109TH INFANTRY

APO 28 U.S. ARMY

A F F I D A V I T

Personally appeared before me the undersigned, authorized by law to administer oaths, one Edward P. Killingsworth, 1st Lt. O-1296385, Company G, 109th Infantry, who being duly sworn, deposes and says:

On 8 October 1944 at about 1700 Pvt. Eddie D. Slovik, after being assigned to a platoon by the Company Commander and reporting to same, approached me and said he would like to be placed under arrest for desertion. I asked him why he wished to be put under arrest and he said he had deserted his organization on or about 25 August 1944, when the company moved to another position and he failed to accompany the other members of his unit. I asked him if he knew that desertion was a very serious charge and he said yes. I also explained to him and informed him of the penalties a court martial would impose on him on a charge of desertion if found guilty, and then asked him if he still wished to be placed under arrest and tried for desertion. The answer to this question was yes. He said he knew if the company went to the front he would desert again. I then referred him to the Company Commander.

Further dependent sayeth not.

Edward P. Killingsworth
EDWARD P. KILLINGSWORTH
1st Lt. Infantry
Company G, 109th Infantry

Subscribed and sworn to before me this 13th day of October 1944.

Henry P. Dobbin
HENRY P. DOBBIN
Captain, Infantry
Adjutant

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Slovik, Eddie D. 36896415

Company G, 109th Infantry

HEADQUARTERS, 28TH INFANTRY DIVISION
APO 28, U. S. ARMY

17 October 1944.
/vw

MEMO :

TO : Whom it may concern.

To the best of my knowledge, Private Slowik was picked up at the Third Replacement Depot on 24 August 1944, by a representative of the 28th Infantry Division and held in 28th Division Casual Company overnight. He was assigned verbally to the 109th Infantry Regiment and was turned over to the Personnel Officer on 25 August 1944. Special orders were issued on 26 August as indicated in attached extract.

early afternoon at Donwill, France
David D. White
DAVID D. WHITE,
Captain, AGD,
Asst Adj Gen.

Slovik, Eddie D. 3689416 Company G. 109th Infantry

HEADQUARTERS, 109TH INFANTRY
APO 28, U. S. ARMY

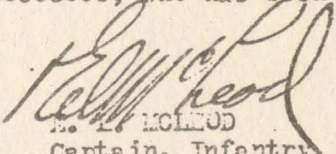
S T A T E M E N T

23 October 1944.

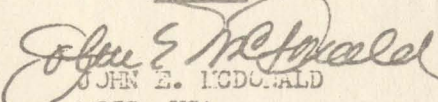
On or about 25 August 1944, in the vicinity of Damville, France, I received from Captain David D. White, Assistant Adjutant General, 28th Infantry Division, one hundred twenty-nine (129) replacements assigned to the 109th Infantry.. I broke them down to company assignments. Fifteen (15) were assigned to Company G, including Private Eddie D. Slovik. I then personally transported them to the Regt'l Command Post, located near Elbeuf, France, where I turned the second battalion replacements over to Captain Henry P. Dobbins, Adjutant, Second Battalion.

Private Slovik was never dropped from duty to AWOL on the Morning Report of Company G about 25 August 1944. There is no entry showing him AWOL to duty about 8 October 1944, when he was returned to his company. An entry appears 9 October 1944 showing return to his company. Telephone inquiry 17 October 1944 indicates that neither his company nor battalion knew of his return. 1st Sergeant John C. Merkel, 20301165, Regimental Headquarters Company, advised that he is confined in the Regimental PW Inclosure.

An extract from First Army Provost Marshall, List No. 6, attached hereto, indicates that he was turned over to 507th MP Battalion, 7 October 1944. A letter from the Canadian unit to which the soldier attached himself during his absence is in the hands of 1st Sergeant John P. Bruch, 20303006, who has been evacuated.


R. E. MCLEOD
Captain, Infantry
Personnel Officer.

Sworn and subscribed to before me
this 23 day of October 1944.


JOHN E. McDONALD
WOJG, USA
Assistant Adjutant.

66 5555

Sheet No. 5

18, 1977

18

2

290498

June 24th 1977

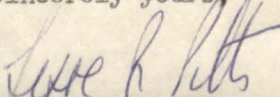
The Judge Advocate General, United States Army
The Pentagon
Washington
D.C.

Dear Sir:

I am writing to you hoping that you are the right person, or hoping that you will be kind enough to forward my request to the proper party:

1. Concerning the Review Board which agreed to reppen the hearings into the execution of Private Eddie Slovik. I would like to have the names of the members of that Review Board.
2. I would also like to receive the report of that Review Board when it makes its final recommandation. I assume the report will be public.

Sincerely yours,



Jesse R. Pitts
207 William
Rochester
Michigan 48063.

SPMR

8 JUL 1977

Mr. Jesse R. Pitts
207 William
Rochester, Michigan 48063

Dear Mr. Pitts:

This is in reply to your letter of 24 June 1977 concerning the case of Eddie D. Slovik.

The Army Board for Correction of Military Records is precluded by law (Privacy Act) from furnishing anyone, other than the applicant and her designated counsel, with the proceedings of the Board. The Board that considered the case on 15 and 29 June 1977 was composed of Messers Gordon M. Hobbs, Charles R. Woodside, Jack N. Miller, James C. Hise and James L. Stroud.

Sincerely yours,

Raymond J. Williams
Executive Secretary
Board For Correction
Of Military Records

OMPF

DISPOSITION FORM

For use of this form, see AR 340-15; the proponent agency is The Adjutant General's Office.

Tyler

REFERENCE OR OFFICE SYMBOL

SUBJECT

CM 290498

Court-Martial of Private Eddie Slovik

TO	FROM	DATE	CMT 1
ABCMR Rm 1E517, Pnt	JAAJ-CC	1 Jul 77	Hearrell/pls/756-1758

1. Attached letter forwarded as a matter pertaining to your office.
2. The writer has been informed of this referral (Incl 2).

FOR THE JUDGE ADVOCATE GENERAL:

James D. Kemper, Jr

JAMES D. KEMPER, JR.
Clerk of Court

- 2 Incl
1. Ltr dtd 24 Jun 77,
fm Mr. Pitts
 2. JAAJ-CC ltr dtd 1 Jul 77

RECEIVED

41 MR 2 JUL 77

RECEIVED



DISPOSITION FORM

For use of this form, see AR 140-10. The processing agency is The Adjutant General's Office.

REFERRING OFFICE SYMBOL

SUBJECT

OM 290498

Court-Martial of Private Eddie Slovik

TO

ABCMR

Rm 1B517, Bmt

FROM

1AAJ-CC

DATE

1 Jul 77

CMT 1

Hearnell\pla\756-1758

- 1. Attached letter forwarded as a matter pertaining to your office.
 - 2. The writer has been informed of this referral (Incl 2).
- FOR THE JUDGE ADVOCATE GENERAL:

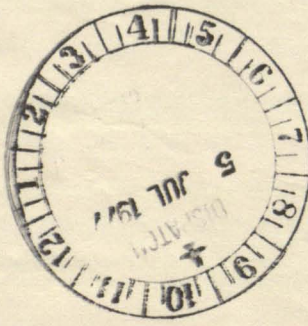
James D. Kemper, Jr.

JAMES D. KEMPER, JR.
Clerk of Court

2 Incl

1. Ltr dtd 24 Jun 77,
fm Mr. Pitts

2. 1AAJ-CC ltr dtd 1 Jul 77



ARMY HEADQUARTERS
OF MILITARY RECORDS

1977 JUL 6 PM 3 14

RECEIVED

General Walter F. Kerwin, Jr.
Vice Chief of Staff, US Army
The Pentagon
Washington, D.C.

Dear Sir,

13 Aug 77

I understand an Army Review Board or the like ruled or upheld the decision on the Soldier (Ilovik I believe) who was put to death for unacceptable actions in World War II. As a result of the ruling the Soldier's widow will not receive his G.I. Insurance. I do not understand the denial of his insurance if in fact she were and is his beneficiary for he is dead and died in the Army and somehow she should not be denied this money but this is my opinion. I do not really see the connection. Anyway please explain to me why the Soldier's widow cannot be paid his G.I. Insurance. Is it an Army rule or the law that denies the benefit? She obviously needs the money and not giving it to her I believe kicks the US Army in the guts. In other words uphold the conviction - if correct - but give her the G.I. Insurance money for he is dead and she has lost his ability to provide for her. If the Soldier were getting the money then that would be another matter. Does not this make sense? In other words this is not Army back pay but insurance money as I understand it.

I only seek a free public response to my letter and

I may not have the facts correct. It seems like the VA runs GI Insurance anyway at the exclusion of the Army for I have to go to the VA to increase my GI Insurance allotment and not to the Army. I can see line-of-duty in some benefits but not in insurance and death. One really wonders who runs the US Army sometimes and of course 1953 and my GI Insurance comes to my mind but I shall not go into that case. But between the Finance Office and Ft. Sill and the Air Force Base in Blue in Waco, Texas I really had it put to me. However my only interest in this letter is in Mrs. Slovik and she does not appear to have long to live. Maybe President Jimmy Carter will give her a crumb or the US Congress possibly should change the GI Insurance laws so the beneficiary is not punished or made to suffer for a Soldier's stupidity or cowardice or human frailty.

Sincerely,

Charles E. Conaway, Lt Col US Army (Ret)
7 B St., West Apt.
St. Augustine Beach, Fla.
32084

COVER SHEET

MEMO
FOR

- DTAG
- TAG
- ADCSPER
- DCSPER
-

ACTION OFFICER
J N Miller

DATE
19 Aug 77

TELEPHONE NO OFFC/DIR
70922 RCLO

SUBJECT

National Service Life Insurance - Eddie Slovik

- INFORMATION
- APPROVAL
- SIGNATURE
- INITIALS

TAGO	DCSPER	DAS	OSA	OSD
------	--------	-----	-----	-----

COMMENTS

1. Purpose: To obtain approval and signature on attached reply (Tab A) in response to request at Tab B.
2. Discussion: Previously discussed with VA and similar information furnished in prior cases.
3. Recommendation: That reply at Tab A be signed.

COORDINATION	APPROVAL	INITIALS	DATE	ACTION TAKEN	CONCUR	APPROVE	NOTED	SEE ME
None required	DIV CHIEF	RLT	22 Aug 77	DTAG		C 23MU		
	DIR	XXXXXXXXXX		TAG				
	XO			ADCSPER				
		CofS	[Signature]	22 Aug 77	DCSPER			

- EXEC OFC ACTION
- STAMP
- DISPATCH
- READING FILE

DAAG-LRA Slovik, Eddie
(13 Aug 77)

22 AUG 1977

LTC Charles E. Connaway
U. S. Army Retired
7B St., West Apt
St. Augustine Beach, Florida 32084

Dear Colonel Connaway:

This is in response to your inquiry to the Vice Chief of Staff regarding denial of insurance proceeds to the widow of Eddie Slovik.

Payment of proceeds of National Service Life Insurance is precluded by statute (Title 38, Section 711, U. S. Code) in those cases where death is inflicted as a lawful punishment for crime or military or naval offenses. The same provision of law provides for forfeiture of all rights to such insurance to those persons guilty of desertion.

Sincerely,

SIGNED
BG DONALD W. CONNELLY

DONALD W. CONNELLY
Brigadier General, USA
Deputy The Adjutant General

Ed Wallack
8/24/77

OK
LTC Thomas
22 Aug 77

Return to DAAG-LRA 22 Aug 77

TAGO REFERRAL SLIP

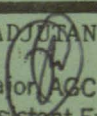
ROUTING (A = Action I = Info)

Admin Mgt Dir	Rec Dir
ARFCOS	Mem Affairs Dir
Casualty Dir	OMARC
Cen Spt Div	Pstl Dir
CG, REPAC	Pub Dir
Compt	RAM2
DCG, TAGCEN	Sys Dev Dir
Club Mgt Dir	TIOH
Ed Dir	
NAF Dir	

- DIRECT REPLY TO _____
- FURNISH COPY OF REPLY TO _____
- COORDINATE WITH _____
- PROVIDE ASSISTANCE AS REQUIRED
- ADVANCE COPY
- OTHER (Specify)

REMARKS

FOR THE ADJUTANT GENERAL:


 Major AGC
 Assistant Executive Officer, TAGO

, Monday, August first, nineteen-sixty
P. O. Box 1533
Worcester, 1, Mass.

R. V. Lee, Major General, U. S. Army
Hdqts. Department of the Army
Office of the Adjutant General
Washington, 25, D. C.

Dear Sir;

I have written your office earlier in the year of
nineteen-hundred and fifty-nine; April eleventh.

I'm furthering the pursuit of correcting the injus-
tice committed upon Pvt. Slovik. It was so unjust and
shocked the world, civilized, that a book was forced to
come out in print on that brutality. And a movie is being
made of it too.

It is in the President's power to grant him a post-
humous pardon. It will be not only to his benefit, but of
great benefit to our great nation and the righting of it's
standing in the family of nations. "JUSTICE & FREEDOM BE-
LONGS AND BEGINS AT HOME."

Respectfully,

Anthony Menn

Can you help, Please?

(C O P Y)

18141

REMINDER----- 176 days left -----# 2
Wednesday, July twenty-seventh
P. O. Box 1533
Worcester, 1, Mass.

Dear Sir:

"TO BE AFRAID OF DEATH; is human. TO KILL
FOR THAT FEAR; is inhuman".

In SACRED HONOR to another of Polish descent,
Casimir Pulaski, who had given of his wealth and
life towards the birth of FREEDOM in America and
the world; a general and leader beloved and re-
spected by civilian and armed friend and foe;
erase the stigma attached to Pvt. Slovik. By the
WILL of GOD, Pulaski's remains lie in the Atlantic
by the will of man; return Slovik home away from
murderers and rapists.

Respectfully,

Anthony Menn

POST CARD - Addressed to: Dwight D. Eisenhower:
President U.S.A.
Vacation White House
Newport, Rhode Island

(C O P Y)

Dear Mr. Sabados:

This is in further ^{reference} ~~reply~~ to your letter of
~~November 1975~~ to President Ford regarding
Private Eddie Slovik.

(Use para - a much as he would like to etc)

Private Slovick ~~was~~^{is} not eligible to be buried
in Plots A, B, C or D, Wise - Wise American
Cemetery. These are reserved for honored World
War I Dead. In addition Private Slovick
~~is~~^{is} not eligible to be considered under the
Clemency Program since this ^{program} pertained only
to the period 4 August 1964 thru 31 March 1973.

Thank you for your interest in this
matter.

Sincerely,

FROM CRIST PREC AND HIST BR

ON EDDIE D SLOVIK 36876415 RECORDS RETD MPRC ATTN MISS HAGER ABOUT 22

OCT 53 ADMSG IF ANY SVC PRIOR TO 24 JAN 44 IF SO UNDER WHAT CIRCUMSTANCES

IF FOR SHORT PERIOD OR NATL GUARD

MPRC RCD

OCT 3 0'53-2 50 PM

msg 67

DRAFT

Dear :

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

Your comments concerning this case are certainly understandable. War is always tragic in its consequences.

One should, however, be wary of the false clarity of hindsight. When judgment was passed on Private Slovik, this nation was engaged in a desperate struggle with a power which had come dangerously close to enslaving mankind. The lives of thousands, both those on the battlefield as well as those in the infamous death camps 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 enemy onslaught which has come to be known as 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

2nd

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 the tragedy of Private Slovik's case.

I trust that this provides the information you desire.

Sincerely yours,

1st Col Kirk
U.S. Marine

The final disposition of the remains of the Dead of World War II was carried out under the provision of Public Law 383, 79th Congress and Public Law 368, 80th Congress which authorized the Secretary of War, upon application by the next of kin, to return such remains to the homeland of the decedent.

In the case of Eddie D. Slovik, there is no record that his next of kin requested return of his body and in the absence of such request, his remains were interred in Oise-Aisne Cemetery, France. A provision of the law specifically ended all authority to make further disposition of the remains on and after December 31, 1951.

Because of his status he would not be eligible for burial in Arlington National Cemetery.

Sincerely

Furnished by 1st Col ~~Kirk~~ Fleck
USMARP.

MFR:

Coord with ABMC (Col Ryan) & TJAG (Cpt Trainer)
Info received from JAG not used. We already
have this info. Cpt Trainer said Pardon,
Amnesty, Clemency are used by the general public
interchangeably. ~~He said this~~. He suggested
not use Clemency info we already have.

Local Board No
Wayne County
NOV 1943
5th Fl. Cadillac Sq.
Detroit, Michigan

REPORT OF PHYSICAL EXAMINATION AND INDUCTION

First examination Second examination Third examination Fourth examination
(To be filled in by local board clerk. Check number of examination made by local board)

SECTION I.—GENERAL (To be filled in by the local board clerk from the Selective Service Questionnaire, D. S. S. Form 40. Write "none" opposite the questions where no information is given. Do not leave any question blank.)

Do Not Enter
Anything in This
Column

- Name (page 1) Eddie Don Slouik
(First) (Middle) (Last)
- Address (page 1) 5938 Kendal Dearborn Wayne Michigan
(Street or rural route) (Town or city) (County) (State)
- Social Security No. (Series I, line 5) [REDACTED] Registrant's order number (page 1) S-3281-A
- Physical or mental defects or diseases (Series II, line 1) none
- Treatment at an institution, sanitarium, or asylum (Series II, line 2) no
(Yes or no)
- Education completed (Series III): Elementary school 8 High school 3 Vocational school, college, or university
- Occupation: (a) Title of present job (Series IV, line 2 (a), or Series V, line 1) Plumber's helper
(b) Duties (Series IV, line 2 (b))
(c) Title of last job, if unemployed (Series IV, line 3)
- Years experience in this work (Series IV, line 2 (c), or Series V, line 2) 1 mo
- Income (Series IV, line 2 (d)): Average wkly earnings \$ 25.00
(Weekly, monthly, annual)
- Employment class (Series IV, line 2 (e)): Permanent employee ; Temporary employee ; Apprentice ; Independent worker ; Unpaid family worker ; Employer ; Student (Series IV, line 4 (a))
- Business of present employer (Series IV, line 2 (g))
- Marital status (Series VII, line 1): Single ; Widower ; Divorced ; Married, not separated ; Married, separated
- Number of dependents (Series VII, line 3 (a) fifth column except N. C.'s plus line 4 (a) fifth column) 0
- Birthplace (Series IX, line 1) Detroit Michigan Wayne
(Town or city) (State) (Country)
- Birth date (Series IX, line 2) February 18 1920
(Month) (Day) (Year)
- Race (Series IX, line 3): White ; Negro ; Other (specify)
- Citizenship: United States citizen (Series IX, line 4) yes; Declarant alien (Series IX, line 7) no
(Yes or no) (Yes or no)
- Previous U. S. military service (Series XII): None ; Army ; National Guard ; Navy ; Marine Corps ; Coast Guard
- Type of discharge (Series XII): Specify none
- Date of registrant's affidavit (top of page 8) 7th May 1942
(Day) (Month) (Year)

(To be filled in by
Armed Forces)
36896415
(Armed Forces Serial No.)

RESIDENCE

State

County

Place inducted

DATE INDUCTED

Day

Month

Year

Source

Nativity

Year of birth

Race/citizenship

Education

Occupation

Marital

INSTRUCTIONS

- An original and three copies of this form will be prepared for each registrant called up for physical examination. The original is designated as the Armed Forces' Original; the first carbon copy, the National Headquarters' Copy; the second carbon copy, the Surgeon General's (Army)—Bureau of Medicine and Surgery (Navy)—Commandant Marine Corps (M. C.) Copy; and the third carbon copy, the Local Board's Copy. Instructions are contained on each copy.
- Forms of men rejected by the armed forces will be marked "Rejected by the Armed Forces" in large letters at the top of page 1.
- If the registrant is not sent to the induction station of the armed forces, or is rejected by the induction station of the armed forces, this original will be filed, along with "Local Board's Copy" (3d copy), in the registrant's Cover Sheet (Form 53).
- For registrants accepted by the induction station of the armed forces: If inducted by the ARMY, this original accompanied by F. B. I. Military Fingerprint Card will be forwarded from induction station to The Adjutant General, Washington, D. C.; if inducted by the NAVY or COAST GUARD, this original will be forwarded through the Main Recruiting Station to the Bureau of Navigation, Washington, D. C.; if inducted by the MARINE CORPS, this original will be sent to the Commandant, Headquarters, U. S. Marine Corps, Washington, D. C.
- Fingerprints are required only on this original and only for registrants who are inducted. If inducted by ARMY, prepare F. B. I. Military Fingerprint Card.

ORIGINAL COPY

(PAGE 1)

c18-28941-2

SECTION II.—REPORT OF LOCAL BOARD EXAMINING PHYSICIAN AND LOCAL BOARD CLASSIFICATION.

22. If registrant's answer to Item 6 above is "yes," when and for what ailment(s) _____
23. Is registrant now or previously an enrollee in the Civilian Conservation Corps: No ; Yes
24. Serological test (syphilis): Date 11-10-43 Result _____
Second serological test (syphilis): Date 11-15-43 Result None
25. Examining physician's remarks _____

26. (a) Do you find that the above-named registrant has any of the defects set forth in Part I of the List of Defects (Form 220)?
(If in doubt, answer "no," and give details.) _____ If answer is "yes," describe the defects, in order of significance
(Answer yes or no)

(b) Do you find that the above-named registrant has any of the defects set forth in Part II of the List of Defects (Form 220)
(If in doubt, answer "no," and give details.) _____ If answer is "yes," describe the defects, in order of significance
(Answer yes or no)

(c) I have examined the above-named registrant in accordance with Selective Service Regulations.
(d) Signature of examining physician _____
(e) Place Detroit _____ (Town or city) _____ (County) _____ (State) (f) Date 11-30-43

27. (a) This Local Board has classified the above-named registrant in Class 1-A
(b) Signature of Member of Local Board _____
(c) Place Detroit _____ (Town or city) _____ (County) _____ (State) (d) Date 11-19-43

SECTION III.—NEAREST RELATIVE, PERSON TO BE NOTIFIED IN CASE OF EMERGENCY, AND DESIGNATION OF BENEFICIARY (To be filled out at the induction station of the armed forces for only those registrants accepted for military service.)

A. Nearest relative and person to be notified in case of emergency:
28. Nearest relative Ann Slovik
(Other than wife or minor child. Name in full)

29. Relationship mother 30. Address 10224 Russell, Detroit, Mich.
(Number and street or rural route; if none, so state) (City, town, or post office) (State or country)

31. Person to be notified in case of emergency Antoinette Slovik
(Name in full)

32. Relationship wife 33. Address 6320 Ternes, Dearborn, Mich.
(If friend, so state) (Number and street or rural route; if none, so state) (City, town, or post office) (State or country)

B. Designation of beneficiary:
34. The persons eligible to be my beneficiary are designated below:

(1) Antoinette Slovik(wife) same as above
(Full name of wife; if deceased or divorced, so state) (Wife's full address)
(2) none
(Full name and address of each minor child and each dependent child over 21 years of age. If there are no children, so state. If the address is the same as the wife's, so state. Do not repeat address)

35. In the event of my leaving no widow or child, or their decease before payment is made, I then designate as my beneficiary the dependent relative whose name, relationship, and address are shown below:

(3) Ann Slovik (mother) same as above
(If designation of beneficiary is declined, man must state in own handwriting: "I decline to designate any person as my beneficiary")

36. In the event of the death or disqualification of the last-named dependent relative before payment is made, I then designate as my beneficiary the dependent relative whose name, relationship, and address are shown below:

(4) Pauline Slovik(sister) 256 Center, Richman, N.Y.
(If beneficiary is named in line 35 but naming of alternate is declined, man must state in own handwriting: "I decline to designate an alternate beneficiary")

37. Signature of registrant Eddie D. Slovik
(First name) (Middle name) (Last name)

38. Witnessed at Detroit, Mich. on Jan. 3, 1944, 19____, 19____
R.J. Ward (Signature of witness attesting) R.J. WARD (Name of witness typed) SGT., DEM. (Grade and organization)

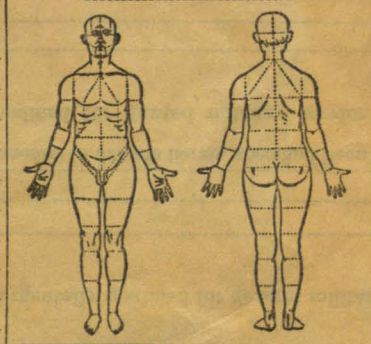
SECTION IV.—PHYSICAL EXAMINATION RESULTS: (All Items Must Be Filled In. Indicate Normal or None Where Applicable. To Be Filled Out by the Medical Board at the Induction Station of the Armed Forces.)

Do Not Write
in This
Column

39. Eye abnormalities none
40. Ear, nose, throat abnormalities none
41. Mouth and gum abnormalities none
42. Teeth: (a) Indicate restorable carious teeth by circling; nonrestorable carious teeth by /; missing natural teeth by X.
- | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|-------|----|----|----|----|----|----|---|------------|----|----|----|----|----|----|----|------|--|--|--|--|--|--|--|
| | Right | | | | | | | | EXAMINEE'S | | | | | | | | Left | | | | | | | |
| | 8 | 7 | 6 | 5 | 4 | 3 | 2 | 1 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | | | | | | | | |
| | 16 | 15 | 14 | 13 | 12 | 11 | 10 | 9 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | | | | | | | | |
- (b) Remarks, including other defects none
- (c) Prosthetic dental appliances none
- (d) Remediable dental defects none
43. Skin normal
44. Varicose veins Mild, legs, bilateral.
45. Hernia none
46. Hemorrhoids none
47. Genito-urinary (non-venereal) normal
48. Venereal diseases none
49. Feet normal
50. Musculoskeletal defects none
51. Abdominal viscera normal
52. Cardiovascular system normal
53. Lungs normal
54. Chest X-ray X-ray of chest negative
55. Mental normal
56. Nervous system normal
57. Endocrine system normal
58. Other defects and/or diseases or other remarks none

60. Vision, without correction:
- (a) Right eye 20/30
- (b) Left eye 20/25
61. Vision, with correction:
- (a) Right eye
- (b) Left eye
62. Color perception* normal
63. Hearing:
- (a) Right ear 15/15
- (b) Left ear 15/15
64. Height 65 1/2 inches.
65. Weight 124 pounds.
66. (a) Girth, at nipples; inspiration 36 inches.
- (b) Girth, at nipples; expiration 34 inches.
- (c) Girth, at umbilicus 26 inches.
67. Posture: Good Fair Poor
68. Frame: Heavy Med. Light
69. Color of hair light brown
70. Color of eyes blue
71. Complexion ruddy
72. Pulse, sitting 84
73. Pulse, after exercise*
74. Pulse, 2 minutes after exercise*
75. Blood pressure:
- (a) Systolic 110
- (b) Diastolic 60
76. Urinalysis:
- (a) Specific gravity 1.020
- (b) Albumin negative
- (c) Sugar negative
- (d) Microscopic*

77. Other data:



* When indicated.

59. Summary of defects in order of significance ACCEPTABLE UNDER MR 1-9

SECTION IV.—PHYSICAL EXAMINATION RESULTS—Continued.

78. I CERTIFY that the above-named registrant was carefully examined, that the results of the examination have been correctly recorded on this form and that to the best of my knowledge and belief—

- 2 (a) EDDIE DON SLOVIK is physically and mentally qualified for general military service.
 (Enter name of registrant if this subsection is applicable)
- (b) _____ is physically and mentally qualified for general military service
 (Enter name of registrant if this subsection is applicable)
- after the satisfactory correction of the following remediable defects: _____

This registrant would have been accepted for general military service had the remediable defects herein specified been remedied at the time of this examination.

- (c) _____ is physically qualified for limited military service only by
 (Enter name of registrant if this subsection is applicable)
 reason of _____
- (d) _____ is physically qualified for limited military service after the
 (Enter name of registrant if this subsection is applicable)
 satisfactory correction of the following remediable defects: _____

This registrant would have been acceptable for limited military service had the remediable defects herein specified been remedied at the time of this examination.

- (e) _____ is physically and/or mentally disqualified for military service by reason of
 (Enter name of registrant if this subsection is applicable)
- (f) _____ is disqualified for military service because of
 (Enter name of registrant if this subsection is applicable)

(g) Signature _____ (h) Title _____
Medical Examiner.

(i) Name typed or stamped _____
 79. (a) EDDIE DON SLOVIK was this date inducted for (general; ~~limited~~ [strike out inapplicable word] military service into the (fill in appropriate Service, such as Army, Navy, Marine Corps, or Coast Guard) _____
ARMY of the United States and ~~status~~ Trfd. to ERC: to report 1/24/44 for AD

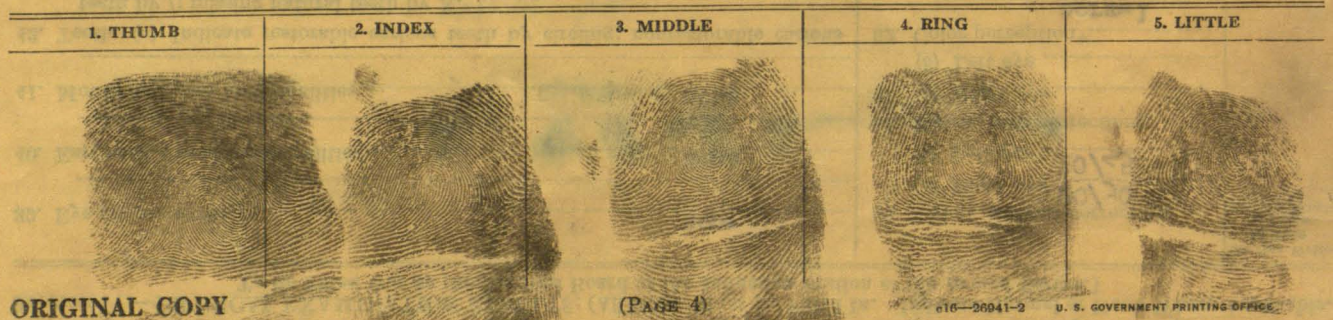
(b) _____ was this date rejected for service in the (fill in appropriate service, such as Army, Navy, Marine Corps, or Coast Guard) _____ of the United States.
at Fort Sheridan, Ill.

(c) Place Detroit, Mich. (d) Signature _____
 (e) Date Jan. 3, 1944 (f) Name typed or stamped S.A. MOORE MAJOR, INF.
 (Grade and organization)

SECTION V.—LOCAL BOARD CHANGE IN CLASSIFICATION AFTER EXAMINATION BY THE INDUCTION STATION OF THE ARMED FORCES.

80. (a) Based on the entries in (a), (c), (d), (e), or (f) of Item 78, above, the Local Board has changed the above-named registrant's classification to Class _____
- (b) Based on the entries in (b) of Item 78, above, the Local Board has retained the above-named registrant in Class _____
- (c) Place _____ (d) Date _____
- (e) Signature of member of local board _____

FINGERPRINTS—RIGHT HAND



0-1-1

IMMUNIZATION REGISTER¹

LAST NAME		FIRST NAME	ARMY SERIAL NO.	
SLOVIK, EDDIE		D.	36 896 415	
GRADE	COMPANY	REGT. OR STAFF CORPS ³	AGE	RACE
			23	W

SMALLPOX VACCINE

DATE	TYPE OF REACTION ⁶	MED. OFFICER ³
	VD	

TRIPLE TYPHOID VACCINE

DATES OF ADMINISTRATION				MED. OFFICER ³
SERIES	1ST DOSE	2D DOSE	3D DOSE	
1st	JAN 26 '44	2-12-44	2-26-44	C. C. B.
2d				
3d				

TETANUS TOXOID

INITIAL VACCINATION			STIMULATING DOSES		
	DATE	MED. OFF. ³		DATE	MED. OFF. ³
1st dose	1-12-44	VA			
2d dose	2-4-44	VA			
3d dose	2-22-44	VA			

YELLOW FEVER VACCINE

DATE	LOT No.	AMOUNT	MED. OFF. ³

OTHER VACCINES

TYPE OF VACCINE	DATE	MFR'S. LOT NO.	AMOUNT	MED. OFF. ³
Blood Typing				
Typhus	8-1-44		1 cc	
"	9-9-44		1 cc	
"	16-8-44		1 cc	

William R. ..., M. C.,
U. S. Army.

INSTRUCTIONS

1. A record will be kept on this form of all vaccinations given under the direction of medical officers to military and civilian personnel. See AR 40-210 for further details.

2. Appropriate entries will be made at the time prophylactic vaccinations are made *and the entries will be authenticated by the written initials of the medical officer making the inoculation.*

3. In the case of a civilian employee, the character of his employment (clerk, teamster, etc.) and the staff corps or department in which he is employed will be noted in the space *Regiment or Staff Corps*. A brief notation of the status of other civilians will be made in the same space.

4. All officers, warrant officers, nurses, civilians, and others furnished authenticated vaccination registers will preserve them for reference purposes to be exhibited to examining medical officers at home and to foreign health and quarantine officers upon transfer to overseas duty. See AR 615-250.

5. The duplicate copy of the immunization register will be held for at least 2 years in an alphabetical immunization file maintained with the Medical Department records of the station at which the record was prepared. See AR 40-1005.

6. Record as vaccina, vaccinoid, or immune reaction. If there is no reaction, or if the reaction fails to conform to any of the three recognized types, *vaccination will be repeated.* The use of the term "unsuccessful vaccination" on official records will not be used.

Form 81
MEDICAL DEPARTMENT, U. S. A.
(Revised Sept. 23, 1942)

[9,4]

*REPORT OF DENTAL SURVEY

UPPER TEETH

Right										Left							
8	7	6	5	4	3	2	1	1	2	3	4	5	6	7	8		
		0										0	X				

LOWER TEETH

Right										Left					
16	15	14	13	12	11	10	9	9	10	11	12	13	14	15	16

CLASS X-0

Occlusion Summ: Calculus: Slight, Medium, Heavy

Periodontoclasia 510

Dental foci suspected: Yes No

Other conditions R-14 A peri

Date 2-13-, 1944

Dental Corps, U. S. A.

*Restorable carious teeth by O
 Nonrestorable carious teeth by /
 Missing natural teeth by X

Teeth replaced by denture (horizontal line)

X	X	X
---	---	---

Teeth replaced by fixed bridge (oval to include abutments)

O	
X	

SPECTACLES AND PRESCRIPTION

Snellen Eye Test:

Right 20/_____ Left 20/_____

Visual acuity without lenses:

Right 20/20 Left 20/20

Visual acuity with lenses:

Right 20/20 Left 20/20

Binocular visual acuity with

lenses: 20/_____

Binocular visual acuity without

lenses: 20/_____

Date of refraction: 16 MAR 44Place: CAMP WALTERS, TEXAS

Prescription:

Pup Dis _____ Bridge _____ Tem L _____

Eye Size _____ Sph R +1.50 Cyl R _____Axis _____ Sph L +1.50 Cyl L _____

Date Spectacles ordered _____

_____ pair Spectacles issued _____

Examined 10 MAR 44 (Does) (Does not)
require spectacles for efficient per-
formance of military duties.Remarks: NOT ELIGIBLEEYEGLASS, GAS MASK, M-1

Prescription:

Pup Dis _____ Bridge _____ Tem L _____

Eye Size _____ Sph R _____ Cyl R _____

Axis _____ Sph L _____ Cyl L _____

Position of lens: _____

Size of Gas Mask: _____

Date Eyeglass, Gas Mask, M-1,
ordered: _____Date Eyeglass, Gas Mask, M-1, secured
and fitted: _____

Remarks: _____

REMARKS ADMINISTRATIVE

NATURALIZATION

Soldier (has) (has not) been advised of right to apply for citizenship. Soldier (does) (does not) desire to apply for citizenship.

Form N-403 executed _____
Soldier (was) (was not) granted citizenship at Camp Wolters, Texas.
If not granted, reason: _____

If naturalized, Certificate number _____

QUALIFICATION IN ARMS

Weapon	Course	Qualified	Score	Date
MI	A	MKM	143	4 MAR 44

Soldier (~~is~~) (is not) favorably considered for Good Conduct Medal.
Date 10 JUL 1944 Initials HCC

Malaria Control Training completed.
Date ~~7 JUN 44~~ 23 MAY 44
gmc

Snellen Eye Test:
Right 20/____ Left 20/____

DENTAL DEFECTS - DENTURES

Date of insertion of denture _____
Prescription for denture:

Up L _____ Up R _____
Lr L _____ Lr R _____

NOTAGS *Codde*

NAME AND ARMY SERIAL NUMBER

Slovik Eddie ³⁶⁸⁹⁶⁴¹⁵ D

GRADE	ARM OR SERVICE	AGE	RACE	NATIVITY	SERVICE YEARS
Pvt	COO 109 Inf	25	W	Mich	1

LOCATION WHERE TAGGED:	DATE	HOUR
V. 596611 X9 FRANCE Ste. MARIE Aux Mines	31 JAN 45	1008

DIAGNOSIS: IF INJURY, STATE HOW, WHEN, WHERE INCURRED

Killed U.S.W. Heart
 shot to death by firing
 squad (per 2 C.M.O. #27
 Hq. E TOUSA 23 Jan 45)

LINE OF DUTY:

TREATMENT GIVEN:

E.G.P.

TETANUS TOXOID: DOSE TIME: P.
 OR
 ANTITETANIC SERUM: DOSE TIME: P.
 MORPHINE: DOSE TIME: P.

DISPOSITION:	DATE	HOUR
H6 QM. G.R. Co.	31 JAN 45	1030

SIGNATURE, WITH RANK:

Robert E. Rougelot Maj. MC

[9, 7]

SUPPLEMENTAL

RECORD

FINGER PRINTED BY SGT.
S. MAITA 46th Q.M. B.R. CO.

EST HGT. 5' 7"

EST WGT. 140 LBS.

BROWN HAIR

BLUE EYES

O.D. SHIRT SIZE 14-32

O.D. PANTS SIZE 29-29

SHOE SIZE 7 1/2 D

S-645 FOUND IN O.D. PANTS

FINAL DISPOSITION: U.S. MIL.

CEM. EPINAL FR. 2-1-45

Lt. Ivan L. Thurston 46th Q.M.

B.R. CO.

REGP. A-1-1

1400 HR

FEB 1, 45

REVIEW OF THE STAFF JUDGE ADVOCATE

Staff Judge Advocate, Hq, 29th Inf Division, APO 28, U.S. Army, 26 November, 1944

To: The Commanding General, 29th Infantry Division

1. The RECORD OF TRIAL BY GENERAL COURT-MARTIAL of the following named accused having been referred to me under the provisions of the 46th Article of War before action thereon by the reviewing authority, I submit herewith my review, with opinion and recommendation and reasons therefor, as required by paragraph 87 b of the Manual for Courts-Martial.

2. SYNOPSIS OF THE RECORD, AND OF THE OPINION AND RECOMMENDATION

slawik, Eddie D., 5686415, Private, Co. G, 109th Inf

Tried at Bielefeld, Germany on 11 November, 1944 Days awaiting trial: 32

Age (nearest birthday): 24 3/12 years Color: White

Length of service: 9 months

Character of service: Poor

Previous convictions: None

Opinion of the Staff J.A. Reversible errors, under 37th A. W.: None Findings of court legally sustained: Yes

DISHONORABLE DISCHARGE (with total forfeitures) CONFINEMENT at hard labor FORFEITURE, \$ of pay per month

Maximum punishment (Based on legally sustained findings): Yes Death or life imprisonment

Sentence adjudged by court: Yes Death by shooting

Recommendation of Staff J.A. (sentence): Yes Death by shooting

CHARGES

Table with 5 columns: Violation of A.W. No., Gist of Offense, Pleas, Findings, Legally sustained. Contains two entries (Sp 1 and Sp 2) regarding desertion with intent to avoid hazardous duty.

INSTRUCTIONS

C.M. Form 9 — Review of Staff Judge Advocate (Numbers refer to paragraphs of the Review)

NOTE: This review will be made in four copies, the original and one carbon copy to be bound with the record of trial, the remaining two copies to be filed in the office of the staff judge advocate. In appropriate cases a copy of the review should be furnished by the staff judge advocate to the president or trial judge advocate of the court which tried the case.

2. SYNOPSIS. Observe the following general rules in filling in blank spaces:

Age (nearest birthday): State age at the time of the offense.

Length of service: State approximately, e.g., "2 yrs.", or "3½ mo."

Reversible errors . . . : Enter "None", or "Yes. See Op. . . . , below".

Findings of court legally sustained: Enter "Yes", "No", or "With exceptions noted".

Where? (place of conf.): Enter "Pen.", "D.B." (disciplinary barracks) or "local".

Gist of Offense (charges): State briefly, omitting all details (times, places, names of persons, etc.) unless of especial significance.

Legally sustained (charges): Enter after each finding "Yes", "No", or "With exceptions", unless the finding is "Not guilty", in which case enter a dash in this column. If the entry in this column is "No", or "With exceptions", make appropriate reference to OPINION following for a statement of particulars and reasons: e.g. "See Op.c." (referring to par. 4, c.)

NOTE: It is not enough merely to find some evidence to sustain each finding of guilty. The staff judge advocate must weigh the evidence (par. 87b, M.C.M.) While, therefore, you should be reluctant to differ from the court as to which of contradictory witnesses should be believed (the court having the witnesses before it in person), you should nevertheless before expressing your opinion that a finding is legally sustained be convinced of the accused's guilt "beyond reasonable doubt", except as such doubt may arise from conflicts of testimony which it appears to you should properly be resolved by the court.

3. EVIDENCE. Enter in this paragraph a brief succinct summary of the evidence, with appropriate citations to the record, e.g. "(R. 17)". First summarize the evidence for the prosecution, and then the evidence for the defense, or state that the defense offered none. Evidence not contested should be summarized briefly. A mere reference to it will usually suffice. Avoid in any event irrelevancies and cumulative evidence not reasonably necessary to prove (or disprove) the case. Conflicts of evidence should be stated, however, and evidence for the defense set out, even though it pertains only to matters of extenuation.

Do not discuss the sufficiency of the evidence in this paragraph.

4. OPINION. This is the paragraph for discussion of the sufficiency of the evidence, errors and irregularities in procedure and their effect upon the substantial rights of the accused, within the meaning of the 37th Article of War, and other relevant matters of law and fact concerning the case. State in particular the reasons for the recommendations to be made in the paragraph following, including specifically the reasons why any findings of the court are held not "legally sustained" (See paragraph 2 above).

For purposes of convenient reference, subparagraphs may be lettered a, b, c, etc.

The OPINION proper should conclude with a formal subparagraph to the following effect, modified as required by the facts of the particular case:

"It is my opinion that (with the exceptions above noted) the record of trial is legally sufficient to support the findings of the court, and the sentence, and is free of any error injuriously affecting the substantial rights of the accused."

State in a separate subparagraph, following the formal OPINION, whether you consider the sentence adjudged by the court to be appropriate, excessive, or inadequate. If you do not consider it appropriate, state the reasons for your opinion.

5. RECOMMENDATION. In this paragraph should be stated, in brief summary form, the action which you recommend that the commanding general should take. It should normally begin with words to the effect:

"For the reasons above stated it is recommended that . . ."

and conclude with a subparagraph to the effect:

"A form of action designed to accomplish this recommendation is attached."

3. EVIDENCE.

a. Narrative summary - The evidence indicates that the accused came overseas as a replacement, passed through England, landed in France on Omaha Beach, passed through several replacement units and was finally assigned to the 28th Infantry Division from the Third Replacement Depot about 25 August 1944 (R-8 and 9 and Prosecution Exhibit No. 1). He was processed through Division replacement channels and assigned as a rifleman to Company G, 109th Infantry (Prosecution Exhibits No. 2 and 3). On 25 August 1944, at Division Headquarters he was issued ammunition and dispatched with other replacements to join his company (R-9). While the group didn't know definitely what Company G was doing, they "just imagined it was fighting" and "had a pretty strong suspicion that the Division was engaged with the enemy" (R-9 and 10). They left Division Headquarters and travelled by truck for two or three hours noting "burned-out vehicles and shelled places" enroute. They made one stop at a "rest camp or something" where they dropped off their "packs" and then proceeded on to Elbeuf where they detrucked (R-10). They walked a short distance along the edge of the city and then dug-in at about 2300 in an open lot. At 2330, the group assigned to Company G, about 15 in number, moved into the city to join the company. At that time there was considerable troop movement and shelling going on in the city (R-10 and Prosecution Exhibit No. 4). The accused remained in his foxhole "secured", when the other replacements moved out (Prosecution Exhibit No. 4 and R-10). The following day when the shelling had quieted down, he walked into the city, stayed over night in a French hospital and then according to his own story, "turned myself over to the Canadian Provost Corps". He remained with the Canadians until they finally turned him over to American Military Police about "six weeks later" (Prosecution Exhibit No. 4). The Canadians had taken over Elbeuf from the 109th Infantry about 27 August and the 109th Infantry with the 28th Division had continued on through Paris, Belgium, Luxembourg, and to the Siegfried Line (R-10). The company was "generally fighting and campaigning" from that time to the date of trial (R-11 and 14). The accused finally returned to his company 8 October 1944 and was assigned to a squad by his company commander. Within an hour or so he again presented himself to his company commander and asked "if he could be tried for being absent without leave". His company commander told him he "would find out" and placed the accused in arrest in his platoon area (R-14). About an hour later he again returned and inquired of his company commander "if I leave now will it be desertion?", assured that it would be, he immediately went absent without leave again (R-14). His company was at that time "reorganizing" (R-13) and was actually in the vicinity of Rocherath, Belgium. Although there is no direct testimony on the latter, it may be inferred as hereinafter explained in paragraph IV Opinion. The following morning at about 0830 he knocked at the door of a billet occupied by the Military Government Detachment of the 112th Infantry in the town of Rocherath and asked for something to eat. He handed the cook "a green slip of paper with writing on it and said he had made a confession". The S-1 of the 109th Infantry was called by telephone (R-15). He sent a guard who brought the accused to Regimental Headquarters, also located in Rocherath (R-15). There the accused again exhibited his "green slip of paper", handing it to 1st Lieutenant Wayne L. Hurd (R-12). He turned it over to Colonel Henbest. On 11 November 1944 in the course of investigation, some additional notations were indorsed on the back of the "green slip" and signed by the accused, Colonel Henbest and Lieutenant Hurd, after "everything that appears on the green slip of paper was made very clear to the defendant" (R-12). The green slip and the signature of the accused thereon were identified by Lieutenant Hurd and admitted in evidence at the trial as Prosecution Exhibit No. 4, the defense expressly stating that it had "no objections to Prosecution Exhibit No. 4" (R-19). For the purpose of record, it is noted that this Exhibit is a confession written in ink on the back of a printed Post Exchange Flower Order blank. On the back of the confession and across the printing on the order blank, the notations dated 11 October are written in ink.

The confession reads:

"I Pvt. Eddie D. slovik #36896415 confess to the desertion of the United States Army. At the time of my desertion we were in Albuff in France. I come to Albuff as a replacement. They were shilling the town and we were told to dig in for the night. The following morning they were shilling us again. I was so scared nerves and trembling that at the time the other replacements moved out I couldn't move. I stayed their in my fox hole till it was quite and I was able to move. I then walked in town. Not seeing any of our troops so I stayed over night at a French hospital. The next morning I turned myself over to the Canadian Provost Corp. After being with them six weeks I was turned over to American M.P. They turned me loose. I told my commanding officer my story. I said that if I had to go out their again Id run away. He said their was nothing he could do for me so I ran away again AND ILL RUN AWAY AGAIN IF I HAVE TO GO OUT THEIR.

SIGNED Pvt. Eddie D. slovik
A.S.N. 36896415"

The ink notations on the reverse side reads:

*Rocheath, belgium
Oct 11, 1944

This statement is made in the presence of
Lt Col Ross C. Henbest 0237158 and 1st Lt
Wayne Hurd, O-463853.

I have been told that this statement
can be held against me and that I made it
of my own free will and that I do not have
to make it.

Signed:
Eddie D. slovik

Above statement was signed in the presence
of the undersigned:

Ross C. Henbest (Signature)
Ross C. Henbest (Printed)
Lt Col, Infantry

Wayne L. Hurd (Signature)
Wayne L. Hurd (Printed)
1st Lt Inf"

b. The accused having been advised of his rights as a witness elected
to remain silent and called no witnesses on his behalf (3-17).

4. OPINION.

a. The record of trial is legally sufficient to support the findings
and sentence and is free of any error injuriously affecting the substantial rights
of the accused.

The essential elements of proof of desertion to avoid hazardous duty are fully established, the record leaves much to be desired so far as
proof of details is concerned. In explanation, this Division has been in practically

continuous combat from 29 July 1944 to date. At the time the accused was sent down as a replacement to Company G, his unit had recently completed fighting across the south end of the "Walsize Pocket" and was then engaged in helping to close the "second Pocket" and prevent German retreat across the Seine. He was never picked up on Morning Reports of his company and consequently no documentary proof of his absence was available. One of the prosecution's leading witnesses, a Private Tanky, whose statement appears in the Report of Investigation as GM Form 5, sheet 10, was evacuated as a casualty and unavailable to testify at the trial. He had been with the accused during the latter's stay with the Canadians and had been returned with him to Company G through American Military Police channels. Battle casualties in Company G, 109th Infantry have been 152 from 29 July to 9 October and from 9 October to 15 November have been 58. The witnesses came into court directly from the front lines with clothes torn and muddy and with very poor memories as to past dates and places. The Trial Judge Advocate was repeatedly forced to lead witnesses and refresh their memories in order to obtain what the record shows.

c. Presence of the accused with Allied military forces did not constitute a "return to military control" (Bull JAG Sep 1942, AR 745 p 251; and Bull JAG Jan 1944 sec 419).

d. There is no direct testimony to support the allegation contained in Specification 1 that the accused was returned to military control "at or near Brussels, Belgium". Under the circumstances, however, the place of return to military control is not an essential element of the offense (rig Op JAG, 1912-40 sec 416 (5), (10) and (14)). While there is no direct proof that his return to military control was "on or about 4 October 1944", this allegation may be readily inferred from the accused's written confession, wherein, after referring to the Canadians he states "after being with them 6 weeks I was turned over to American MP" (Prosecution Exhibit No. 4). In addition, there is the testimony of the accused's company commander that the accused physically rejoined Company G on 8 October 1944 (R-13 and 14). Date of return is not an essential element in desertion to avoid hazardous duty. The offense is complete when the soldier leaves his unit with the requisite intent (ETO board of review Opinion No. 1249, 7 Mar 44, (Marchetti)).

e. While the accused was not physically present with his company when he left the group of replacements at Elboef, it may be inferred that he was under military control of officers of his regiment from the fact that he had passed through Division Headquarters and was enroute to join his company (Bull JAG Jan 1944, sec 385). The fact that the orders of assignment, Prosecution Exhibits 1, 2 and 3, are dated subsequent to accused's actual departure is due to the delay incident to issuing written orders confirming verbal orders.

f. There is no direct evidence to support the allegation in Specification 2 that the accused deserted "at or near Rocherath, Belgium". The company commander testified that he "did not remember the name of the city or town where they were located at that time". He added that the company was "reorganizing" (R-13) and had "been in some pretty heavy fighting" (R-14). However, the fact that Company G was located in the vicinity of Rocherath may be inferred from the following circumstances: The accused left his company on the night of 8 October and at 0850 the following morning surrendered to the Military government detachment of another regiment of this Division, the 112th Infantry, which detachment was billeted in Rocherath (R-15). The Military government Officer telephoned the G-1 of the 109th Infantry who sent a guard for the accused and took him to the Regimental Command Post which was likewise in Rocherath (R-12 and 15). The location of the Military government detachment and the 109th Infantry Command Posts are definitely fixed by witnesses and it is reasonable to infer that Company G was probably in the vicinity of its Regimental Command Post and the accused could

OW Form 9 (Slovak) cont'd

not have travelled very far during the short time he was absent without leave and during which time he apparently wrote his "confession" on the "green slip". The company was actually a mile or two East of Roherath when the accused left.

g. The strongest evidence that the accused intended "to avoid hazardous duty and shirk important service, to wit: action against the enemy" as alleged in both specifications, is his declared intent contained in his confession "And I'll run away again if I have to go out there". The fact that Elbeuf was being shelled when the accused failed to go in with the other replacements is also significant. That he intended to desert and apparently wanted to be tried by court martial for that offense, is indicated by his request that he be court martialed for AWOL when he first returned to his company, followed by his inquiry a little later, "If I leave now will it be desertion?", and his prompt departure when assured that it would be. In connection with "hazardous duty", the court and the reviewing authority may take judicial notice of the fact that Roherath, Belgium is on the western edge of the Hognohau Forest, about 3 miles from the German border and Siegfried Line (Wharton's Criminal Evidence, 11th Ed, par 16 and 35 and McN, 1928, par 125).

h. A report of examination of the accused by the Division Neuropsychiatrist, 26 October 1944, in which he concludes that the accused was at the time of the offense and is now mentally sane and responsible, is attached to the Report of Investigation as OW Form 5, sheet 11.

i. The accused's military records indicate that he was born in Detroit, Michigan; had 8 years of grammar and 1 year of high school; is aged 25; married; and worked as a receiving and shipping checker for the Detroit Motor Division, Chrysler Corporation for one year at \$40.00 per week immediately before induction. Prior to that he worked as a plumber's helper for 1 year at \$34.00 per week. He was inducted 3 January 1944 at Detroit, Michigan. His ASOT score is 94 III, Aptitude Test score III Class II. Military organizations and stations are noted as: 1 Feb 44 IRTB, Camp Walters, Texas (rifle); 24 July 44 1st Lt George Meade, 86; 15 Oct 44 8888 - 888; 19 Aug 44 Third Replacement Depot; 30 Aug 44 Company 3, 109th Infantry. His service record contains a Parole Board Order from the Michigan Parole Board, Department of Corrections, State Office Building, Lansing, Michigan, 22 October 1943, discharging the accused from parole for the purpose of induction into the Federal Service and during the actual period of service.

j. The accused's criminal record from the Federal Bureau of Investigation is attached hereto. An analysis of the several entries indicates that the accused was put on one year probation on 5 different occasions by the Juvenile Court of Detroit between 1932 and 1938 for 4 offenses of breaking and entering and one of assault and battery. He was arrested by the Detroit Police 16 November 1937, convicted of embezzlement of \$49.46 and sentenced to imprisonment for a term of 6 months to 10 years. He apparently served something less than a year in the State Reformatory at Ionia because on 3 January 1939, he was again arrested by the Detroit Police, this time charged with and convicted of unlawful driving away auto. On this he was sentenced to serve from one to 5 years in the State Prison. He was transferred to the Ionia Reformatory where he was recorded as having a sentence of 2½ to 7½ years, probably the result of additional time charged against him for violation of his first parole. It is understood from statements made by the accused to officers of this Division, that there was a "shooting" involved in this latter offense.

k. The sentence is excessive in that there is no authority for a court martial to impose dishonorable discharge and total forfeitures in addition to death, for violation of AW 58. However, the reviewing authority may approve the legal portion of the sentence. Attached hereto is a TFX advice to that effect from the Judge Advocate's Section of Headquarters European Theater of Operations, received this date. Attached also is the TFX of this headquarters, 19 November 1944, directed to the Branch Office of the Judge Advocate General, inquiring concerning this legal point.


OH Form 9 (Slovak) cont'd

1. The death sentence is deemed appropriate in this case. The accused is a habitual criminal. He has never seen combat, has run away twice when he believed himself approaching it and avows his intent to run again if he has "to go out there".

5. RECOMMENDATION.

a. It is recommended that only that portion of the sentence which provides that the accused be shot to death with musketry be approved and that the record of trial be forwarded for action under the 48th Article of War.

b. A form of action designed to accomplish the foregoing recommendation is submitted for approval and signature.


Henry J. Sommer
Lt Col., USA
Division Judge Advocate

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

Co. Co. G - 109 Inf Div
PERSONNEL
28 Inf Div
(Collect for Service Record)

HEADQUARTERS
EUROPEAN THEATER OF OPERATIONS
UNITED STATES ARMY

General Court-Martial
Orders No 27

23 Jan 1945

Before a general court-martial which convened at Rotgen, Germany, on 11 November 1944, pursuant to paragraph 1, Special Orders No 174, Headquarters, 28th Infantry Division, 16 August 1944, as amended by paragraph 12, Special Orders No 204, Headquarters, 28th Infantry Division, 25 September 1944, was arraigned and tried:

Private Eddie D. Slovik, 36896415, Company G, 109th Infantry.

CHARGE: Violation of the 58th Article of War.

Specification 1: In that Private Eddie D. Slovik, Company G, 109th Infantry did, at or near Elbeuf, France, on or about 25 August 1944, desert the service of the United States by absenting himself without proper leave from his organization, with intent to avoid hazardous duty and to shirk important service, to wit: action against the enemy, and did remain absent in desertion until he was delivered to United States military authorities by Canadian military authorities at or near Brussels, Belgium, on or about 4 October 1944.

Specification 2: In that Private Eddie D. Slovik, Company G, 109th Infantry did, at or near Rocherath, Belgium, on or about 8 October 1944, desert the service of the United States by absenting himself without proper leave from his organization, with intent to avoid hazardous duty and to shirk important service, to wit: action against the enemy, and did remain absent in desertion until he surrendered himself at or near Rocherath, Belgium, on or about 9 October 1944.

M/R SMC

PLEAS

To the Specifications and the Charge:

NOT GUILTY

FINDINGS

Of the Specifications and the Charge:

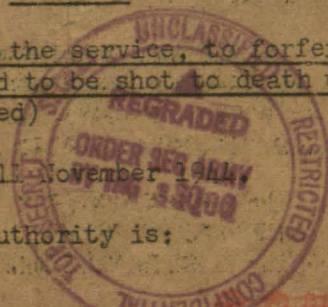
GUILTY

SENTENCE

To be dishonorably discharged the service, to forfeit all pay and allowances due or to become due and to be shot to death with musketry. (No previous convictions considered)

The sentence was adjudged on 11 November 1944

The action of the convening authority is:



~~CONFIDENTIAL~~