

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

TRANSCRIPT OF HEARING

CASE OF: EDDIE D. SLOVIK (Deceased). Application is filed by the former service member's wife, Antoinette Slovik, who requests that the deceased's records be corrected to show that she is entitled to the proceeds of his National Service Life Insurance (NSLI) of \$10,000.00, plus interest from the date of his death.

36 896 415

DATE OF HEARING: 29 June 1977  
(second session)

EXAMINER: Watts P. Tyler

COUNSEL: Bernard Edelson  
115 N. Jackson St.  
Media, PA 19063

PLACE: Room 1E-801-7, The Pentagon, Washington, D. C.

EXECUTIVE SECRETARY: Raymond J. Williams

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CHAIRMAN: The Board will come to order. The Army Board for Correction of Military Records is ready to continue with the case of Eddie D. Slovik, deceased, 36 896 415.

Counsel for the Applicant, Mr. Bernard Edelson, has requested a further hearing to present further information that has come to light since our last hearing in the case.

The Reporter will be sworn.

(The Reporter, John J. Lucas, Jr., was duly sworn by the Chairman.)

CHAIRMAN: Mr. Edelson, are you ready to proceed with the

further testimony?

COUNSEL: Yes, sir.

CHAIRMAN: You may proceed.

COUNSEL: Thank you. We appreciate the opportunity to come back. We did not expect to be back again, and you might be wondering why we are here. The day after the hearing, June 15 -- the following day was June 16 -- I was called by someone who identified himself as Rabbi David Max Eichhorn. And after I spoke to him and after I then discussed what he told me with Mrs. Slovik and Mr. DeFinis and Mr. Woods, it was my judgment and recommendation that Rabbi Eichhorn's recollections were important enough that we ask to present that testimony in person before this Board. We did this notwithstanding the fact that, as you can see, Mrs. Slovik could not be here. She is not here, not because she is not interested, of course, but because her health has worsened somewhat since the last trip down here; and the trip for her is a difficult ordeal, physically and emotionally. But we are here because it was my judgment that this is new testimony and that you should have this; and that if we did not present it now, someone might say: Why wasn't it brought to our attention? For that reason we are going to present Rabbi Eichhorn for what he can present.

Just to summarize what we did before, very quickly,



of course, we presented five witnesses at the first hearing, two weeks ago.

Arnold Shaw, the Commanding Officer, testified as to his recollections of the kind of soldier that Eddie Slovik was during the seventeen weeks of basic training; the fact that, with one singular and important exception, he was a good soldier and was a willing participant and a willing draftee. The one exception was his fear of weapons and the problem that he had with any situation that had to do with weapons. Mr. Shaw told you about how he tried to get Slovik's discharge because of his wife's grave physical problems, her health problems. He then explained how he tried without success to get Slovik transferred into a noncombat unit. Then he further indicated, did Shaw, that his recommendations and those records that he prepared in connection with his findings about Slovik, which presumably were in Slovik's file, notwithstanding that, that he was not contacted at any time after Slovik's court martial and during the two months or so of the clemency review.

Mr. Woods, who was the person who represented Slovik at the court martial testified. He indicated what his background was and the fact that his participation in the case ended on the day of the court martial; that he had no further contact with Slovik. He indicated what he has been doing in the last few years

because of -- shall I say? -- a matter of conscience on his part.

And you heard from Mrs. Slovik as to what her recollections were as to her notification, the problems that she has had over the years, her condition now, where she lives, the circumstances under which she is living, and her physical and other problems.

And Mr. DeFinis, who is here today, indicated to you how he got into the attempt on Mrs. Slovik's behalf to achieve what he considered to be appropriate justice. And it may be that I will ask him to testify, quite briefly, after Rabbi Eichhorn's testimony.

May I again thank you for Mrs. Slovik -- she asked me to do so -- for the opportunity to further present testimony.

I would like to ask Rabbi Eichhorn to be sworn and to testify please.

CHAIRMAN: Would you come forward please, Rabbi?

Would you please remain standing for a moment while you are sworn?

Would you repeat your name for the record please?

WITNESS: David Max Eichhorn.

(The Witness, Rabbi David Max Eichhorn, was duly sworn by the Chairman.)



QUESTIONS OF THE WITNESS BY COUNSEL:

Q Rabbi, would you tell us where you live and what your present professional situation is?

A I live in Satellite Beach, Florida. I have a Congregation there, Temple Israel, made up partly of employees of the Kennedy Space Center, partly of professional people in the area, business people, and partly of Jewish retirees. I serve on a voluntary basis as the civilian Chaplain at Patrick Air Force Base and occasionally, when needed by NASA at some particular religious function, at Kennedy Space Center.

Q Rabbi, are you an ordained clergyman, and for how long have you been a practising Rabbi?

A 46 years.

Q May I ask your age?

A 71.

Q Would you tell the Members of the Board your military background please?

A I volunteered for service as a military Chaplain the day after war was declared, 7 December 1941; and I was accepted. I passed the physical in December and I was accepted in January; but the Army delayed my entrance on active duty because my wife was

expecting our fourth child; and the Army refused to allow me to go on EAD until the child was born. The child was born in March, and I entered on active duty on 18 July 1942. I was on that date assigned to the Infantry Training Replacement Center at Camp Croft (phonetic), South Carolina. I remained there until approximately the middle of April 1944, at which time I was ordered overseas on a special assignment. I had been declared limited service on account of eyesight, and I was called overseas on a War Department telegram, which is a rather unusual procedure. Normally the officers were ordered through what we then called the Service Commands. I was ordered on a straight War Department telegram out of Washington. I was ordered to report to Washington and then was sent to a center in Western Pennsylvania, where they prepared people for overseas duty.

When I got to Washington, to the Office of the Chief of Chaplains of the Army, I was informed that my status had been changed from limited service to full service; that I was going to be given a combat assignment of a unique nature, which they couldn't tell me; nor could they tell me whether it was for Europe or the Pacific, but they indicated rather plainly between the lines that it was Europe; and that was all they could tell me.

So I went to this center in Western Pennsylvania.



From there I was sent to Fort Hamilton, New York to await shipment overseas. I was shipped over on the Queen Mary. On D-Day we were lying in the harbor -- I didn't know that -- awaiting D-Day; and landed in Glasgow, 12 June 44; was sent down to the Replacement Depot at Litchfield. On 27 June we left there for Southampton -- oh, it was before that. I don't remember exactly. At any rate --

COUNSEL: I think, if I may: I don't want to interrupt, but --

WITNESS: Let me just make this one statement.

COUNSEL: All right.

WITNESS: It wasn't until I arrived at Litchfield that I found out what my assignment was: I was to be the first Jewish Chaplain ever assigned to an Army Corps in the history of the United States Army, to see if a Jewish Chaplain could function well at that level. General Haislip, the Commander of the XVth Corps, had agreed to accept me as one of his two overage officers in order to try that experiment. I served with him -- I think it was 27 June 44 -- until the middle of September of 1945. And I was with them for about ten months in combat, until 8 May 45.

COUNSEL: Thank you. And your present status is?

WITNESS: I retired at age 60 with the rank of lieutenant colonel, AUS, Retired, out of the Active Reserve.

Q (By Counsel): Rabbi, when was it that you first indicated to me that you had information that you felt might be relevant to the Slovik case?

A I read the story in the paper, our local paper, on the morning of June 16 and it said that the attorney was Bernard Edelman, of Media, Pennsylvania. I tried to locate a Bernard Edelman and was told there was no such person. And then I got the phone supervisor to look through the yellow pages, and she found a Bernard Edelson, and I said: That must be the person. I called Mr. Edelson, and he turned out to be the person. I told him briefly what I knew. He asked me: Please write me a letter stating what you have just told me.

Q And did you write such a letter?

A Yes.

Q I show you a letter on your stationery, dated 16 June 1977. Is that the original of the letter that you sent to me?

A Yes, sir.

Q And are the facts that you set forth in the letter accurate so far as you recall?

A Yes, sir, as far as my recollection serves me.

CHAIRMAN: Would you like that introduced into evidence?



COUNSEL: Yes, if I may. I forget the sequential number of the exhibit, but may it be marked as an exhibit today.

(Paper presented to the Chairman)

CHAIRMAN: Letter dated 16 June 1977 from Rabbi David Max Eichhorn will be entered into evidence, with the appropriate exhibit number.

Q (By Counsel): Rabbi, were you asked some time prior to 1969 by some religious organization, a religious historical organization, to write your autobiography?

A That was in 1969, in July 1969. Dr. Jacob R. Marcus, who was Emeritus Professor of History at the Hebrew Union College, in Cincinnati contacted me or told me that he was preparing to publish a collection of posthumous memoirs of certain rabbis who lived in the first half of the twentieth century, memoirs that he thought had some historical value. He asked me to write my memoirs for that particular volume, which I did, and I sent it to him in August of 1969.

Q Now, Rabbi, did you in your autobiography write about an incident that happened in January 1945 that we might consider to have some bearing upon the circumstances of Eddie Slovik's execution?

A Yes, sir.

Q And did you report in your letter to me of June 16,

1977 -- did you copy the account that you wrote in your autobiography?

A Yes, sir.

Q Now, I ask you please to read the last three paragraphs of that letter, starting where it says, "The winter of 1944-45 ..."  
I am going to ask you to read that. If I ask you the questions about what your recollection was, would it be fair to say that your recollection was as keener in 1969, when you wrote this account, than it would be today, in 1977?

A I think that would be a fair assumption.

Q Then why don't you read what you wrote back in 1969?

A I would like to give one word of explanation, if I might, before I read.

Q Please.

A When I was writing this, of course, I was writing not for a purpose such as we have today; I was simply writing a historical narrative. I would like, if I might, to briefly state the circumstances under which -- the background of this.

Q Would you please?

A It might be misinterpreted if I just read it out flat. To the best of my recollection, I was summoned by the Corps Chaplain on, I believe -- I am not quite sure -- on 20 January 1945 and told that he had just had a call from the 7th Army Chaplain,



then that the officers in the JAG Office in Paris -- they prevailed on General Eisenhower at that time: We have got to shoot somebody because nobody is ever going to be shot and nobody believes anybody is going to be shot and there is no reason why anybody thinks they should be. And at that time General Eisenhower, who himself was under a cloud over the fact that our Army was unprepared to meet the German counterattack known as the Bulge Battle. The 28th Division itself was spread out, holding a Corps front.

Now at that time they decided, and the order was issued. You will note, if you will, the time that the order was signed, and you will note that it was during the Battle of the Bulge. Three men were ordered shot, not just Eddie Slovik. General Eisenhower signed three orders, ordering three men to be shot. The second man to be shot was to be shot by the 3d Division. And if you want corroboration on this, Henry Cabot Lodge is still living. Henry Cabot Lodge was present in the area, had dinner with the lieutenant general in that area the night before the Slovik execution. They had representatives of the 3d Division, you will find them there, who were present at the Slovik execution. And when it was over, they couldn't wait to get back and get in communication with Paris and say: My God, let's don't shoot -- who wants this job? Maybe theoretically it is good, but we don't want to shoot anybody.

Whereupon General Eisenhower countermanded the orders for the two that he had already ordered shot. That is why Eddie Slovic stands completely alone. They were going to execute some more.

And note when the execution occurred, January 31, 1945. Now, if there had been executions back -- we had had desertions in North Africa immediately after the first great defeat, at Kasserine Pass, in North Africa, when we had men run. We had all kinds of desertions then. The men who believed that we ought to shoot somebody so everybody would believe it was possible would have had a good case if somebody had been shot in early 1943; but to take one man out and shoot him when the war was nearly over, on January 31, 1945, this is why, while I am a supporter of the United States Army, believed in the second World War, advocated it, and was called a warmonger before the war; and I lodged great hope and I have always supported the Army, as a journalist. But this is why it was a mistake. There is no point in -- I never saw any point in arguing about whether Slovic should have been in. There were a lot of men who shouldn't have been in the United States Army.

I will point out one thing. We have had argument here as to what kind of soldier he was. He wasn't a very good soldier. The reason was -- he was passed over repeatedly while he was down there in Texas, and I make very clear in my story that nobody wanted



him. Remember that having spent three years in a reform school, having been born in 1920 -- and I quote the prison people here, the Michigan Reformatory at Ionia -- I quote them here at great length. They all called Slovik the best-hearted kid they ever had had. They had him for three years. He would do all these things that you are talking about. He was sent up, went to the reformatory first -- and I won't read it to you here, but he was working in a drug store. He was stealing chewing gum, candy, and other things over a period of six months, amounting to 59 dollars worth of merchandise. This is the charge on which he was sent first to the reformatory. Now, he did have a very bad home situation; and as the people pointed out to me, 1920 was a very bad year to be born in the Detroit area because that because that meant when you were twelve years old it was 1932. It was the Depression, and your father did/have any work to do and lay around drunk, and your mother didn't have any work to do, and she lay around drunk and fought. Eddie Slovik, first, was ashamed of his home situation. He would have been released from the reformatory much earlier except that he could not be sent back to his home situation. Ann Slovik knows this, and it was this situation.

She also hasn't told the fact about the ten thousand dollars insurance. I will tell you why. My memory is better than hers right now. I will tell you why: When they first told her

that the insurance would not be paid because her husband died under questionable circumstances, she was ashamed to tell it because she had already notified the people at Ionia, who were proud of Eddie. -- He was one of their people, and they had put a gold star by his name. She was ashamed to let them know that Eddie had died a shameful death. Moreover, she didn't tell even his mother and sisters. And they, who were in very poor circumstances -- she was in better circumstances. She came from people who owned their own home and came from better circumstances around in the Detroit area than Eddie Slovik did. She was ashamed to tell his own mother and sister that she didn't get the ten thousand dollars. They thought that she did, and they hated her for not giving them some of the money. They told me that in 1954, because they thought she had gotten the insurance. She didn't tell anybody because it was a shameful situation.

Now, as I say, I have to jump around here, and let me just try to be helpful wherever I can.

As to the mistake: I have talked about this -- let me jump further to this: On the book: The Army approved it and liked it. The Judge Advocate General's Office asked me to make only one -- and they did this. This is the sort of thing that you run into in a lifetime of this thing. And I am old pro in the writing business, and have been all my life, and I am 66 years old now, and I have written



21 books, and I have written an awful lot since 1954. So I am quoting, and it is possible I will not remember something. But when we finished, and the colonel was sitting with me just like this gentleman is sitting here now. And they looked at me and they said to me: Huie, we want you to go easy on one thing. Now, we have cooperated with you. We have got just one request to make. Now, we know that whenever the reviewing authorities -- that the court martial was not shown, as it shouldn't have been, and the FBI report on Eddie Slovik's criminal record. Now, I have seen a thousand of these things, gentlemen. Eddie Slovik was never guilty of any violent crime -- petty theft; one or two cases of breaking and entering, with other people, with his peers; one other where two or three kids stole an automobile and wrecked it. He was in the automobile. This is the type of crime. He never had a gun, a pistol, in his hand. I will come to General Cota in just a minute, because he is a great soldier and a great American, and he was very honest and sincere with me. But here was the point: whenever they got ready to shoot Slovik, they were afraid that the firing squad would not kill him. They were afraid that the firing squad would shoot over his head. They were so afraid that they did two things that I will bet you have never been done in any Army. In the first place General Cota himself thought it was necessary that he go in and speak to the firing squad and tell them that under the

circumstances it was their duty to kill this man. And then they sent the Chaplain in, and the Chaplain had to go in there with this convenient -- I am not throwing off on my Catholic friends -- this convenient business that the Priest can go in and say: Now, boys the responsibility for this man's death has already been assumed for a higher authority. You don't have to worry about that. If you are ever called before Judgment at any time in the future, you can't be blamed for this because you are not making this decision. Your only job is to go out there and kill him.

Now, General Cota admitted to me, almost with tears in his eyes, that it was such a tough situation for him that he implied to the firing squad that Eddie Slovik had been guilty of violent crimes in civil life. It is somewhere in this record, because I was asked, as a journalist, to make a concession to the Judge Advocate General's Office and not to reveal that that tactic was used. And my conscience has hurt me two or three times in the past over the fact that I made that concession to them. But remember that there is a certain amount of give and take in these things. Remember, I dealt with human beings. I had great admiration for that Judge Advocate General. All the rest of them had ducked it. This man said to me: The Army of the United States belongs to the people of the United States. We have the right to certain secrecy: tactics, arms,



inventions, whatever we have. But when it comes to something like this, the Army has no right to keep it from the United States. Well, I felt so much like applauding and this is the one man I wanted to cooperate with that anything else he asked me -- that every else had asked me to do. So I did make this concession. However this book will live a lot longer than anybody else here, not just because I wrote it. It will live because <sup>of</sup> Antoinette Slovik. If you are talking about letters, you will find many, many letters in here because she gave them to me. She's a woman of courage because she told me -- she said: I don't know -- first of all, I remember this -- she said to me -- after I told her and we talked for two hours, and she says: Well, if it had to happen to one man in the United States Army, it would have happened to Eddie, because he was the unluckiest boy that ever lived.

One other thing -- let me remind you that, coming out of the -- and you gentlemen know this -- coming out of the reform school, this boy was 4-F from the word, "go." And that was an invidious distinction when he came out and went to work in 1942 and 1943 in Detroit, because he was a reform school boy. The Army didn't want him. They didn't regard him as soldier material at all, early in the war. It was only when they began scraping the bottom of the barrel for replacements, Infantry replacements. This, gentlemen, was the lowliest job in the United States Army. In 1944 to be an Infantry replacement

was a very -- and I will quote General Cota on this, if I may:

"GENERAL COTA: "During the Second World War I was charged by the people of the United States with the responsibility of leading American troops whose mission it was to destroy the German Army. I was privileged to lead 36,000 Americans into battle, and I saw many of them die for the principles in which we believe. Given the same conditions of those hours, I do not see how I could have acted differently in the Slovik case and remained faithful to my responsibilities. I have only one regret: I regret that Private Slovik had to be a product of our replacement system. This was a cruel system, probably necessitated by the nature of the war, but it was cruel, nevertheless, and I never liked it. Men have a right to go into battle as members of a trained unit, flanked by friends and associates, and, if possible, led by leaders who have trained them and whom they have come to trust. To thrust an individual, no matter how well trained as an individual he may be, into battle as a member of a strange unit is in my opinion expecting more than many men are capable of giving. I'm glad that the Army is now moving in this direction.'"

Eddie Slovik was overlooked and overlooked and overlooked. He was reclassified in 1943 only because the Army was having desperate trouble filling these ranks. We didn't have any



shortage of men who went in the Navy or in the Air Force, where your risks were -- at least you were bathed the night before. What we had a problem with was these GI's. How were we going to get GI privates, replacement soldiers in 1944. It was then that the Army scraped the bottom of the barrel and took Eddie Slovik, reclassified him. He didn't expect it. Ann Slovik had no reason to expect it in Detroit. He had already been classified in 4-F, and they expected to remain. And then suddenly he is hit by being reclassified 1-A and ordered to report for induction.

He goes to Texas. Nobody wants him. Nobody wants him. Everybody realizes exactly what you are talking about here. Sure he writes you. He had a devil of a time qualifying for any kind of marksmanship.

He was just a -- he was nice. Everybody said he was one of the nicest fellows. He would work, give you everything else. A question was raised about the Canadian Army. All sorts of people (were floating?) around Europe at that time. The Canadian Army -- and it was lucky enough to get Eddie Slovik. He worked -- he could make better potato pancakes than these Canadians had ever met. They themselves deliberately did not return him back to the United States Army. They knew that they were supposed to, but he was too good a cook. He was too good a man to have around. And besides these kinds of men were

floating around. Believe me, all kinds of units got broken up under fire.

General Cota told me that he would put sixty men out there on post at night, and he said: I got damned tired of going out there and finding only forty.

This is the way it was, and this boy had every reason to think that if he, when he was put back in the situation -- of course, it is true. Why was he up there? It is true that he wrote it down. He was foolish enough to sit down and say: No, I'm not going back.

It is true that Colonel Sommer, the Division Judge Advocate, did go out and did ask him to go back to the line; and he said: No. I will do anything, but there is no point in me going back up to the line. I can't do it. And he wrote it down. That is one of the reasons. he was number one.

The next reason is some of the things you have seen here.

Now one moment. There are one or two other things I could say here.

Oh, yes. Now let talk about when I brought Ann Slovik, if I may. I brought Mrs. Slovik here to Washington. Now, in 1954 I wanted -- General Cota told me this, all I know. General Cota was surprised when I told him Mrs. Slovik did not get the insurance.



Colonel Sommer, who was then down at Fort Bragg -- I had lunch with him. Colonel Sommer, who was General Cota's Division Judge Advocate, told me, as General Cota did, that he had called in Colonel Sommer and told him: All right -- General Cota was the only man in that Division who had any idea that Slovik might ever die. Now, General Cota didn't think they were ever going to send him back up there for him to shoot, because he thought they were going to execute him -- just as Eisenhower's recollection later was that he had been hanged. They thought they were going to hang him, just like we had been hanging murderers and rapists around Europe. We hung 95 of them in the ETO then.

So it is true that -- well, let me get to the point: I brought Mrs. Slovik here. General Cota -- I more or less did it at General Cota's advice -- asking me to. General Cota told me -- he said: I told Sommer to change the wording so that his wife would get the insurance. I don't know what was turned out, but General Cota thought that she had gotten it and was surprised when I told him that she had not. Now, you must remember, when I started talking with all of these gentlemen that every place I went to, every one of them had a letter from the Army asking them and telling them that they were declassifying it, and that they should talk to me about it. I am not just going around and seeing General Cota cold. General Cota

wouldn't have talked to me if he hadn't received such a communication from the Army. Every man cooperated, with one exception: the man who was the Provost Marshal and who presided and who is now dead. He thought the Army had doublecrossed him. He thought that he had a right never to be revealed as having a part in the Slovik execution, that it was secret and that it was going to remain that way, and that the Army didn't have any right to give me his name. He got very, very angry; and I never talked with him. I never would talk with him at all because he got angry at me and said a few things to me, and I said a few things to him, because everybody else cooperated with me completely.

Now, when General Cota told me that he had -- and he told me -- I said: General, you are quoting everybody, and nobody thought this would happen. He said: I thought it was possible that he might actually be. He said: I proceeded as though he might be. But, he said, I was made ~~as~~ as hell when they sent him back up here for me to shoot. I thought they were going to do it back in the stockade. I said: General, if you are going to shoot a man and try to use his death to try to prevent other men from doing it, how can you do it back in Paris. Well, he said, I guess that is the reason they sent him up there. He said: It was the roughest fifteen minutes of my life. And then, of course, you know General Cota's record. You know



how it was at Omaha Beach. He was there. He was really one of the great soldiers of the Second World War. We might still be at Omaha Beach if it hadn't been for General Cota. We might never have gotten ashore there.

Now, let's come just to this: After General Cota told me that he hoped that she could get the insurance, I brought her here; and I went to the VA with her. The VA lawyers showed me that they couldn't pay her the money because of the law, as you know. The VA is told that if death comes from whatever it is, from willful disobedience or something, they cannot. There is no point in fooling with the VA. They couldn't pay it as long as that law is there.

I didn't know. I was advised -- and this brings me to Senator Ferguson, who at that time was the senior senator from Michigan, and the man who -- I wanted to proceed and was advised to proceed politically, not through the Army. I was aware of all the years that had passed. I was told that there was little hope in proceeding through the Army. Therefore I sat down, up in the Senate Dining Room -- and I went to see Senator Ferguson, whom I knew. He appeared on television with me. I told him the situation. With me was the number one man for Cowles Communications, for "Look Magazine" here. The two of us were there. I gave him an advanced copy of the book. I told him the situation. I told him that General Cota and other

people had thought Mrs. Slovik could get the insurance. I told him some of the situation. I wanted to leave him a copy of the book. Senator Ferguson at that time was Chairman of the Judiciary Committee. He told me, yes, that he would like to introduce a Resolution, I believe he said, directing the Court of Claims to make the payment. And then something happened. At that time I came back and I consulted the Army; and I was told officially by the Army that the Army would not oppose such a political action. I contacted the American Legion, and they told me they would not oppose action to pay Mrs. Slovik the money.

But I ran into opposition I never thought I would run into. Eisenhower was President. Mr. Gardner Cowles, of Look Magazine -- I was a big producer for Look for years, and I was going to put the condensation of this story into Look. Now, Mr. Cowles had raised a lot of money for Eisenhower. He was concerned. And I remember when we discussed it. He was concerned that he didn't want to politically embarrass General Eisenhower. Well, there were a lot of people -- the book publishers were in the same position. They had all supported Eisenhower. They didn't want to embarrass the General. Later in the picture business, it was called that Ike was the "heavy" in the case. I didn't regard the General as this. I regarded Slovik as having been shot by patriots who hoped they were



doing right, doing something that would be useful. I didn't regard General Eisenhower's act as a crime. I understood how it could have happened in a war.

So I was going to take Mrs. Slovik up there, and a man who was the President's spokesman at the time was named Jim Hagerty. Hagerty first hit me with the idea that I was trying to embarrass the President. And suddenly I get a call from Senator Ferguson that he wants to see me. I rush over there, and he says: My gosh, Huie, the White House has suddenly gotten exercised. They sent a fellow over here to tell me that if we do this, it will be tantamount to saying that General Eisenhower was wrong when he ordered this man shot. I said: What the hell, Senator, what are you going to do about that? He said: Huie, you just don't understand. I said: Now, listen, I have been around a long time; I understand it. You mean, the lodge rules won't let you go. He said: I am not going to buck this. You know, Eisenhower is a very popular President. I am not going to buck the White House on this situation.

Then I went to Senator Potter, who was the junior senator from Michigan, who was in the 28th Division and had lost both his legs. I went over to Potter, and I told him -- I knew him -- and I said: Here is the greatest opportunity in the world for you. You were in the 28th Division and you lost both your legs. Why

shouldn't you -- with the big Polish vote in Michigan, why shouldn't you go to bat for this money. He said: I will do it, 100 per cent; of course, I will do it. That lasted for 72 hours, until they hit him from the White House. He called me and was almost in tears. The roof had just fallen in on him. The Army -- and I want to state right here publicly that I was proud of the Army of the United States. I had talked about the General, and even with the small concession that they asked of me, which wasn't all that small, but it was made. It was human. I could understand it. I was proud of the fact that the Army -- I am still proud. I don't know of any country in the world where this could have been done. I don't know of any place else where an Army could have done -- you certainly couldn't do it in England, which is -- has the same freedoms that we have in many ways. But the Army told me -- the first man who read it before publication -- six of my stories have been made into films. Two others are in the process of being made into films now. The man who came to Washington and met me here was named Milton Spurling (phonetic), a motion picture producer. Mr. Spurling was the son-in-law of Mr. Warner, Jack Warner. Mr. Spurling was interested in military -- he made a film with Gary Cooper, on Billy Mitchell's flight. Mr. Spurling was very anxious to make a film on the Slovik story. He and I came to the Army together. The Lieutenant General who was in charge of public relations at that



time called the Judge Advocate General. They went into consultation. They told Mr. Spurling and me that they would cooperate completely in making the film. And they made one interesting little thing -- I will never forget what they put down in there -- they said they would cooperate on the film on the condition that the film makers didn't make Slovik "any more sympathetic than Huie had made him in the book." Well, all right, that is that. But at any rate, they were willing to cooperate. Of course, I don't have to tell you gentlemen that there is somebody in the woodpile on that one. You see, you can't -- once you portray a man -- and this is why you are hearing this today, because of the television show. Despite the fact that this book has sold six million copies and it was called by the New York Times a journalistic masterpiece and it will live -- none of you five men have read it. Only three per cent of the people in the United States read books. You cannot inform many people in the United States with a book. Only 18 per cent read newspapers and magazines. You can't inform many people with newspapers and magazines. The only way you can inform many people in the United States today is with television. Eighty per cent of all the people in the United States get their information from television, radio, or what they hear. It was only after the television show -- but to come back to the first effort of many efforts to make a film. It became known quickly

within about -- the way things are here -- that Warner Brothers were going to proceed; Mr. Spurling was going to make a film. And the book hadn't yet been published at this time. So it wasn't published in the newspapers. And a colonel appeared in Mr. Jack Warner's office, from the White House. And Mr. Warner had been the principal fund-raiser for Eisenhower in the motion picture business. And he told Mr. Warner that the President of the United States did not want the film made. And this was too much. You cannot imagine today, where President's don't mean an awful lot. In 1954 there wasn't anybody with any money in Hollywood -- and that is where the phrase was first used -- there wasn't anybody with any money in Hollywood who was going to make a film "in which Ike was the heavy." And that is why the film wasn't made for eighteen years, and that is why the money wasn't paid by political actions in 1954. I didn't know them, but I was informed of the rules. Now, once the film was made, and you have a huge audience who became interested, as you heard here, I don't have to tell you gentlemen that if you don't give Mrs. Slovik the money, we will get it somewhere because we have got another President in the White House and we have got another Congress and so forth, and we will just go by political action and we will get it now if we don't get it here. I hope that it comes through this process. And I am 66 years old, and I long quit beating around the bush. So I am just



expressing myself forthrightly to you gentlemen, and I hope I don't irritate any of you, as I say; but it is true. And the film will be shown, and NBC will show it again twice during the next year.

Now, to summarize, or to conclude: I wrote the book for the reason that I told you. The question has been raised here, and I want to lay it on the line; why I didn't give Ann Slovik more money. The book sold several million copies. I am a man who makes money in the lecture business, books, films, and that sort of thing. It is true that I paid her a thousand dollars. Some time after I published the book I didn't think it would ever be filmed. I knew what had happened. I knew that the White House didn't want it. And I didn't think that -- remember that the climate in the United States in the 1950's -- those were the apathetic years. Some of you are just about old enough to know that those were called the -- there wasn't much going on, on college campuses in those days except drinking and sexing; and they weren't arguing politics and parading around or anything like that. So 1954 was the worst time in any time since the Second World War to publish such a story. It did all right.

But let's talk about the money. Ann was in a big jam. I live down in Alabama. Despite the fact that I have earned lots of money -- and I have got agents and lawyers who take a substantial part or amount of it and tell me how much I have got -- I never kept

any. The reason is that I am an engaged guy. I spent forty thousand dollars writing the Slovik story before I ever -- and the total book advance was twelve thousand dollars. So I was engaged in it. Before the book was even published I was involved in something call the Ruby McCollum case in Florida and an old circuit Judge had thrown me in jail in contempt of court, and it cost me forty thousand dollars before I got through with the Ruby McCollum case. So I have never had any money because I am always in one case right after another. For the last three days I have been talking about nothing but James L. Ray, because I am forty thousand dollars loser in the James L. Ray story at the moment. That is the way I have lived, for better or worse. I have never been in my whole life -- I didn't have any children. I own land in Alabama, and eighth generation -- we just don't care much about money, people like me. We make a lot of money. As long as it is deductible, I can afford it, but I never accumulated any. Therefore if you asked me if I have got five -- now, I did do this, when the film was made -- Universal Films, they work with computers. They make nothing but millions of dollars. They don't have any flops. I asked them to contribute five thousand dollars, although I didn't have anything to do with the film, because I sold the film rights to Frank Sinatra three or four years after the story. I thought Sinatra was going to make it. He wanted to play Slovik



at that time. And then he ran into a lot of opposition whenever he announced he was going to make it. And it went on for years. And at that time I was young -- not young, but I was represented both by MCA and Sinatra was represented by MCA. One of those deals -- the Antitrust Division broke that up for MCA and forced them out of the agency business. It was one of those deals whereby both Sinatra and I had to sign had to sign waivers so that we could both be represented by the same agents. And Sinatra was making more money at that time for MCA than I was. And so they sold -- and I never read one of these things in my life. If I had, I wouldn't have time to write books. They sold those rights outright for 35 thousand dollars, I think it was. I have got lawyers now, and agents, and so forth, I have had for the last twenty years; and if they don't start making photography in two years, why, all rights come back to me, no matter what they pay. But I wasn't in that position with Sinatra. So for eighteen years that rascal -- I fought him for the rights, if he wasn't going to make it, to sell it back to me for what he had paid me. When he finally got too old to play Slovik himself, his lawyers sold it. But instead of selling it to me for fifty thousand dollars, which I had posted out there with him; he sold it to another man for a hundred thousand dollars. And I had nothing whatsoever to do with making the film. I didn't make a dime out of the film. I had nothing

to do with making it. Fortunately, I was lucky. They made it good. They made a good one, one I am proud of and one you will be proud of when you have a chance to see it. And NBC does all right. They made an enormous amount of money out of their two showings. It was the best thing they had. I am in business with them on another film right now. I suggested that they might make a contribution to Mrs. Slovik.

REPORTER: Mr. Chairman, may we have a little recess?

(A short recess was taken.)

CHAIRMAN: The Board will come to order.

COUNSEL: You wanted just to close. But before you get into that, you have discussed Eddie Slovik with a fellow named Dimmick, who was the person at Ionia Reformatory who knew him best, did you not?

WITNESS (Mr. Huie): Yes.

Q (By Counsel): And what did he tell you about Eddie Slovik?

A Here is the way I learned about H. Dimmick: After Slovik had been pronounced dead by Dr. Robert E. Rougelot, of New Orleans, the detail which claimed his body found in his pocket a small address book containing eight addresses -- this is the way I got Mr. Dimmick -- printed in pencil. One of these was: H.



Dimmick, 330 East Main Street, Ionia, Michigan. And that is how I began looking for Mr. Dimmick. And that is what brought us to the story, to Ionia, the Michigan State Reformatory, normally with a complement of 1,300 boys. Eddie Slovik was there just about five years in all, primarily because, as I said, each parole officer pointed out that he couldn't be returned to his home environment.

Now, there are many quotes from Dimmick; but here are the principal ones:

Here is one that I have been asked to read to you. Mr. Dimmick says: This is all very surprising to us. You see, they were just as surprised to be told of Eddie's execution as his wife was. We had no idea that Eddie died in this fashion -- and I am quoting several of the men who were in charge of the boys there. Actually, Mr. Dimmick was Eddie Slovik's supervisor for three years: "We had no idea that Eddie died in this fashion. His wife wrote us that he had been killed, and we stuck a gold star next to his name on our armed-service board. That was sort of misrepresenting things, wasn't it? But we didn't know any better. Since we had him here for almost five years, guess this doesn't speak too well for us. It's a big surprise, too, that it was Eddie. We thought he had a pretty good chance to make it. He sent us invitations to his wedding: he was so proud of his wife. We thought he'd make it because he wasn't a

cop-hater. He was a friendly, good-hearted kid. Sort of a lone wolf ... never laughed much, or played jokes ... but he never had a fight while he was here ... never made an enemy. Weak as dishwater, sure, scared, insecure ... but we thought he had a good chance because he didn't hate."

Then he says it is damned hard to figure Eddie:

"Eddie was weak and soft, scared but gentle. It is hard to figure Eddie before a firing squad .. damned hard."

"--Or maybe it does figure .. if you look at it from another angle. This is different from the civilian executions we deal with; it's different from the usual army execution. The normal execution is for violence; but Eddie's was for running away from a fight.

"--Sure ... when you consider it like that .. it figures. We could have predicted that Eddie might run. When we said that we thought he had a good chance to make it, we were talking about civilian life. We didn't mean that he was a good bet to hold a firing line in the dark."

Now, these are what we found when we went to Ionia. We found this whole story that has been given to you before, of a good-hearted kid who didn't hate anybody, but he was weak as dishwater. And that is just about what it comes down to.

Now, I have talked much too long. I want to thank



you gentlemen. As you can imagine, I have discussed this story a few times in the last 23 years. But thank you for your patience.

CHAIRMAN: Any questions by the Board? Mr. Woodside.

MEMBER: Yes, I have a couple questions:

Mr. Huie, you indicated earlier in your testimony that you were in the Pentagon frequently, about annually I believe. What reason did you have to come to the Pentagon annually?

WITNESS: I wrote magazine stories, sir. Frequently -- I can't remember exactly how many times -- but I came here. I mentioned my being here and doing a story in 1946, when I learned about this. So I frequently wrote stories that brought me to Washington, and I maintained a place in Washington at that time. So it was not unusual for me to come to the Pentagon. Also I knew about this, and I kept trying to find somebody who would agree to cooperate with me in telling this story.

MEMBER: So your visits were in connection with other stories.

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WITNESS: But I didn't mean to imply, and I don't in the book -- I point out that it was because I was here and working on other stories, and I really didn't have much hope of getting it done, quite frankly, sir.

MEMBER: Did you request the Army to provide you with records in this case, that they didn't?

WITNESS: No, sir, I did not do that. I knew it was Top Secret. When I got what I have just described, I got far more than I ever really hoped to get; and I felt very grateful for them giving me that. And I didn't make any such request here, the times when I would write for it. I didn't think I would get it. I remembered that I had looked into Judge Advocate Generals' faces who told me they knew absolutely nothing about anything that ever happened like this. So my lawyers didn't serve the Army with papers and say: How about cooperating with us? No, sir, I didn't do that.

Actually I don't want to imply that I didn't feel grateful for what I did get from them.

MEMBER: Did you ever visit the Adjutant General's Office with Mrs. Slovik to look at the record?

WITNESS: I didn't know Mrs. Slovik.

APPLICANT: Didn't you?

WITNESS: Oh, you mean -- now, wait a minute. I didn't



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understand the question.

APPLICANT: Go ahead.

WITNESS: Did I ever do that, sir? Did I bring Mrs. Slovik here?

You will have to refresh my memory. I remember we were in Washington for several days. Did we come to the Pentagon?

APPLICANT: Wasn't it you who asked me to come and ask the Army to release the file?

WITNESS: I clearly remember, Ann, our going to the VA and talking to the attorney, General Counsel.

APPLICANT: Not the VA. We were at the Pentagon.

WITNESS: Well, I will have to say it is my recollection that it was at the VA here in Washington. I am older than Mrs. Slovik; so I could be wrong. But my recollection is that we went to the Veterans Administration.

APPLICANT: (inaudible)

WITNESS: Well, you may be right.

APPLICANT: That is when I asked for the release, and they released the information to you.

WITNESS: Now let me think just a moment. It could not have happened before the Army disclosed to me -- remember, I didn't know that the man who was shot was Eddie Slovik and came from somewhere in

the Detroit area. That information was given to me after the Army had made the decision. Now, it is possible that Mrs. Slovik is reminding me of something that did happen. It is possible that after I found her somebody in the Judge Advocate General's Office -- and I don't recall that this was done; but it is possible that after I found her, I came back and reported this. The Army people who were working with me didn't know whether Mrs. Slovik existed or not, whether she was alive. I, in effect, was the one who came back and told them that I had found her. It is possible that at that point somebody decided: Well, we had better get her request to do this.

Did you sign a request, Ann?

APPLICANT: That is evidently what happened. You already had the information that he was executed. I didn't know. Nobody else knew, but you did.

WITNESS: That is right. And then you signed an authorization for me to have the papers? Is that correct?

APPLICANT: Yes, I came down here, and I told you that you could have the information that was in there; if the Army was willing to release it, you could have it for the book.

WITNESS: All right, then I am not going to challenge that, gentlemen.

APPLICANT: That was my very first encounter with the



United States Army, when I came in here to get the record.

WITNESS: All right.

MEMBER: Mr. Huie, do you recall showing any document relating to this case to Private Slovik's mother or sister?

WITNESS: No, sir. I don't recall -- I didn't have any document. Remember that I never had any document in my hands. Not one document has ever been handed me by the United States Army. All that was given me was information from the file, and I proceeded on it. Even to the time -- well, actually when I finally got his grave number so that I could send a photographer up there to make some pictures of his grave. And on that I came from Graves Registration -- it seems like I had to go to General George Marshall for that. But, no, sir, the Army has never given me any record, and I mentioned -- now, wait a minute, the only thing I had was a letter from the Army empowering someone that I found who was involved in it to speak to me freely about it. I did have something like that, that was given me by the Army; but I had nothing as far as Eddie Slovik's record. That was never given to me.

MEMBER: Did Private Slovik's mother or sister approve of your writing the book?

WITNESS: No, they didn't.

MEMBER: They didn't cooperate?

WITNESS: No, sir.

MEMBER: They did not?

WITNESS: They did not. They were bitter at Ann Slovik; they were bitter at me for revealing it.

MEMBER: I see. Did they try to --

WITNESS: No, sir, they didn't try anything. It was a matter of some concern by my own lawyers; and they it was decided that we could proceed on the fact that Mrs. Antoinette Slovik was the next of kin; and the fact that if his mother and sister didn't like it, that was a calculated risk we would have to take.

MEMBER: You indicated that General Cota was surprised when they sent Private Slovik back to him to be executed by the firing squad.

WITNESS: Yes, sir.

MEMBER: He anticipated that they would hang him.

WITNESS: Well, I don't believe he used the word, "hanging," but that he would be executed back in the disciplinary barracks, or something of that sort. He told me he was very much surprised. For good reason: How many Generals had been executing anybody like this? He thought he had enough trouble to run the war up there. If they wanted to execute somebody, they ought to do it back at the disciplinary barracks. Also, he was visibly affected. I remember he



said: That was the roughest fifteen minutes of my life. All the battles he had been in, and he had won the Silver Star a couple of times, but it was nothing compared to the execution. He said: I stood out there and faced the man. It was my duty, of course, as the ranking officer, at the execution. He said: It was my duty, but it was the roughest fifteen minutes of my life. Yes, he was surprised. Moverover, Colonel Sommer told me the same thing, down at Fort Bragg. All right, I won't go into it any further. Yes, that was true; they were surprised.

Moreover, you can imagine the court. I am sure I don't have to tell you gentlemen that the court was made up of men who were not combat officers, men who handled finance, men who were dentists, and men like that who were back at headquarters. They were the people who passed judgment. There wasn't a combat officer on the Slovik court. Combat officers don't have time to sit on courts back there. They have to be done by the officers who are sitting back there in the rear.

CHAIRMAN: Mr. Miller, any questions?

MEMBER: No questions.

CHAIRMAN: Mr. Williams?

EXECUTIVE SECRETARY: I have none, sir.

CHAIRMAN: Counsel?

COUNSEL: Mrs. Slovik, may I ask one question which I may not have asked? Mrs. Slovik, there was a reference to a second document that was sent by the -- about your husband's death, the one that said that he met his death as a result of willful misconduct. Did you receive such a document?

APPLICANT: I did not receive it.

COUNSEL: All right.

Gentlemen, may I sum up?

CHAIRMAN: Yes.

COUNSEL: You have heard from the people who can best bring to your attention what happened at the time that Eddie Slovik was executed, and what happened before. In all deference to you gentlemen, we didn't know about your existence until some months ago. You are not a well publicized entity. And you should not hold that against Mrs. Slovik, considering who she is and where she comes from, that perhaps she might have acted and gotten a lawyer a little more quickly. That, I would suggest, would not be a proper thing to hold against her. So that you do have jurisdiction. That three-year matter should, in this case, be waived.

Unfortunately Eddie Slovik was the wrong person at the wrong time; and he paid a penalty for that. You have within your power to remedy this injustice by making Mrs. Slovik's remaining years



a little bit more livable by ordering that the insurance proceeds should be paid, by saying that, however it happened, by good design or no, the singling out of Eddie Slovik was improper, to make him the only one in the last hundred-and-some years to be executed, that he does not deserve to be lying next to murders and rapists, because the Army knew what they were getting. Arnold Shaw and others told them that they should not put him into a combat situation. For some reason the wheels slipped, the computer messed up, and that information was not communicated. And also -- the reason that we are here -- the people that looked at the record did not look carefully enough. They did not try to find out whether or not Eddie Slovik deserved clemency or not. They misquoted his Army record. His record was not "poor," as they said. It has been variously characterized as fair, or good, or excellent. His character was not bad as the record shows. His character, for all that you know and all that appears, was good in the Army. The characterization and use of his prior record was improper if it bore upon whether or not he should be executed, because he was well on his way to making amends to society, to becoming that good citizen that Dimmick and others at Ionia thought he might become. And it was only when he was faced with a situation beyond his control that he was not able to hack it.

You have the power and the duty that Congress has given

you to take away the injustice that was done, to move the body away from the rapists and the murderers and to give Mrs. Slovik the proceeds of the insurance policy that her husband paid for.

The technical arguments about forfeiture of the life insurance proceeds really don't apply here. This was not punishment for crime, because the Army said he was not being put to death as punishment but as an example. It was not lawful punishment because no system of justice, such as ours, that puts a value on individual liberty can say that the mechanism by which Eddie Slovik was put against the wall, fastened to the stake, and shot to death was a lawful procedure.

Thank you very much.

CHAIRMAN: Are there questions by the Board?

MEMBER: Mr. Edelson, may I just take a moment to get clearly in my mind: Are you alleging or are you telling us that you feel that there was an error or an injustice involved in Eddie Slovik's execution?

AMCOUNSEL: Both his execution and trial, the manner -- both. It was an error not to have given him a record of his court martial. That was an error. The Army was wrong. It was required, and it was not done. That, in and of itself, should for purposes of this hearing, this Board, your job -- that in and of itself is enough to say: This



was not done properly. But the injustice pervades the entire process, starting from the time he was sentenced to death and the problems and the failure of the Army, after that fact, to provide him with any help, to misinterpret the record as it was, to misstate the record as it was in the review that they did. That is the injustice and the injustice which has resulted in Mrs. Slovik's unfortunate state.

MEMBER: Do you believe there was an error or injustice in his conviction for desertion?

COUNSEL: If I were the lawyer there, if I represented Eddie Slovik, I would have seen to it, if I had the time -- and I would have found the time, or I wouldn't have gone to trial -- I would have wanted to find out, if my man faced a death sentence, what kind of person he was. I would not have been content with the psychiatric evaluation that you see in the record by Dr. Burk, of one paragraph, with a few sentences. I would have presented to that court martial board some evidence of what kind of person this was.

Major Wood -- and this is not meant at all to denigrate what he did. He was a 26 year old kid, who was not a lawyer, who was given a death case to try; and he was not able to, under the law, follow up afterwards. We cannot, as a society that tells the world that we are for human rights -- we cannot allow such an injustice to exist. If it is within our power, we must correct that. What went

wrong there is ancient history, but fortunately Congress has said such injustice may be and will be corrected when a proper case is presented.

MEMBER: My point in the question is the separation of the execution from the point of the conviction for desertion. Now, was there some error or injustice in the conviction for desertion, assuming that there would have been some other sentence?

COUNSEL: Yes. I definitely believe that there was an error in the court martial, because if I were the lawyer then, or if any other lawyer were there, he would have argued that you have to look into -- a specific intent was required, whether it be to remain away forever or to shirk hazardous duty. This fellow was not capable of forming that intent. He was psychologically unable to serve. It is just like a homicide case: If you have a person who is insane, he is found not guilty. Slovik had a blind spot. He had a psychological incapacity to fight. The Army knew it. It was not malingering. They were told this by Shaw, Arnold Shaw and others; and he should not have been put in that position. He therefore did not and was not able to form the specific intent to commit this crime. He was not guilty of willful misconduct -- was that in the letter? -- willful misconduct. It was not willful.

Now, I can make that argument because I have been



trying cases for twenty years and I have been trained in the law. But Eddie Woods couldn't make that argument at that time. He was a soldier. He just wasn't able to make a lawyer's argument. This was a lawyer's job.

MEMBER: Mr. Edelson, how do you explain Private Slovik's coming to his commanding officer and specifically requesting: If I leave now, will that be desertion? And his answer was: Yes, it will be. Now, how do you explain that as not being intent to desert?

COUNSEL: Because Eddie Slovik, with his ninth grade education and the traumas of his past, was also not able to ponder the legal implications of what is desertion and what is not. All he knew was, he was scared to death, and he couldn't go out in combat, and he would do anything to get away from it. Now, he didn't kill anybody; he didn't hurt anybody. He was scared to death, and he wanted to do whatever it was that would keep him from being put in that position. That wasn't his fault.

MEMBER: The fact that he asked the question, "Would this be desertion?" -- doesn't that suggest that he might know the difference between AWOL and desertion and he wanted to know the answer?

COUNSEL: Yes, he may have; but my answer is: So what? I don't follow the drift of that question. You have to look at him; you have to look at Eddie Slovik to see whether or not he should have

bee executed. Now, if you agree with all of the uncontroverted evidence that he was okay except that he had this dread fear of combat that could not be remedied -- and he would have done anything to have avoided that. He wasn't like that General. Why is it? -- our government, our system of justice, our history will not permit, should not permit, the officer who was sent out to the night patrol, and he said, "Not me; I am going to serve my six months, and that is it" -- our system of government should not permit an Eddie Slovik to be executed under those circumstances. And you have no facts in front of you, of any kind, to contradict the picture of Eddie Slovik that has been portrayed by all of these witnesses, none whatsoever. He was paralyzed by fear. He would have done anything; he would have signed anything. He did do that. Yes, he wrote the paper. But, again, he was put in the wrong place by people should should know better.

He is not a hero, but he should not have been the only one to have been executed. He was not a murderer, a rapist, or a violent criminal. We just don't do things in that way in this country. We shouldn't; we haven't; and that was one time in a hundred years that we made a mistake. The mistake should be remedied now.

CHAIRMAN: Mr. Miller?

MEMBER: No questions.

CHAIRMAN: Mr. Hise?



MEMBER: No questions.

CHAIRMAN: Mr. Edelson, I do have one request to make: I think it would be helpful to the Board now if you would again specify exactly what relief you are seeking for the Applicant in this case.

COUNSEL: We want the record to reflect the fact that this Board finds that an error and/or injustice has been committed in the Slovik case; and that, as a result, the consequences of his execution, of his death, should not prevent his widow from obtaining the proceeds of the National Service Life Insurance policy which was in force, in effect, at the time of his death, plus interest on the face amount at six per cent from the time of his death to the present. We also request -- and this is Mrs. Slovik's request -- that the body be removed from the place of dishonor next to the murderers and rapists there and placed in a more suitable resting place. We are not asking that the body be brought home. That was not his wish, and she continues to honor his wish, that he remain buried on foreign soil.

I haven't said this, but let me make this clear, since finances came into this: Neither I nor anyone working with me, and that includes Mr. DeFinis and Mr. Woods, are on any contingent fee of any kind. Mrs. Slovik will pay us for the time spent if and when she recovers the proceeds of this insurance.

And that is the agreement, is it not, Mrs. Slovik?

APPLICANT: Yes.

COUNSEL: Thank you very much for hearing us until this late hour.

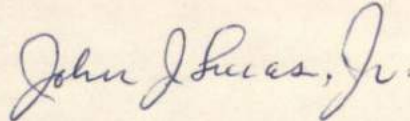
CHAIRMAN: Mr. Williams, do you have any further questions?

EXECUTIVE SECRETARY: I have none, sir.

CHAIRMAN: Do you have anything further to offer?

COUNSEL: No, sir.

CHAIRMAN: There being nothing further, the Board will be closed.



John J. Lucas, Jr.  
Reporter, OSA  
23 June 1977



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