AUGEL AUGUL AUGUL

Adjutant General
War Department
Washington 25,
D. C.

Miss Pauline Slovet 5/16/1/1832 Hawthorne Die Mrs. Pauline Serufine, 11649 Auburn Ave., Detroit 28, Mich.





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Department of the Army, Office of the Adjutant General, Washington 25, D. C.

ATT: Wm. E. Bergin, Major General, USA



AGPC-G 201 Slovik, Eddie D. (30 Aug 46) 36896415

Insurance and pensions

19 September 1946

Administrator of Veberans Affairs Veterans Administration Washington, D. C.

- 1. The inclosed copy of a letter dated 30 August 1946, from Miss Pauline Slovik, 11532 Hawthorne Avenue, Detroit 11, Michigan, sister of the late Private Eddie D. Slovik, 36896415, is forwarded for direct reply to her inquiry concerning insurance and pensions.
- 2. The records of this office show that Private Slovik died on 31 January 1945 in the European Theater.
  - 3. Miss Slovik has been advised of this reference.

2 Inclosures Cpy ltr frm Miss Slovik Cpy TAG's reply 4 Belinan

Brigadier General Acting The Adjutant General of the Army



APGC-G 201 Slevik, Eddie D. (30 Aug 46) 36896415

19 September 1946

Miss Pauline Slovik 11532 Hawthorne Avenue Detroit 11, Michigan

Dear Hiss Sloviks

I am referring to your letter of 30 August 1946, concerning your brother, Private Eddie D. Slovik, who died on 31 January 1945, in the European Theater.

The records of this office reveal that all information regarding the death of your brother was furnished his wife, Hrs. Antoinette Slovik, 6320 Termes Street, Dearborn, Michigan, who was designated as the person notified in case of emergency.

A copy of your letter has been forwarded to The Administrator of Veterans Affairs, Veterans Administration, Mashington, D. C., for appropriate attention and direct reply to you with regard to your brother's Government Insurance and pensions.

You have my deepest sympathy in your loss.

Sincerely yours,

COPY FURNISHED CASUALTY

B. LEWIS

Brigadier General

Acting The Adjutant General of the Army

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STANDARD FORM NO. 14A

### **TELEGRAM**

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8 NOVEMBER 1946

MRS ANN SLOVIK 10224 RUSSELL DETROIT MICHIGAN

TO COMPLETE WAR DEPARTMENT RECORDS PLRASE TELEGRAPH COLLECT ATTENTION MONDELIVERY CASUALTY BRANCH ADJUTANT GENERALS OFFICE NASHINGTON PRESENT ADDRESS MISS PAULINE SLOVIK STOTER INCX PRIVATE EDDIE D SLOVIK

OFFICIAL:

THE ADJUTANT GENERAL OF THE ARMY

Major, A.G.D., ADJUTANT GENERAL

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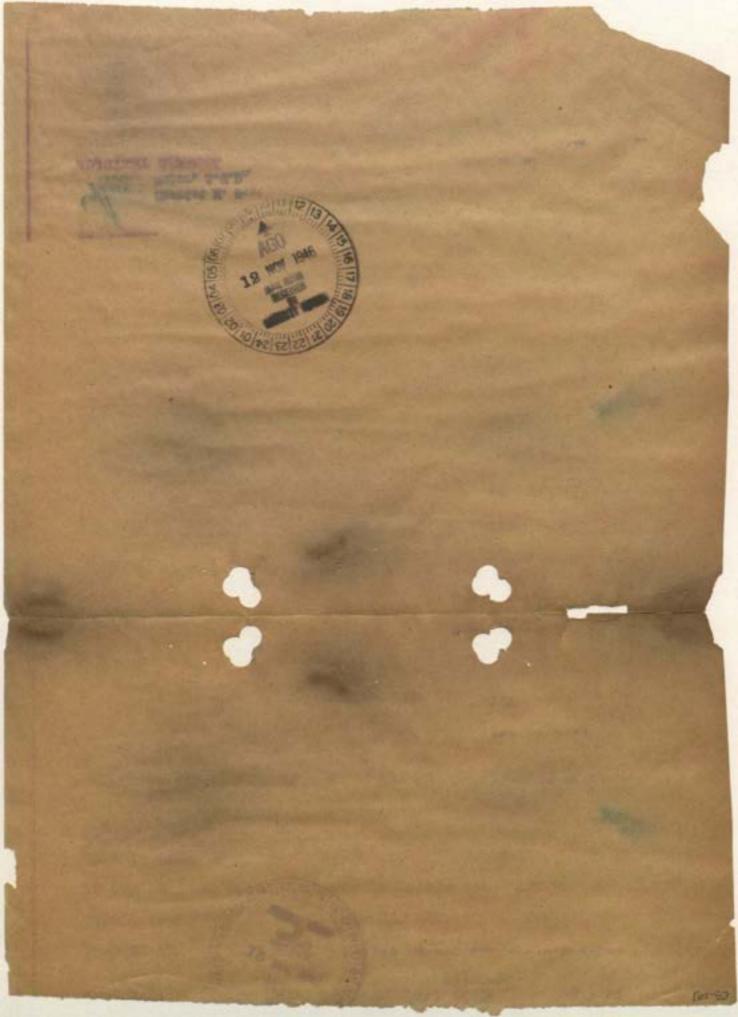
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PAULINE SLOVIK 918A

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ABCMR Proceedings (cont'd)

Eddie D. Slovik, 36896415

of the deceased's remains to another portion of a cemetery in France, is actually not a matter for consideration by this Board, as it does not constitute a correction of military records.

8. That in view of the foregoing findings and conclusions, no basis had been found for the correction of military records to show the applicant to be entitled to the proceeds of the deceased's MSLI.

#### THE BOARD RECOMMENDS:

That in the case of EDDIE D. SLOVIK, the application for correction of military records be denied.

GORDON M. HOBBS Chairman

B.

FC, USA PINCS

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95TH CONGRESS 1ST SESSION

# H. R. 9114

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### IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 14, 1977

Mr. Ranger introduced the following bill; which was referred to the Committee on the Judiciary

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any sum not exceeding \$1,000.

### A BILL

For the relief of Antoinette Slovik.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 That the Secretary of the Treasury shall pay, out of any
- 4 money in the Treasury not otherwise appropriated, the
- 5 sum of \$70,000 to Antoinette Slovik of Lansdale, Pennsyl-
- 6 vania, representing life insurance benefits under the Veterans'
- 7 Administration policy of Eddie Slovik (service number
- 8 36896415) and interest accruing on such benefits since
- 9 the death of Eddie Slovik in January 1945. Such sum shall
- 10 be paid by the Secretary of the Treasury notwithstanding

- 1 any forfeiture provisions in such policy or in any laws
- 2 administered by the Veterans' Administration.
- 3 Sec. 2. No part of the amount appropriated in the
- 4 first section of this Act in excess of 10 per centum thereof
- 5 shall be paid or delivered to or received by any agent or
- 6 attorney on account of services rendered in connection with
- 7 this claim, and the same shall be unlawful, any contract to
- 8 the contrary notwithstanding. Any person violating the
- 9 provisions of this section shall be deemed guilty of a
- 10 misdemeanor and upon conviction thereof shall be fined in
- 11 any sum not exceeding \$1,000.

### A BILL

For the relief of Antoinette Slovik,

- 1 Ee it enacted by the Sennie and House of Representa-2 tices of the United States of America in Congress assembled,
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- 3 That the Secretary of the Treasury shall pay, out of any
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- 2 the death of Eddie Slovik in January 1945. Such sum shall
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POTH CONGRESS H. R. 9114

### A BILL

For the relief of Antoinette Slovik.

By Mr. RANGEL

**SEPTEMBER 14, 1977** Referred to the Committee on the Judiciary

#### DEPARTMENT OF THE ARMY BOARD FOR CORRECTION OF MILITARY RECORDS THE PENTAGON, WASHINGTON, D.C.

IN THE CASE OF:

SLOVIK, EDDIE D. 36 896 415 (Deceased)

COUNSEL:

Robert N. DeFinis

523 Edgemont

Lansdale, PA 19446

MEMORANDUM OF CONSIDERATION

I certify that hereinafter is recorded the record of consideration of the Army Board for Correction of Military Records in the case of the above-named individual. A quorum was present during the consideration.

Present: Mr. Oliver Kennedy

Mr. Dominic R. Ciccotelli

Mr. James L. Stroud

Mr. John W. Matthews Mr. Watts P. Tyler

Chairman

Member Member

Executive Secretary

DATE: 8 April 1981

INDEX NUMBER: 137.00

DOCKET NUMBER: AC 77-02357A

Examiner

The Board, established pursuant to authority contained in 10 U.S.C. 1552, convened at the call of the Chairman on the above date. AR 15-185, the regulation governing the operation of the Board, provides that each application and the available military records pertinent to the corrective action requested will be reviewed to determine whether to authorize a hearing, recommend that the records be corrected without a hearing, or to deny the application.

The Board may deny an application if it determines that insufficient relevant evidence has been presented to demonstrate the existence of probable material error or injustice. Following consideration of the case and having made its determination thereof, proceeded to other business.

Applicant requests correction of military records as stated in application to the Board and restated herein.

The Board considered the following evidence:

Exhibit A - Application for correction of military records

Exhibit B - Military Personnel Records

Exhibit C -

Grant Request Formal Hearing

Deny w/o Hearing of Jour

NAME: SLOVIK, EDDIE D., 36 896 415, (Deceased)

APPLICANTS REQUEST: The former service member (FSM) is deceased. Application is filed by Mr. Edward P. Woods and Mr. Robert DeFinis (Executors of the Estate of Mrs. Antoinette Slovik) on behalf of the FSM's widow, Mrs. Antoinette Slovik, also now deceased, for reconsideration of her application for correction of military records pertaining to the FSM to show that she is entitled to the pro-. ceeds of the FSM's National Service Life Insurance (NSLI) of \$10,000.00, plus interest from the date of the FSM's death.

APPLICANTS STATE: The applicant's have submitted a copy of the record of trial by general court-martial and extracts from the service records of the FSM in which Mr. Woods (Defense Counsel at the Trial) has made various comments and/or contentions concerning the matters, actions and statements contained therein. On practically every page he has made some comment concerning the matters recorded. Of particular note are his comments on pages 41 and 128 of the record of trial, concerning the findings of Army psychiatrist who examined the FSM on 26 Oct 44, and the letter the FSM wrote to General Eisenhower on 9 Dec 44. The entire appeal is contained in the Official Military Personnel File.

MATERIAL EVIDENCE OF RECORD: Incorporated in this memorandum and included by this reference are the military and medical records which reflect in pertinent part:

Date of Birth: 18 February 1920

The FSM was inducted into the Army of the United States on 3 Jan 44 and entered on active duty on 24 Jan 44. He completed basic training at Camp Walters, Texas and was then assigned to duty in Europe as a replacement (infantryman) in August 1944.

On 11 Nov 44 the FSM was convicted by a general court-martial on a charge of desertion to avoid action against the enemy and sentenced to be shot to death with musketry. As a result, he was shot to death on 31 Jan 45.

A prior application for the same stated action resulted in a recommendation for denial by this Board in 1977. The recommendations were approved by the Assistant Secretary of the Army on 12 Aug 77. The case summary and Board proceedings, prepared at that time, are attached.

AR 15-185 which governs the operation of the Board for Correction of Military Records provides that after final adjudication of a case, further consideration will be granted only upon presentation of newly discovered relevant evidence not previously considered by the Board and then only upon recommendation of the Board and approval by the Secretary of the Army.

DISCUSSION: Applicants have requested that the ABCMR respond to each comment made by the FSM's defense counsel annotated in the submitted copy of the FSM's records and record of trial. No attempt has been made to respond to each and every comment, contention, or allegation made. However, the pertinent issues pertaining to this case are covered in the discussion that follows.

Although the ABCMR has been given rather broad powers under 10 U.S.C. 1552 to change records where there is a perceived error, or injustice, the Board is constrained by the law of the land and must make correction to military records within the framework of the governing statutes of the Federal Government. To change a record to show an action outside of such framework would usurp the intent of the law.

In the case at hand the FSM was convicted by a general court-martial of deserting the service. Under the law (38 U.S.C. 711) it matters not whether he thereafter died of natural causes, or was executed by a firing squad, because the conviction alone precluded the payment of the NSLI to the designated beneficiary.

It is recognized that the applicants are contending that the FSM's record of trial is in error and that he should have never been convicted of a charge of desertion. While the Board does not normally involve itself with the reopening of the proceedings, findings and judgements of court-martial cases, it appears to be appropriate in this case to respond to some of the issues raised. The basic pertinent issues are:

a. Whether the FSM was suitable for military service.

The FSM has been depicted through a book written on his life, and subsequently in a motion picture, as an underprivileged misfit who should not have been inducted into the Army. It is acknowledged that the FSM came from a very poor family and he had a record of juvenile delinquency prior to his induction into the Army. However, there is no evidence contained in his service records to indicate, or suspect, that he was unsuited for military service. The record shows he completed basic training at Camp Walters, Texas; that his efficiency was "satisfactory" and that he was a "skilled rifleman." Further, the letter he wrote to General Eisenhower in December 1944 is written in clear, logical terms indicative of an individual who was fully capable of serving in the military.

b. Whether the FSM should have been brought to trial on a charge of desertion.

It is recognized that the applicant was a new replacement who had not been exposed to actual combat before he arrived in France in 1944. However, none of the other replacements who accompanied him from the United States had been exposed to actual combat. He stated that he was unable to participate because of his nerves and apparently felt this set him apart from the rest of the replacements. While the record is devoid of the feelings of the other replacements being sent into combat, it is reasonable to expect that most incurred a case of "nerves" when they first arrived on the field of battle. In the case of the FSM the record shows that he chose to be locked up in the comparative safety of the stockade, rather than participate in combat with his fellow soldiers. Not only did he make such a verbal request he prepared and signed confession to desertion in order to insure such incarceration. Being apparently of sound mind, and making no issue of failure to participate in combat because of religious beliefs, it appears that it was appropriate to bring him to trial on the charge of desertion. His counsel tends to confirm this opinion as he now states that he believed the FSM was mentally, emotionally and physically capable of combat.

c. Whether the evidence presented at the trial was sufficient to establish the FSM's guilt of the charge of desertion.

The Defense Counsel now contends that there was a number of procedural and administrative errors in the conduct of the FSM's trial and implies that the totality of such errors should have resulted in a "not guilty" verdict, or mistrial. His pertinent contentions are: (1) that it was never proven that the FSM was actually assigned to Company G, 109th Infantry, since the morning reports for the period were apparently lost; (2) that prior to the trial a letter from higher headquarters was read by the President of the Court indicating, essentially, that general courts—martial were too soft in their determinations of sentences; that he strenuously objected to the reading of the letter because it was prejudicial to the FSM; (3) that the FSM amended his confession on 24 Oct 44 to state that he did not desert his unit at Elbeuf, France (on 25 Aug 44), but did not move out when other men left their foxholes; that the information was not made known to him because as the FSM's Defense Counsel he would have "pounced on it and demanded a finding based on the lesser offense of absence without leave."

There appears to be ample evidence to support the conviction for desertion. Not only did he make and sign a confession to desertion, the testimony given at the trial indicates that he made a specific inquiry of his unit commander on 8 Oct 44 asking whether he would be considered a deserter if he left the Company, after the unit commander had placed him under arrest; that upon being informed that such action would constitute desertion he departed the company area and remained absent until 9 Oct 44.

Concerning the new issues now raised by the FSM's Defense Counsel, it appears that the alleged administrative errors were not of such significance to result in a "not guilty" verdict, or mistrial. While the morning reports may have been lost, it appears to be clear that the FSM was actually assigned to Company G, 109th Infantry at the time. The FSM made no issue of that matter during the trial. There is no evidence to support the contention that a letter from higher headquarters was read to the court before the trial indicating that courts-martial sentences were too soft. Further, even if such was the case, it would not establish that it unduly influenced the court in this case. The court consisted of mature men and there is no reason to believe that they did not render a decision consistent with their own individual beliefs at the time. Although the Defense Counsel now contends that he was not aware that the FSM had amended his confession on 24 Oct 44, it certainly appears that he should have been aware of the matter. The FSM was available for him to question and it stands to reason that every matter concerning the issues at hand would have been discussed prior to the trial. At any rate the FSM and counsel were given the opportunity to make any statement they chose at the trial. It should be noted that counsel now states that the FSM was well aware of the elements of desertion as they were explained to him in explicit terms by himself and others.

In consideration of all the evidence, allegations, and information presented by the applicant in relation to the evidence of all available records pertaining thereto, it is concluded that there is insufficient justification for making a recommendation to the Secretary of the Army to reopen the case.

DETERMINATION: The applicant has failed to submit sufficient relevant evidence to demonstrate the existence of probable material error or injustice to warrant a formal hearing.

> John W. Matthews Executive Secretary

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- For National Guard units.
- Selective Service and Training.
- Regular Army Reserve-Active duty.
- Enlisted Reserve Corps-Active duty.

### SERVICE RECORD

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For individual see AR 345-125

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#### REMARKS-FINANCIAL

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A BOSSICK WOJG USA 1632 ST

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TO RIBBON AUTH 14/2/44

Insert No. / Added

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Insert No.3 Added

FH 81-100 issued JAN 28 1944

#### 2d Ind.

#### INDORSEMENTS

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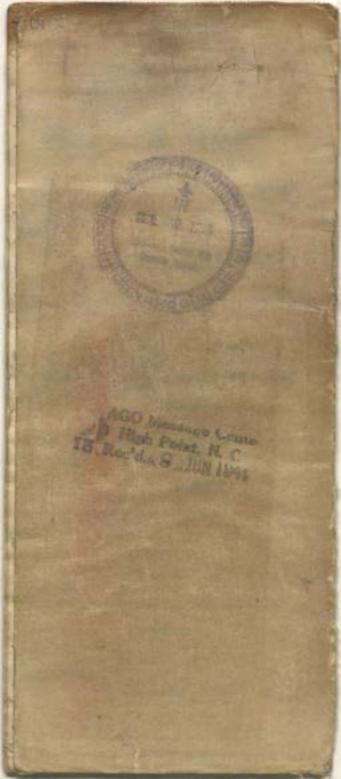
HPO 28, U.S. ARMY. .. 1145 To The Adjurant General: SLOVIK, BUDIE on argument from the survice by reason of DERTH DESTR WITH MURRY 31 JAN. 45 GCM0 = 27, He. dente mile prod en lori (L.W. 187). Retained in service ............ days for convenience of the Government, on account of FAIR His character is UNSATISFACTORY SE Efficiency rolling as soldier \*Final statement furnished. \*Paid \*Distlance custificate furnished. W HAD HILLOWENCES NOTHING Dies author at date of DERTH'. 6340 Ternes Address Fernished for Feture references: ... Mich. Dearborn Chip, town, or part billed Boodpt of Discharge Certificate fracknowledged. Signature of Soldier: I have carified the foregoing aptri-Name typed or printed L. Rit J. E. Sect. E. CAPT, 109TH INF.

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ACPH-A 201 Slovik, Eddie D. (20 May 44)

let Ind.

vom/4128

War Department, A. G. O., 5 June 1964 Officer, Camp Wolters, Texas. To the Commanding

For appropriate action and direct reply to the writer of the attached communication who has been informed of this reference. Records show that

By order of the Secretary of War:

Major General, The Asjutant General

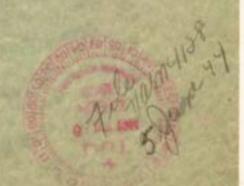
Enlisted Branch

Officer's Initials & Date

FROM: Mrs. A. Slovik, 6320 Tienes Avenue, Dearborn, Michigan. TO: War Department

Ref. to: Pvt. Eddie D. Slovik, 36,896,415

My husband has made an appeal for a Dependency Discharge, to the Officer in command. The American Red Cross has I westigated the case, and have informed me that all the necessary information was submitted to the War Department, and that the discharge now rests in your hands. I am desperately in need of medical and home care. By husband presence at home is eccessary for the support and Care I need. My health condition constantly grows graver and I am forced to make this appeal.



ACPS-A SOL Blowing Halle D. (80 Rey 44)

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War Department, A. C. C., & June 1964

To the Commanding

Officer, Comp Wolters, Texas.

reference. Eccorde show lbel of the attached communication who has been informed of this For appropriate action and direct reply to the stitut

By order of the Secretary of War:

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TO: WAT DEDUCTIONS FROM; Mrs. A. Slevik, 6520 Tienes Avenue, Deschorn, Michigan.

Hel, to: Pyt, Eddie D. Slovik, 36,896,615

this appeal. I need. My health condition constantly grows graver and I am forced to make and home care. My husband presents at home is eccessary for the support and care that the discharge now restain your hands, I am desperately in meed of medical me that all the necessary information was submitted to the War Department, and in command, of the American Red Orons has divestigated the case, and have informed My husband has nade an appeal for a Dependency Discharge, to the Officer



AGPE-A 201 Slovik, Eddie D. (6 July 44)

18 July 1944.

Mrs. Antoinette W. Slovik, 6320 Ternes Avenue, Dearborn, Michigan.



Dear Mrs. Slovik:

I refer to your letter of 6 July 1944, regarding the discharge from military service of your husband, Private Eddie D. Slovik, on account of dependency.

Under the present policy of the War Department discharges from military service for the reason stated will be granted only when the necessity therefor is extreme and the evidence submitted clearly indicates that the discharge of the soldier is necessary to prevent or relieve destitution.

Authority has been delegated to commanders in the field to take final action on cases of this nature, without reference to the War Department. Since the officer exercising discharge authority has taken unfavorable action on this soldier's application for discharge on account of dependency, as stated in your letter, the War Department is reluctant to interfere in the matter.

I regret that a favorable reply cannot be made in this case.

Sincerely yours,

J. A. ULIO
Bajor General,
The Adjutant General.
Byd. G. Richeson

ADPE-A 201 Slovik, Eddie D. (6 July 44)

18 July 1944.

Mrs. Antoinstte W. Slovik, 6320 Termss Avenue, Dearborn, Michigan.

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Sincerely yours,

J. A. ULIO
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The Adjutant General.
By. G. Richeson

STANDARD FORM NO. 14A APPROVED BY THE PASSISSENT NAMED IS, THE

## **TELEGRAM**

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Casualty Branch File Copy

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## WAR DEPARTMENT

## THE ADJUTANT GENERAL'S OFFICE

WASHINGTON 18, D.C.

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THIS FORM SUPERSEDES WE ARE FORM SET, 39 MAY 18-STOCKS ARE EXHAUSTED.



A070-9 201 Blovik, Blaic D. (18 Feb 45) 36096415

ANY STATE OF THE STATE OF STREET

26 February 1945

SUBJECT: Private Eddie D. Slevik, 36896415.

Veterane Administrator of Veterane Affaire Veterane Administration Washington, D. C.

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Private Eddie D. Slovik, 36896415, Infantry, was executed in St. Marie, France on 31 January 1945, pursuent to General Court Murtial Orders No. 27, Headquarters European Theater of Operations, dated 23 January 1945.

> Major General/ The Adjutant/General

STREET OF PRINTER

Byt

LEGARE ORRAR 1st Lt., A.G.D.



Postols Bras, May May. 1800. 2 Apr 44



(18 Feb h5) 36896415

BORDERY BOSTON HILLS TO VALUE AND ADDRESS

27 February 1945

Mrs. Antoinette Slovik 6320 Ternes Street Deerborn, Hichigan

Dear Mrs. Sloviki

This letter is to confirm the report previously sent you that your husband died on 31 January 1945 in the European Thanter of Operations. Death was due to your husband's wilful adsondant.

Sincerely yours,

AND HE TRANSPORT AND

J. A. ULIO Major General The Adjutant General

Casualty File Copy.

LEGARE OFFICE LA. G.D.



APO 28, U) Army

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THE YOUR

My dang Ers. Slowiks

to on the wire of Eddie D. Slovik, Pvt., ASN-36896415, who was executed by numberry in France on 31 January 1945. I officiated at his burial in a cometery in France.

As the Catholic Chaplain of the Regiment to which your hasband Eddie was assigned it became my duty to prepare him for doubt. I first not your hasband at 7:30 A.M. on the fatal day, when he was introduced to me his first question was "Father can I receive Holy Communion this morning". By reply was "You will have time for Confession, Mass and Holy Communion". An hour later Eddie ent to Confession, attended Mass and received Hely Communion. He would him Rosary after Mass with me and then read one of your letters. He made no last witherents to be or to the Provost Marchal. He displayed as great a course as any soldier I saw so into battle and die. In my opinion, it was too bad that this display of courses was not directed down the proper channels so that if God called Eddie in battle he ould have had the honor of making the supress sacrifice of his life. Thus so many thousands of soldiers, in dying for the applicies of their counters.

Before the besters of the trans Unction. Before the body was removed I pronounced the prayers for the dead.

may his seal, and all the souls of the faithful separced, through the serey of God, rest in seres.

Yours in Christ Jasus

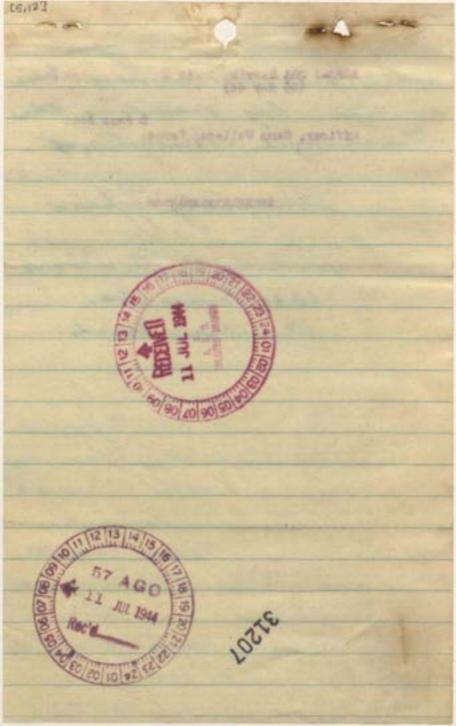
Parker Cumaing Catholic Chaplain 109th Infantry

Venter, Mich, How . Franklin J. Rosewell natington 25 D.C. Pot Elsie D. Slovik Down Co. D. N. 36 FF6 FAV Fang Walter, Texas Von Printing. C. antainette II. Hick the might by the above med weldier in The with tests doing, and ing to you the Trement of the theirted the of temerica, for a Theren Victorye for my tuelond, an appeal a much by my Knishand

an Is well 37 x + 4. On Jame 12,1844, I was informed by Here of raining Center, it King Walter, Texas, that his application for a discharge on grounds of dependency was disapprent Vie to the complications y Infantice Parelysis, a dislocation of the hip, and the increasing difficulties that are toroughe and by the ever increasing Zilyti Prigure sime ony bushands industries to the wrong, make it me to make this expects. My Enstands true at home is newwy for the support & the Ones. I'm

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First of langua of have oned clother + other personne belonging in order to line. I have tried leagurately to cerry any tent of an erouth to to deg you ind and mercy From you the theisent of The United States of Comercia, I pray that the dear Tank may guide your in my firm, in the appeals In a Depending Discharge for my dustande . I appeal to the very innermost kindness in your teart, to grant the discharge for my tuchands. Thanking your gar your kindness and every tion in this case,



mias Souline Stowak 11532 Hawthorne are. Detroit, 11, mich. luguet 30 1946 Dear Siro: In reference to the death of my brother, Edward Dan Slovik xc-3, 865, 914, January I would like to know, without any inconvenience on your part, some of the whereabouts of Edward before his death, and when and where he died . also the cause of his death. know who has been

Time Sandres Sthomas receiving any insurance, defect had undows pension or compensation. my mother, a claiment we species to the death has papers to file for of my hearter, Edward pension, but as we MR I LO X SK Now She will are lacking financial would like to know support we cannot sometimes and the second second sick the assistance of the work of the work was a notary public. it interned arts of Channel ling information in leger to death, and regard to the above greatly appreciated in and when he of when the rance of in the surginum to Gratefully yours, mis Pauline Slovak have when here been