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MEETINGS

January 17, 1949

*Alert
1-24-49*

Hon. Harry S. Truman
President
White House
Washington, D.C.

Dear Mr. President:

Enclosed herewith is a copy of a letter
which I have on this date sent to Mr. Henry R.
Luce, Editor of Time Magazine, with reference
to an article which appears under "International
News" in the January 17 issue of Time Magazine.

Respectfully yours, ²⁷¹

Sally Rose Hayett
SALLY ROSE HAYETT

x

SRH/hm



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Mr. Henry R. Luce
Editor
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New York New York

Dear Sir:

In the January issue of Time Magazine, under the "International News" there is an article on War Crimes, the contents of which I would like to correct.

For your information, I was a member of a team headed by Lieutenant Colonel Burton F. Ellis, who prepared the Malmedy case for trial at Schwaebisch Hall, Germany, where the prisoners were interrogated and statements were taken. I was one of the court reporters who took the statements of these men and therefore have firsthand knowledge of exactly what happened.

As to the Malmedy Massacre itself, the article is correct enough, except that instead of one survivor, there were six survivors who testified to the massacre -- a lieutenant and five enlisted men, with whom I spoke and who were interrogated by members of the investigating team.

As to the allegations by the then Colonel Willis Everett, Jr. (who, incidentally, was the "best man" at my wedding in Dachau, where the trial was held) that:

There was no time for preparation of a defense, I wish to state that is a falsehood. Colonel Everett had, to my knowledge, at least six to seven weeks for the preparation of the defense, and not "less than two weeks", as he states.

In his report to the Supreme Court of the United States, Colonel Everett alleges that he was hampered by "lack of experienced interpreters and assigned stenographers in his questioning of the accused." The interpreters who worked with the War Crimes teams were all, in my opinion, fully experienced interpreters, ninety-five per cent of whom were native born Germans, who joined the United States Army and

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became GI's and Colonel Everett had as many on his staff as did Colonel Ellis. As to the lack of assigned stenographers, my husband, Mr. Irving J. Hayett, who was Chief of the Court Reporting Section at Dachau, not only spent many days working with Colonel Everett, but assigned other court reporters to help Colonel Everett in the preparation of his defense. There was no lack of cooperation between the command at Dachau and Colonel Everett in aiding him to prepare his case. As a matter of fact, I have personal knowledge that Colonel Everett received the fullest cooperation at all times.

Colonel Everett's allegation that the "entire plan of this forced trial was calculated to make the whole defense impossible by not allowing time to procure and interview witnesses" is a falsehood. For your information, sir, not only did he have time to procure witnesses, but he had time to bring down the families of the accused, sweethearts, wives, mothers and fathers, and the records of War Crimes will show several instances where the sweethearts and wives were billeted and fed at Camp Dachau, and I personally met some of them.

Colonel Everett's allegations that the entire trial was "totally lacking in due process as known in the courts of the United States, etc." is another falsehood. The trial was in progress every day, five days a week, from May 16th through July 28th, with two weeks recess to prepare answers to the allegations brought out by the Prosecution, during which time every available facility was put at Colonel Everett's disposal to assist him in preparing his defense. Witnesses were brought from all sections of Germany (and one from the United States) with post haste. Interpreters were available, stenographers were available, and I know for a fact that Colonel Everett worked those two weeks, from nine o'clock in the morning until far into the night, preparing his case. So the allegation that he only had two weeks to prepare his defense is completely false.

Colonel Everett's allegation that the plaintiffs had been "illegally incarcerated in Scheibisch Hall" is a misstatement, in my opinion. Would Colonel Everett have these "brutes" and



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"killers" of American boys out on bond? Would he release them so that they could be free until the time of their trial? Is Colonel Everett so naive as to believe they would be present at that trial? They were incarcerated, yes, as any other criminal would be incarcerated, but they were not "abused and mistreated." As to the food they ate, on many occasions, I ate the same food they ate. As to solitary confinement, some were put in solitary confinement, but not as Colonel Everett says, "each was placed in solitary confinement."

Colonel Everett alleges "they are entitled to have their honor and person respected." For your information, sir, all the officers who were prisoners had their persons respected, especially Colonel Everett's pet, Colonel Joachim Peiper. They were treated like men and officers, and not, as Colonel Everett would infer, as beasts. I was present when some of the officers were interrogated and I saw no evidence of abuse, coercion, mistreatment or any of the facts that Colonel Everett alleges.

As to the "mock trials", I "reported" a few of these mock trials and the evidence of the mock trials was brought out in the course of the trial, and it was proven that the mock trials were a means of getting confessions, but not "false confessions". Could Colonel Everett have the Prosecution sit down with these killers at tea and say, "Now, boys, how about giving me the information -- please, or pretty please?" Colonel Everett forgets that these men were cold-blooded Nazi killers, selected to be the "Leibstandarte Adolf Hitler" -- the elite of the elite of the Nazi Germans in Germany -- Adolf Hitler's own division.

Your article states, "Colonel Everett was defending justice." In my opinion, Colonel Everett was not defending justice in making false accusations. Colonel Everett was trying to justify, in his own mind, as defense counsel, the acts of these killers. If anyone was "conquered by the evil they judged", it was not Colonel Ellis, but rather, Colonel Everett.

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In my opinion, Colonel Everett was hoodwinked into believing "stories" quoted to him by shrewd, calculating liars who had been trained and who were experienced in telling lies, lies, and more lies, until they believed them themselves, and evidently succeeded in convincing their defense counsel they were the truth.

You say, "This action, however, could not remove the blot on the record of the United States Military Justice." As a member of the team who prepared the Malmedy case for trial, and as a person who worked for War Crimes for two years as a court reporter, taking statements and reporting the trials, it is my firm belief that there has been no "blot on the record of the United States Military Justice", but rather, a glorious record of work and achievement done by the hard working, industrious, sincere and honest members of War Crimes teams. The record of the War Crimes Tribunal, in my opinion, is nothing to be ashamed of. I, for one, will never be.

Very truly yours,

SALLY ROSE HAYTT

cc: Harry S. Truman
James V. Forrestal
Kenneth C. Royall
General Omar N. Bradley
Thomas C. Clark
Walter Winchell
Homer S. Ferguson
New York Star
Herald-Tribune
Chicago Evening Sun
In Fact
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New York, New York

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