January 17, 1949

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,

Sally Rose Hazett

SRH/hs
January 17, 1949

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January 14, 1949

Mr. Henry R. Luce
Editor
Time Magazine
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 Holmey case for trial at Lohndorf Hall, Germany; 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 Holmey barracks 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 in 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 harassed by "lack of experienced interpreters and continued acrimonious 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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New York New York

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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 Barton F. Ellis, who prepared the Holmsey case for trial at Schleswig-Holstein, 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 Holmsey 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.

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There was no time for preparation of a defense, I wish to state that in 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 team 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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New York, New York

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Because OII's and Colonel Everett had as many on his staff as did Colonel Milne. 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 saw 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 10th through July 26th, with two weeks access 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 these 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 Schweinich Hall" is a misstatement, in my opinion. Would Colonel Everett have these "brutes" and
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. Heyett, who was Chief of the Court Reporting Section at Buchenau, 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 Buchenau 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.

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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 10th through July 20th, 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 proper hosts. 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 late into the night, preparing his case. So the allegations that he only had two weeks to prepare his defense is completely false.

Colonel Everett's allegation that the plaintiff had been "illegally incarcerated in Sachsenburg Hell" is a misstatement, in my opinion. Would Colonel Everett have these "brutes" and
"killers" of American boys out on bond? Would he release them so that they could be free until the time of their trial? In Col. Everett's naivete one could believe he would be present at that trial. The 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 Col. Everett's men, "each was placed in solitary confinement."

Col. 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 Col. Everett's men, Col. Joschin Peiper. They were treated like men and officers, and not as Col. Everett would infer, on 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 Col. 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", said Col. Everett have the prosecution sit down with those killers and say, "Now, boys, how about giving me the information -- please, or pretty please?" Col. Everett forgets that those men were cold-blooded Nazi killers, selected to be the "Leibstandarte Adolf Hitler" -- the elite of the elite of the Nazi Germany in Germany -- Adolf Hitler's own division.

Your article states, "Col. Everett was defending justice." In my opinion, Col. Everett was not defending justice in making false accusations. Col. Everett was trying to justify, in his own mind, as defense counsel, the acts of those killers. If anyone was "concerned by the evil they judged", it was not Col. Ellis, but rather, Col. Everett.
"Killers" of American boys out on bond? Would be release them so that they could be free until the time of their trial? In Colonel Everett so naive as to believe they would be present at that trial? They were incarcerated, put, 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 Joseph Feiner. 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.

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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, his defense counsel, the acts of these killers. If anyone was "concerned by the evil they judged", it was not Colonel Ellis, but rather, Colonel Everett.
Mr. Henry R. Luce  
New York, New York  

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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 notion, however, could not remove the blot on the record of the United States Military Justice." As a member of the team who prepared the Malesky 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 team. 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 ROSS HAYETT

cc: Harry S. Truman  
James V. Forrestal  
Kenneth S. Royall  
General Omar N. Bradley  
Thomas C. Clark  
Walter Winchell  
Homer S. Ferguson  
New York Star  

Herald-Tribune  
Chicago Evening Sun  
In Post  

Detroit News
Mr. Henry R. Luce  
New York, New York  

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In my opinion, Colonel Everett was hoodwinked into believing "stories" vouched for 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 notion, 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 the 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 the War Crimes team. The record of the War Crimes Tribunal, in my opinion, is nothing to be ashamed of. It, for one, will never be.

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