

UNWCC

CHARGE FILES

USA vs. GERMANS

PAG - 3

UNWCC

CHARGE FILES

USA vs. GERMANS

PAG - 3

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1628/US/G/1

(See Mr. Kent's letter of 31.12.43
incorporating 786, 787, 1253)

0017

1. BOMBACH and 13 others

Date Submitted

Decision of Committee I

Date Submitted	Decision of Committee I
7 OCT 1945	1, 11 + 12 A others - A } CARDS CHECKED

1628/US/G/1

0018

WCB/111(a)PHBK

33

31st December 1945.

Sir,

Our UK - G/B 151	U.N.W.C.C. 786/UK/G/152
" UK - G/B 152	" 787/UK/G/153
" UK - G/B 191	" 1253/UK/G/193

I have been advised by the J.A.G. that the United States authorities are conducting parallel enquiries in relation to gross ill-treatment of Pw during transit from Stalag Luft VI to Stalag Luft IV, which have formed the subject of the above charges.

2. The American file apparently contains a great deal more evidence than we have been able to procure, and in consequence it has been decided by the J.A.G. that the U.S. Deputy Theater Judge Advocate is in a more satisfactory position to secure that justice be done. It has therefore been agreed that the above cases should be taken over by the American authorities, and accordingly all original evidence and information available in this case has been handed to the U.S. Deputy Theater Judge Advocate's office.

3. The accused will be dealt with in one case, your reference for which is 1628/US/G/1.

PHBK/DEC

I am, Sir,
Your obedient servant,

PHBK

G. i/c War Crimes Branch
Treasury Solicitor's Department

The Secretary General,
United Nations War Crimes Commission,
Church House, Great Smith Street, S.W. 1

Registered Number.

Date of receipt in Secretariat.

1628/US/G/1

6 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 1

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Lieutenant Colonel BOMBACH, Commandant of Stalag Luft IV.
- 2. Captain LINDEMANN.
- 3. Major GRUBER or GERBER.
- 4. Captain SCHLIEP.
- 5. Major ZALIMAN.
- 6. Captain WOLF.
- 7. Captain RAUPERT or RAYPERT.
- 8. Sergeant VARINER.
- 9. Oberleutnant VOLTZ.
- 10. Feldwebel SCHNOEDER.
- 11. Captain PICKARD.
- 12. Hans SCHMIDT.
- 13. FARNERD, alias Farnet, Furnier, Farnard.
- 14. Felix STEINBERGER.

Date and place of commission of alleged crime.

Trip enroute from STALAG Luft VI at HEIDEKRUG, Germany, to Stalag Luft IV at GROSSTYCHOW, Germany. Runs from station to Stalag Luft IV during the period 15 July 1944 - 5 August 1944 and general conditions at Stalag Luft IV.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Mistreatment of prisoners of war, assault and battery by means of fists and rifle butts, setting of dogs on prisoners of war, handcuffing prisoners of war, inadequate and unsanitary quarters for prisoners of war enroute and assault by means of bayonets.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-286, PICKARD (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0020

a. Enroute from MEMEL to SCHWEINMEUNDE, Germany, a trip was made by boat. At least a thousand men were packed into the hold of the boat so that no one could move or sit down. One man at a time was allowed to go on deck for air and to obtain water for the rest of the men in the hold. They were forced to drink this water from the same bucket that they used in urinating. The only food provided was from Red Cross packages. On arriving at SCHWEINMEUNDE, the United States prisoners of war were handcuffed in pairs despite the protests of Technical Sergeant Francis S. PAULES who was the man of confidence.

b. On arriving at the station at GROSSTYCHOW, the men were lined up still handcuffed and carrying their baggage. Captain PICKARD, who was in charge of the guard, ordered them to double time to Stalag Luft IV which is approximately four kilometers from the station and mostly up hill. The route was covered by German guards, located in trees and along the line of march and who were armed with all sorts of weapons. Captain PICKARD rode up and down the column on a bicycle calling off the names of various German cities which had been bombed and telling the guards that the prisoners were "luft" gagster who were responsible for the bombing of their homes and the killing of their loved ones. Because of the pace many of the men were forced to drop their baggage and Red Cross parcels, and those who did not had them cut from their backs by the guards' bayonets. Whenever a prisoner dropped out he was bayoneted and police dogs set on him who bit him. Approximately 150 men were wounded by either bayonet or dog bite. One man had more than 60 wounds in his back, legs and buttocks. The prisoners were also struck with rifle butts and one man lost his eyesight as a result of this mistreatment. An aid man, wearing Red Cross insignia, was savagely attacked while attempting to aid a prisoner of war who had collapsed. His medical equipment carried in a white bag marked with the Red Cross insignia was smashed with blows from rifle butts and he himself suffered from bayonet wounds. This occurred on 18 July 1944. There were other similar "runs" on 4 August and 5 August 1944 when the conditions were the same as described above.

c. At Stalag IV, the men were constantly in fear of the guards. Oberfeldwebel Hans SCHMIDT, struck the men with his hands and also struck them using a stick with a nail in the end of it. Shortly after arriving at Stalag IV, the men were searched and about every second man was beaten with rifle butts. Captain PICKARD, during air raids would shoot into the barracks but fortunately no one was injured.

There are many victims in this case who are identified and whose sworn statements are included in the files of this Branch. The victims were United States, Canadian and British prisoners of war.

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PARTICULARS OF EVIDENCE IN SUPPORT

0021

NOTES ON THE CASE

0022

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1629/US/G/2

0023

I. KURSCHNER Edmund, + 5 others

Date Submitted

Decision of Committee I

17 OCT 1945

1-5 A }
6 W } CARDS CHECKED

[Handwritten mark]

1629/US/G/2

(For the Use of the Secretariat)

0024

Registered Number.

Date of receipt in Secretariat.

● 1629/US/G/2

6 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. **2** *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- ✓ 1. Edmund KURSCHNER
- ✓ 2. Julius BODENSTEIN (in custody).
- ✓ 3. Christian MULLER
- ✓ 4. Richard ECK (in custody).
- ✓ 5. Albin ROTH (in custody).

Witnesses:

- 6. Adam PFELFFER, cemetery caretaker at SCHWEINA, Germany.

Date and place of commission of alleged crime.

SCHWEINA, Germany, on or about 24 February 1944, and on or about 20 - 21 July 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.
Murder.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.
Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

Two United States airmen were beaten and three United States airmen were shot to death.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-1576 SCHWEINA (P)).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0025

a. On 24 February 1944, three United States aviators were taken prisoner northeast of the town of SCHWEINA, Germany. One of the fliers was brutally beaten by two civilians identified as Richard ECK and Albin ROTH. All three prisoners were turned over to the police at SCHWEINA.

b. Luftwaffe personnel stationed at BAD LIEBENSTEIN, Germany, ordered three prisoners transferred thereto. The transfer was to be effected at midnight 5 April 1944, by Julius BODENSTEIN, Edmund KURSCHNER and Albin ROTH. One of the prisoners believed to be Cnofrio Fred SPADAFORA, 12129244, United States Army Air Forces, was shot and killed enroute to BAD LIEBENSTEIN by KURSCHNER.

c. On 20 July 1944, three fliers landed between SCHWEINA and GUMPELSTADT, Germany, in the Russian Zone of Occupation. Apparently one of the three men landed without a parachute and was instantaneously killed by the fall. One of the two survivors was beaten with a rubber stick by Julius BODENSTEIN. The two survivors were taken to SCHWEINA and locked in cells. One of the two was shot to death by Christian MULLER in a cell adjacent to the City Hall. The other flier was murdered in the cemetery at SCHWEINA by Julius BODENSTEIN and Edmund KURSCHNER.

Accused:

a. Edmund KURSCHNER is wanted for the murder of one United States flier on 24 February 1944, and a second United States flier on 21 July 1944.

b. Julius BODENSTEIN is charged with assault and battery against a United States flier on 20 July 1944 and murder of a United States flier on 21 July 1944.

c. Christian MULLER is wanted for the murder of a United States flier on 21 July 1944.

d. Richard ECK is charged with assault and battery against a United States flier on 24 February 1944.

e. Albin ROTH is charged with assault and battery against a United States flier on 24 February 1944.

Victims:

a. (1) The victim of the murder by KURSCHNER on 5 April 1944, believed to be Cnofrio Fred SPADAFORA, 12129244.

(2) One unidentified United States flier, brutally beaten on 24 February 1944, by Albin ROTH and Richard ECK.

b. Flight Officer Louis P. MARTNER, T-123639, United States Army Air Forces and two unidentified United States fliers. (Two of the three were murdered in SCHWEINA, Germany, on 21 July 1944, by Christian MULLER, Edmund KURSCHNER and Julius BODENSTEIN. One was dead upon landing when his parachute failed to open).

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PARTICULARS OF EVIDENCE IN SUPPORT

0026

NOTES ON THE CASE

0027

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1630/us/G/3

0028

1. GIRKE Fritz. + 4 others

Date Submitted

Decision of Committee I

Date Submitted	Decision of Committee I	CARDS CHECKED
OCT 1945	1-5 A	CARDS CHECKED
FEB 1947	Addendum I : } Addendum II : }	1-7 A

CARDS CHECKED LIST 52

1630/us/G/3

(For the Use of the Secretariat)

0029

Registered Number.

Date of receipt in Secretariat.

1630/US/G/3

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

ADDENDUM NO. 1 to CASE No. 3 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Jurgen STROOP, SS Oberfuehrer 2. Hans TRUMMLER, SS Oberfuehrer 3. Otto SOMANN, G.O., Security Police 4. Fritz GIRKE, SS Obersturmbannfuehrer 5. Heinz HELLENBROICH, SS Obersturmbannfuehrer 6. Karl Franz STATTMANN, SS Oberscharfuehrer 7. Michael RAAF, SS Sturmscharfuehrer
<p>Date and place of commission of alleged crime.</p>	<p>On or about 15 February 1945, at or near BENSHEIM, Germany</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 15 February 1945, an unarmed, surrendered United States airman was brought into BENSHEIM Gestapo Headquarters by two unknown armed German gendarmerie. The American was taken to the office of Untersturmfuehrer Albert DENGLER. DENGLER, STATTMANN and RAAF were then called into the office of Fritz GIRKE. After about one and a half hours, the American was seen to leave BENSHEIM Gestapo Headquarters accompanied by Michael RAAF and Karl Franz STATTMANN, who were armed. About forty-five minutes later, RAAF and STATTMANN returned to Gestapo Headquarters without the flyer. STATTMANN confessed that he and RAAF each fired a shot into the body of the flyer, killing him instantly; that the American was killed upon orders received by him from HELLENBROICH. HELLENBROICH stated that GIRKE had ordered the American killed. STATTMANN, after killing the flyer, reported the facts to HELLENBROICH first, and then to GIRKE.

Source: 7708 War Crimes Group (Case No. 12-391A HERMANN (V))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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Page 3

0031

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. GIRKE, HELLENBROICH, STATTMANN and RAAF carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

SECRET

3

Registered Number.

Date of receipt in Secretariat.

1630/US/C/3

6 OCT 1945

0033

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 3 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Fritz GIRKE,) 2. Heinz HELLENBROICH,) 3. Albert DENGLER,) members of the Gestapo at 4. Karl Franz STATTMAN,) BENSHEIM, Germany. 5. Michael RAAF,)</p>
<p>Date and place of commission of alleged crime.</p>	<p>BENSHEIM, Germany, on or about 15 February 1945, 24 March 1945, 28 February 1945 and 12 September 1944.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Usages of War.</p>

SHORT STATEMENT OF FACTS.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-391, HERMAN (V)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Gestapo men Fritz GIRKE, Heinz HELLENBROICH, Albert DENGLER, Karl Franz STATTMAN, and Michael RAAF were responsible for the following atrocities at BENSHEIM, Germany:

- a. The murder of a captured United States aviator, Ray F. HERMAN, on or about 15 February 1945.
- b. The murder of two captured United States soldiers, 2d Lieutenant William H. FORMAN and Private Robert T. MacDONALD, on or about 24 March 1945.
- c. The probable murder of two unknown United States soldiers on or about 28 February 1945.
- d. The probable murder of an unknown United States soldier on or about 12 September 1944.

Victims:

- a. Ray F. HERMAN, United States aviator. This man's body has been positively identified and a pathological report submitted. A letter has been written to the Theater Graves Registration Service requesting information in regard to his plane and crew.
- b. 2d Lieutenant William H. FORMAN and Private Robert T. MacDONALD, United States soldiers. These men have been positively identified and a pathological report submitted.
- c. Three unknown Americans. All efforts to locate their bodies in the vicinity of BENSHEIM, Germany, have proved fruitless.

PARTICULARS OF EVIDENCE IN SUPPORT

0035

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

(For the Use of the Secretariat)

0037

Registered Number.

Date of receipt in Secretariat.

1630/US/G/3

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

Addendum No. 2 to CASE No. 3 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jurgen STROOP, SS Oberfuehrer
2. Hans TRUMMLER, SS Oberfuehrer
3. Otto SOMANN, C.O., Security Police
4. Fritz GIRKE, SS Obersturmbannfuehrer
5. Heinz HELLENBROICH, SS Obersturmbannfuehrer
6. Karl Franz STATTMANN, SS Oberscharfuehrer
7. Michael RAAF, SS Sturmscharfuehrer

Date and place of commission of alleged crime.

On or about 24 March 1945, at or near BENSHEIM, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 24 March, 1945, two captured, unarmed United States soldiers were delivered to the BENSHEIM Gestapo Headquarters by two unknown SS soldiers and a Wehrmacht Hauptmann; the latter told GIRKE "Our Major wants these two Americans shot". A few minutes later STATTMANN came out of headquarters with one of the captured flyers and went into a small garden adjoining the courtyard, a minute later a shot was fired. STATTMANN returned to headquarters and about two minutes later the other American came out, followed by RAAF and STATTMANN who were armed. After they passed through the gate into the adjoining garden, two shots were fired in rapid succession. Later RAAF and STATTMANN reported to HELLENBROICH that the two Americans had been shot. STATTMANN admits his complicity in these murders and implicates RAAF. RAAF also admits his guilt. HELLENBROICH admits he gave the order to kill these Americans and implicates GIRKE, who gave the original order.

Source: 7708 War Crimes Group (Case No. 12-391B PORMAN et al)

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.L.P. 258/4 5,000 5/45 A. & E. W.Ltd. Gp. 685
(30449) W.L.P. 1183/17 5,000 10/45

3810

PARTICULARS OF ALLEGED CRIME

0038 ●

PARTICULARS OF EVIDENCE IN SUPPORT

0039

(For the Use of the Secretariat)

0037

Registered Number.

Date of receipt in Secretariat.

1630/US/G/3

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

WAR CRIMINALS

CHARGES AGAINST

GERMAN

WAR CRIMINALS

Addendum No. 2 to CASE No. 3 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jurgen STROOP, SS Oberfuehrer

2. Hans TRUMMLER, SS Oberfuehrer

3. Otto SOMANN, C.O., Security Police

4. Fritz GIRKE, SS Obersturmbannfuehrer

5. Heinz HELLENBROICH, SS Obersturmbannfuehrer

6. Karl Franz STATTMANN, SS Oberscharfuehrer

7. Michael RAAF, SS Sturmscharfuehrer

Date and place of commission of alleged crime.

On or about 24 March 1945, at or near BENSHEIM, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 24 March, 1945 captured, unarmed United States soldiers were delivered to the BENSHEIM Gestapo Headquarters by two unknown SS soldiers and a Wehrmacht Hauptmann; the latter told GIRKE "Our Major wants these two Americans shot". A few minutes later STATTMANN came out of headquarters with one of the captured flyers and went into a small garden adjoining the courtyard, a minute later a shot was fired. STATTMANN returned to headquarters and about two minutes later the other American came out, followed by RAAF and STATTMANN who were armed. After they passed through the gate into the adjoining garden, two shots were fired in rapid succession. Later RAAF and STATTMANN reported to HELLENBROICH that the two Americans had been shot. STATTMANN admits his complicity in these murders and implicates RAAF. RAAF also admits his guilt. HELLENBROICH admits he gave the order to kill these Americans and implicates GIRKE, who gave the original order.

Source: 7708 War Crimes Group (Case No. 12-391B FORMAN et al)

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & B. W.Ltd. Gp.685
(39449) Wt.P.1183/17 5,000 10/45 "

7610

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PARTICULARS OF ALLEGED CRIME

0038 ●

PARTICULARS OF EVIDENCE IN SUPPORT

0039

MEMO

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HEIMLER. All other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

1631/US/G/4

0041

I. HASEMANN, W., + 14 others

Date Submitted

Decision of Committee I

17 OCT 1945

Adjourn

B

31 OCT 1945

Alt A

1631/US/G/4

Registered Number.

Date of receipt in Secretariat.

1631/US/G/4

6 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 4 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Oberleutnant W. HASEMANN. 2. Willi WOHLLEBEN. 3. Hans TYREN, Sr. 4. Hans Joachim TYREN. 5. Kurt SCHLEGEL. 6. Paul FELGNER. 7. Heinrich SCHULZE. 8. Waldemar DITJURKEIT. 9. Herr PANDEL. 10. Gertrud DITJURKEIT. 11. Helmut THIEL. 12. Anna BUHL. 13. Frau HOLZHAUSER. 14. Camp leader BLUMLE. 15. Baker FRANKE.</p>
<p>Date and place of commission of alleged crime.</p>	<p>BAD DURRENBERG, Germany, on or about 29 May 1944.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

On or about 29 May 1944, two American airmen, of several captured near BAD DURRENBERG, Germany, were released to a mob of German civilians by Oberleutnant W. HASEMANN who was in charge of the military in whose custody they were. Several of the mob then beat and kicked these Americans injuring at least one of them severely.

The victims have not been identified other than as American airmen but inquiry has been instituted with the Director General, U.S. Theater Graves Registration Service, Theater Service Forces, European Theater.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-1739 BAD DURRENBERG (P)).
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0043

7

PARTICULARS OF EVIDENCE IN SUPPORT

0044

NOTES ON THE CASE

0045

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1632/US/G/5

0046

1. DAWDCZAK *list*, + 2 others

Date Submitted	Decision of Committee I	
7 OCT 1945	1-3 A CARDS CHECKED	<i>B</i>

1632/US/G/5

(For the Use of the Secretariat)

SECRET

0047

15

Registered Number.

Date of receipt in Secretariat.

1632/US/G/5

7 OCT 1944

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST Germany

WAR CRIMINALS

CASE No. 5 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Kurt DAWIDCZAK (in custody)
2. Ehregott BERNHARDT (in custody)
3. Kurt BERNECK (in custody)

Date and place of commission of alleged crime.

BORSDORF, Germany, in August 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Sometime in August 1944, an American aviator, after parachuting to earth, was captured near BORSDORF, Germany. As he was being conducted to unit headquarters by a German non-commissioned officer, victim was slapped several times by civilians Kurt DAWIDCZAK, Ehregott BERNHARDT and Kurt BERNECK. The German non-commissioned officer pushed them away and told them not to hit the aviator, but they persisted. It does not appear that the victim was injured as a result of the assault.

The victim has not been identified, other than the fact that he was an American.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch.
 TRANSMITTED BY: No.12-1618, BORSDORF (P)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0049

NOTES ON THE CASE

0050 ●

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1633/US/G/6

0051

WIEGAND Clemens

Date Submitted

Decision of Committee I

17 OCT 1945

A

CARDS CHECKED

B

1633/US/G/6

(For the Use of the Secretariat)

SECRET

0052

#6

Registered Number.

Date of receipt in Secretariat.

1633/US/G/6

6 Oct 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 6 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>CLEMENS WIEGAND (in custody)</p>
<p>Date and place of commission of alleged crime.</p>	<p>FRANKFURT-AM-MAIN-Ginnheim, Germany, on or about 21 November 1944.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Usages of War.</p>

SHORT STATEMENT OF FACTS.

On or about 21 November 1944 ANTHONY B. MARTIN, an American airman, parachuted from a disabled bomber in the vicinity of FRANKFURT-AM-MAIN-Ginnheim. Upon landing MARTIN was uninjured and surrendered to and was taken into custody by two German soldiers. The local party leader named CLEMENS WIEGAND arrived on the scene and while MARTIN was being escorted away by his captors, shot MARTIN in the back of the head. MARTIN did not die immediately and shortly thereafter WIEGAND fired three more shots in MARTIN's head and as a result MARTIN died soon thereafter and was buried in the cemetery at FRANKFURT. MARTIN's body has been disinterred.

The victim has been identified as ANTHONY B. MARTIN, ASN 36802197.

SOURCE: War Crimes ^{Branch} of United States Forces, European Theater (War Crimes Branch, 12-1145, ANTHONY B. MARTIN (V)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0053

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1634/US/G/7

0056

SCHULTHEISS Georg

Date Submitted

Decision of Committee I

17 OCT 1945

A
Ellenberger W

B

CARDS CH KED

28 NOV 1945

both removed from the Perm. List, list.

1634/US/G/7

0057

UNITED NATIONS WAR CRIMES COMMISSION

Excerpt from Minutes (No. 40) of Meeting
of Committee I held on 28th November, 1945

"III. COMMISSION LIST No. 16.

.

On the motion of Captain WOLFF, the Committee agreed to remove from the list the name of the accused SCHULTHEISS and the name of ELLENBERGER (witness) in view of the fact that this accused was acquitted by a Military Commission in the United States zone of occupation in Germany.

....."
Rif.

(For the Use of the Secretariat)

SECRET

0058

27 47

Registered Number.

Date of receipt in Secretariat.

1634/US/G/7

6 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 7 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Georg SCHULTHEISS (in custody), a German Army sergeant

Date and place of commission of alleged crime.

REND, Germany, on or about 27 September 1944, at about 2100 hours.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

SOURCE: War Crimes ^{Branch} of United States Forces, European Theater (War Crimes Branch, No. 12-1418 REND (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

On or about 2000 hours, 27 September 1944, Donald E. BRENT, ASN 0747730, an American flier, who was then unarmed, surrendered prisoner of war in the immediate custody of Georg SCHULTHEISS, a German Army sergeant, was brought to a restaurant in RENDA, Germany. SCHULTHEISS left BRENT in the custody of others for about fifteen minutes, then returned and departed with BRENT for NETRA, Germany. On the outskirts of RENDA he was joined by Nicolas ELLENBERGER. From there the three walked along the road in the direction of NETRA, Germany, SCHULTHEISS being about two yards behind BRENT and ELLENBERGER, who were walking together. About 2100 hours, while walking down the road, BRENT made an effort to talk to ELLENBERGER, who was about one yard from him. BRENT attempted to get closer to talk but ELLENBERGER kept the same distance between them. BRENT then turned around, facing Sgt. SCHULTHEISS and spoke some words. SCHULTHEISS then fired at BRENT with his pistol, the shot striking the American flier in the left temple, killing him instantly. ELLENBERGER and SCHULTHEISS placed the flier's body near the edge of the road and returned to RENDA. On the following day SCHULTHEISS advised the Burgermeister he had killed the flier because he made an attempt to attack him. ELLENBERGER was an eye-witness to the shooting, was unarmed, and there is no evidence to indicate that he had conspired with SCHULTHEISS to kill the victim Donald E. BRENT.

The body of the victim has been examined and identification of the flier as Donald E. BRENT, ASN 0747730, was established.

60-100

Page 3

PARTICULARS OF EVIDENCE IN SUPPORT

0060

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1635/US/G/8

0062

1. LANDWEHR Albert
2. KONIGSDORF Emil

Date Submitted

Decision of Committee I

7 OCT 1947

A

CARDS CHECKED

B

1635/US/G/8

(For the Use of the Secretariat)

SECRET

0063

Registered Number.

Date of receipt in Secretariat.

1635/US/C/8

F UCI

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 8 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Albert LANDWEHR (in custody).
- 2. Emil KONIGSDORF.

Date and place of commission of alleged crime.

BURGDORF, Germany, on or about 28 September 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

On or about 28 September 1944 an American aviator parachuted from his plane near BURGDORF, Germany. The airman upon landing was uninjured and surrendered to local authorities. Thereafter two Germans, Emil KONIGSDORF, and ALBERT LANDWEHR, took the flyer into the countryside and shot and killed him. His body was buried in the local cemetery at BURGDORF.

The victim has not been definitely identified, but he is believed to be an American aviator named Robert H. PRESSEWIN. This tentative identification is based on the name stamped on an identification tag at the grave.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-1077, BURGDORF (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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Page 3

PARTICULARS OF EVIDENCE IN SUPPORT

0065


NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1636/US/G/9

0067

1. SCHOSSEY, Anton, + 2 others

Date Submitted	Decision of Committee I	
7 OCT 1945	1-3 A 	Schossey tried and sentenced the hanged
	CARDS CHECKED	

1636/US/G/9

(For the Use of the Secretariat)

SECRET

0068

Registered Number.

Date of receipt in Secretariat.

1636/US/G/9

20 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 9

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Anton SCHOSSER. (in custody).

2. Josef GOLDBRUNNER (in custody).

3. Alfons Jacob WILM (in custody).

Date and place of commission of alleged crime.

At or near Moosinning, Germany, on or about 20 July 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

On 20 July 1944, six American fliers parachuted from a disabled plane, landing near MOOSINNING, Germany. One was killed when his parachute failed to open. Of the five survivors, Arthur W. MANOCH, ASN 32855790 - correctness of the number is not established - and another were taken to the police station at that town. Three civilians members of the Nazi party - Anton SCHOSSER, Josef GOLDBRUNNER and Alfons Jacob WILM - the three accused, demanded custody of the two fliers. After a telephone clearance with a German Lieutenant Colonel at the Erding flying field, MANOCH, the victim, was turned over to the custody of these three civilians who departed with him for the express purpose of exhibiting the flier to the villagers at ERDING. MANOCH, WILM and SCHOSSER proceeded on afoot while GOLDBRUNNER followed in an automobile. After proceeding for some 100 meters, SCHOSSER fired several shots into MANOCH, who fell wounded, SCHOSSER then killed him with a second volley of shots with a French LMG, which had been in the car. The victim's body was rolled into the canal by one or all of the accused and SCHOSSER reported at ERDING that MANOCH had been shot while attempting to TRANSMITTED BY.....escape.

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29855) Wt.P.252/4 5,000 5/45 A & E.W.Ltd. Gp.655

Source: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-1149 Manoch (V)).

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0070

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

GOLDBRUNNER and WILM, in affidavits, have stated SCHOSSER fired the shots which killed MANOCH. Except for their presence at the scene, and their part in demanding that Schosser have the custody of the victim for the ostensible purpose of parading him before the local villagers and their possible assistance in rolling the body of the victim in the canal, there is no other evidence to connect them with the killing. It is believed the evidence is sufficient to implicate them in the conspiracy.

1637/US/G/10

0072

CURDTS Edward

Date Submitted

Decision of Committee I

7 OCT 1945

A CARDS OVERKID

B

1637/US/G/10

(For the Use of the Secretariat)

SECRET

0073

Registered Number.

Date of receipt in Secretariat.

637/US/C/10

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 10

*

Name of accused, his rank and unit, or official position.

Eduard CURDTS (Believed to be in custody) Policeman.

(Not to be translated.)

Date and place of commission of alleged crime.

SEESSEN, Germany, on or about 27 June 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

On or about 27 June 1944, an American aviator parachuted from his plane and landed near SEESSEN, Germany. The airman upon landing was uninjured and surrendered to German authorities. Following his surrender a German policeman named Eduard CURDTS shot and killed the American aviator. He was buried near the scene of his death.

The victim has not been definitely identified, but he is believed to be an American aviator named Captain SMITH.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-1733 SEESSEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0074

PARTICULARS OF EVIDENCE IN SUPPORT

0075

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1638/US/G/11

0077

BÜHLER Emil

Date Submitted

Decision of Committee I

17 OCT 1945

A

CARDS CHECKED

B

1638/US/G/11

(For the Use of the Secretariat)

SECRET

0078

Registered Number.

Date of receipt in Secretariat.

1638/US/G/11

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. **11** *

Name of accused, his rank and unit, or official position.

Emil BUHLER, Obergefreiter.

(Not to be translated.)

Date and place of commission of alleged crime.

STALAG LUFT I, BARTH-VOGELSANG, Germany, on or about 17 March 1945.

Number and description of crime in war crimes list.

MURDER.

References to relevant provisions of national law.

Breach of the Laws and Usages of War.

SHORT STATEMENT OF FACTS.

On or about 17 March 1945 at approximately 1130 hours and during an alleged air alert, 2nd Lt Elroy Frank WYMAN, AC, a prisoner of war at STALAG LUFT I, left his blockhouse and began to walk across the compound. When he had walked but a short distance Lt WYMAN, evidently realizing that an air alert was then in progress, turned around and retraced his steps at slow trot and just as he reached the entrance to his blockhouse he was shot and killed, without warning, by Obergefreiter Emil BUHLER, the German guard who was on duty at the time.

The victim has been identified as 2nd Lt Elroy Frank WYMAN.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 12-628, GUILLAUM (W)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0079

PARTICULARS OF EVIDENCE IN SUPPORT

0080

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1639/US/G/12

0082

I. GÜTTNER Waller, + 5 others

Date Submitted

Decision of Committee I

7 OCT 1945

I. A
others S }

CARLOS CHR

1639/US/G/12

SECRET

0083

12

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

1639/US/G/12

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 12

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Walter GUTTNER (in custody)
- 2. PRAUTZCH, Obersturmführer.
- 3. Rudolf BERINGER
- 4. Dr. Max PRIMBS, Kreisleiter (Believed to be in custody).
- 5. Dr. NEDWED, Chief of Gestapo, Innsbruck.
- 6. BUSCH, Criminal Lawyer.

Date and place of commission of alleged crime.

INNSBRUCK, Austria, on or about 20 April 1945.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On or about 20 April 1945, 2d Lieutenant Frederick MAYER, AUS, engaged in work for the United States Intelligence Service, was arrested by the Gestapo in the vicinity of INNSBRUCK, Austria. In the course of several interrogations to which he was subjected Lt MAYER was brutally beaten with a bull-whip and struck in the face and head by the fists of his interrogators.

The victim has been definitely identified as 2d Lieutenant Frederick MAYER, AUS, O-2038824. A sworn statement has been obtained from him.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch, No. 5-73, INNSBRUCK (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

MISSING

REGISTERED
NOS.

13

1641/US/G/14

0087

1. DAMM. Heinrich
2. IEGER

Date Submitted	Decision of Committee I
7 OCT 1945	Both A CARDS CHECKED B
6 FEB 1947	Addendum I :- 1, 2, A CARDS CHECKED B137 88

1641/US/G/14

(For the Use of the Secretariat)

0088

Registered Number.

Date of receipt in Secretariat.

1641/US/G/14

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

ADDENDUM TO

CASE No. 14 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Willi RIEKE, SA Standartenfuehrer
2. Karl SCHENK, Laborer, former Obertruppfuehrer of SA

Date and place of commission of alleged crime.

On or about 28 July 1944 near FAUERBACH, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 28 July 1944 an American bomber was shot down and crashed in the vicinity of BAUERNHEIM, Germany. As the plane plunged earthward its occupants were seen to bail out. One of the airmen, believed to be Peter MANDROS, Jr., ASN O-718517, was taken prisoner by Richard KELLER, a civilian, and delivered to the Burgermeister's office in BAUERNHEIM. SA Standartenfuehrer Willi RIEKE and SA Obertruppfuehrer Karl SCHENK took the airman in custody, and drove away with him in the direction of FRIEDBERG, Germany. Enroute, the car was stopped; the flyer was taken out and shot by RIEKE. SCHENK aided and abetted in the commission of the crime. The dead airman was then thrown onto a truck and taken to the cemetery in FRIEDBERG for burial.

Source: 7708 War Crimes Group (Case No.12-1685 DORNEIM (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0089

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PARTICULARS OF EVIDENCE IN SUPPORT

0090

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PARTICULARS OF EVIDENCE IN SUPPORT

0090

10

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) **RIEKE committed the offense on his own initiative; SCHENK probably participated in the murder as aider and abettor on the orders of RIEKE.**
- (b) **RIEKE will probably claim that the victim attempted to escape, while SCHENK will possibly claim he had no knowledge of RIEKE's intention to kill the victim. SCHENK may also claim that he aided and abetted RIEKE only on RIEKE's orders.**
- (c) **The case appears to be reasonably complete.**

SECRET

#14

(For the Use of the Secretariat)

0092

Registered Number.

Date of receipt in Secretariat.

1641/US/G/14

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 14 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. *Heinrich DAM* (in custody).

2. *IEGER, Stabsfuhrer*

Date and place of commission of alleged crime.

DORNHEIM, Germany, early May 1944 and/or 28-29 July 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoner of War.

References to relevant provisions of national law.

Breach of the Geneva Convention, 1929, Article 2.

SHORT STATEMENT OF FACTS.

In early May 1944 and/or on the 28-29 July 1944 in the vicinity of DORNHEIM, Germany, two or more unknown American aviators parachuted to earth, and were beaten and/or murdered after their capture.

Victims have not been identified.

SOURCE: War Crimes ^{Branch} of United States Forces, European Theater (War Crimes Branch, No. 12-1685, DORNHEIM(P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

(11)

Page 3

PARTICULARS OF EVIDENCE IN SUPPORT

0094

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1642/US/G/15

0096

1. ROTHEL Otto, + 2 Others

Date Submitted Decision of Committee I

17 OCT 1945

1. A

2. 3. W

W

WORDS CHECK

B

1642/US/G/15

(For the Use of the Secretariat)

SECRET

0097

15

Registered Number.

Date of receipt in Secretariat.

1042/US/G/15

UNITED NATIONS WAR CRIMES COMMISSION

United States

CHARGES AGAINST

German

WAR CRIMINALS

CASE No. 15 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Otto ROTHMEL (Believed to be in custody). Policeman.</p> <p>WITNESSES:</p> <p>2. Walter SICKERT of Aderstedt, Germany.</p> <p>3. Otto KAPPE of Aderstedt, Germany.</p>
<p>Date and place of commission of alleged crime.</p>	<p>ADERSTEDT, Germany, on or about 12 September 1944.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Usages of War.</p>

SHORT STATEMENT OF FACTS.

On or about 12 September 1944, an American aviator parachuted and landed safely in the vicinity of ADERSTEDT, Germany. He was captured forthwith by Policeman Otto ROTHMEL and home guardsman Walter SICKERT, who forced the flier to walk across a meadow and along a small dirt road, preceding the by approximately fifteen meters. Home guardsman Hermann BRANDT and one Otto SCHEUERMANN followed at a distance of thirty to forty meters. ROTHMEL was armed with a pistol, SICKERT carried a shot gun. The flier was shot several times and killed. The eyewitnesses BRANDT and SCHEUERMANN state that ROTHMEL fired all of the shots. The victim's body was buried in the cemetery at ADERSTEDT.

The victim has not yet been identified.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch,
TRANSMITTED BY No. 12-1702, ADERSTEDT (P)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) W.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0099

NOTES ON THE CASE

0100

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1656/US/G/16

0101

HANGOBL Josef

Date Submitted

Decision of Committee I

24 OCT 1945

A

CARDS CHECKED

1656/US/G/16

(For the Use of the Secretariat)

SECRET

0102

Registered Number.

Date of receipt in Secretariat.

1636/US/G/16

6 JUL 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 16 *

Name of accused, his rank and unit, or official position.

Josef HANGOBL, an Austrian (in custody).

(Not to be translated.)

Date and place of commission of alleged crime.

Lamprechtshausen, Austria on or about 16 November 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 November 1944 Josef Hangobl killed Lieutenant Merris Caust, 0723579, AC, a member of the United States Army Air Force, who was unarmed and had parachuted from a disabled plane.

SOURCE: War Crimes Branch, United States Forces, European Theater (War Crimes Branch No. 5-67, Caust (V), and No. 5-72 (Caust (V)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29855) Wt.P.252/4 5,000 5/45 A.& E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

On or about 16 November 1944 at about 1400 hours, an American aviator--one Lieutenant MORRIS CAUST--parachuted from his disabled plane to safety in the vicinity of Lamprechtshausen, Austria. JOSEF HANGOBL, the perpetrator of the crime, upon being notified by a little girl that a paratrooper was in a nearby field, proceeded to a point within seventy meters from the victim, alleges he called to him five times in German to lift his hands, observed that he failed to do so but used his hands "to look for something on his chest" and shot him. The victim allegedly turned to walk away whereupon the accused shot him again, causing him to fall to the ground. Two neighbouring farmers heard a call for help, located the wounded airman and saw HANGOBL running away. The two farmers finding no gun on the victim's person, carried him to the home of one of them and kept him there pending efforts to locate a doctor. After several hours the local physician was located and sent the wounded airman to a hospital at Oberndorf, Austria, at 2000 hours. X-rays were taken and the victim removed to a hospital at Laufen, Germany, where facilities for performing a needed operation were available. The operation was performed, but the victim died shortly thereafter due to excessive loss of blood, death occurring at about 2300 hours.

PARTICULARS OF EVIDENCE IN SUPPORT

0104

NOTES ON THE CASE

0105

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1657/US/G/17

0106

1. REINECKE August
2. HOMANN
3. SCHOCK Michael

Date Submitted

Decision of Committee I

4 OCT 1945

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CARDS CHECKED

1657/US/G/17

(For the Use of the Secretariat)

SECRET

0107

Registered Number.

Date of receipt in Secretariat.

1657/US/G/17

6 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 17 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. August REINECKE, Burgemeister of HEININGEN (in custody). 2. HOMANN 3. Michael SCHOCK</p>
<p>Date and place of commission of alleged crime.</p>	<p>HEININGEN-BORSSUM, Germany, on or about 28 September 1944.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Murder of captured United States airman.

**Source: War Crimes Branch of United States Forces, European Theater
(War Crimes Branch No. 12-1035 REINECKE (A)).**

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

a. On or about 28 September 1944 three United States bombers were shot down in the vicinity of HEININGEN-BORSSUM, Germany, and a fourth bomber was shot down in the vicinity of DORSTADT. Five of the flyers are known to have parachuted safely in the vicinity of HEININGEN and BORSSUM. One of these flyers was captured by civilians in the vicinity and taken to the office of August REINECKE, also known as RENEKE, the Burgomeister of HEININGEN, who, accompanied by Michael SCHOCK and a HOMANN, walked the flyer to the village outskirts and shot and killed the flyer by firing one shot in the back of the victim's head. HOMANN and SCHOCK took no part in the actual shooting. The individual identity of the victim is unknown. He was buried the following day in the HEININGEN Cemetery and later disinterred for burial in a United States Military cemetery. REINECKE has confessed to this murder.

b. About 4 o'clock on the afternoon of 28 September 1944, two Polish laborers saw REINECKE shoot four flyers with a pistol in front of a granary about 1/2 kilometer north of HEININGEN. Another Polish laborer, who was in the immediate vicinity of the granary at the time, heard several shots, saw REINECKE walking from the scene, met him on the road and saw the four bodies lying in front of the granary. The next day the bodies of four United States flyers were located in a wood about two kilometers from the scene of the shooting of the four flyers by REINECKE. These four bodies indicated that the victims had been shot and they were buried with the fifth victim (which REINECKE admitted killing) in a common grave with nine other United States flyers. REINECKE denies shooting the four flyers.

The victims have not been definitely identified,

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

0110

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1658/US/G/18

0111

1. WERNER Gottlieb
2. KUNER Fritz
3. EISELE Joseph
4. HEIM. Friedrich
5. BIRNBREIER
6. MATTHES Max
7. KUNER Fritz

Date Submitted

Decision of Committee I

24 OCT 1948

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1658/US/G/18

(For the Use of the Secretariat)

SECRET

0112

Registered Number.

Date of receipt in Secretariat.

1658/US/C/18

10 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 18 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- ✓ 1. Gottlieb WERNER
- ✓ 2. Fritz KUNER, Jr. *Murderer?*
- ✓ 3. Joseph EISELE
- ✓ 4. Frederick HEIM
- ✓ 5. BIRNEREIDER (believed to be in custody)
- ✓ 6. Max MATTHES (in custody)
- ✓ 7. Fritz KUNER, Sr. *Murderer?*

Date and place of commission of alleged crime.

In the vicinity of SCHOLLACH, Germany, on or about 21 July 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of captured United States airmen.

Source: War Crimes Branch of United States Forces, European Theater (War Crimes Branch No. 12-779, SCHOLLACH (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On 21 July 1944 five United States airmen parachuted from a disabled plane and landed in the vicinity of URACH (Schwarzwald), Germany. Three of these airmen, identified as Leonhardt A. KORNBLAU, Charles WOLF and Franz MISIAK, were apprehended by the rural police. While they were being escorted to SCHOLLACH, Germany, now in the French Zone, they were intercepted by Fritz KUNER, Jr, Gottlieb WERNER, Max MATTHES and Frederick HEIM, who ordered the rural police to deliver the three airmen to them. KUNER, Jr, and his colleagues had been ordered by BIRNREIER to kill the airmen. WERNER issued loaded pistols to each man. Shortly after the departure of the rural police, the three airmen were lined up along the road and killed. MATTHES denies firing a shot but accuses KUNER, Jr. and WERNER of actual shooting. HEIM was some distance away having been posted as a guard.

The two other airmen, identified as Bernhardt RADOWSKI and M.N. MILLES, were apprehended and brought to the city hall at SCHOLLACH. BIRNREIER demanded of the rural police that they be delivered to him but the police refused. Kreisleiter KUNER, however, ordered that the airmen be delivered to BIRNREIER. Policeman FALLER took the airmen into the woods separately and delivered each one to BIRNREIER and Joseph EISELE, who were waiting there, and BIRNREIER and EISELE murdered the two airmen.

The five murdered airmen were buried in a cemetery in SCHOLLACH.

Leonhardt A. KORNBLAU, Charles WOLF, Franz MISIAK, Bernhardt RADOWSKI and M.N. MILLES have been tentatively identified as the victims.

PARTICULARS OF EVIDENCE IN SUPPORT

0114

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

NOTES ON THE CASE

0115

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1659/US/G/19

0116

- 1. HUNDGEN Heinrich
- 2. SCHLOSSER Josef

Date Submitted	Decision of Committee I		
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1659/US/G/19

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Date of receipt in Secretariat.

1659/US/G/19

16 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 19 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich HUNDGEN (in custody)

2. Josef SCHLOSSER (in custody)

WITNESS:

3. Jan STANCZYK

Date and place of commission of alleged crime.

MIEL, Germany, on or about 7 October 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Assault and battery of captured United States airman.

Source: War Crimes Branch of United States Forces, European Theater, (War Crimes Branch No. 12-1088, MIEL (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

0118 ●

On 7 October 1944 at about 1100 hours a United States airman parachuted to the ground approximately 400 meters east of MIEL, Germany. Upon landing he was taken into custody by a German civilian who proceeded to take the airman to the local police station. While enroute they were joined by a crowd of German civilians, among which were Heinrich HUNDGEN, who hit the airman several times on the head and shoulders, and Josef SCHLOSSER, who kicked the pilot several times in the buttocks. Subsequently a German officer arrived on the scene and took the airman. Just prior to being led away and while no one was watching, the United States flyer threw a wallet to Jan STANCZYK, a bystander and an eyewitness to the beating, who kept the wallet until he turned it over to the Investigating Officer. The wallet and its contents indicate that it was the wallet of 1st Lieutenant Robert O. WIERDSMA.

Lieutenant Robert O. WIERDSMA has been tentatively identified as the victim.

PARTICULARS OF EVIDENCE IN SUPPORT

0119

NOTES ON THE CASE

0120

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1660/US/G/20

0121

1. SCHWENKE Werner
2. BERTRAM Herman

Date Submitted	Decision of Committee I		
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Registered Number.

Date of receipt in Secretariat.

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1660/US/G/20

17 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS.

CHARGES AGAINST

WAR CRIMINALS

CASE No. 20 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Werner SCHWENKE, Ortsgruppenleiter.

2. Herman BERTRAM, Member of Home Guards.

Date and place of commission of alleged crime.

GLOTHE, Germany, on or about 29 June 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of a captured United States aviator.

Source: War Crimes Branch of United States Forces, European Theater, (War Crimes Branch No. 12-1709, GLOTHE (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0123 ●

On or about 29 June 1944, a United States aviator parachuted to the ground in the vicinity of LOBNITZ, Germany. He surrendered to German nationals who turned him over to Werner SCHWENKE, Ortsgruppenleiter, and Hermann BERTRAM, a farmer and member of the home guards. They took him to GLOTHE where he was shot and killed. Only SCHWENKE and BERTRAM were present at the time of the murder. The latter who is in custody, states that SCHWENKE is responsible for the murder. SCHWENKE, in his official report, states both of them fired. The body of the victim is buried in the cemetery at said GLOTHE. There is testimony in the file by Doctor Albert HALLENSLEBEN who examined the victim right after the shooting as to the cause of death.

The victim has been identified as James R. MURRAY, grade unknown, ASN 35274235. Request has been made of the Director General, U.S. Theater Graves Registration Service for evidence to confirm this identification.

PARTICULARS OF EVIDENCE IN SUPPORT

0124

NOTES ON THE CASE

0125

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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1661/US/G/21

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FAHRNGRUBER

Date Submitted

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24 OCT 1946

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0127

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1661/US/G/20

11 DEC 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 21 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>Captain FAHNGRUBER</p>
<p>Date and place of commission of alleged crime.</p>	<p>METTING, Germany, on 28 December 1944.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Torture of captured United States aviator.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1799, METTING (P)).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0128

On 28 December 1944 an unidentified United States lieutenant parachuted from his disabled aircraft at HAINSBACH, Germany. He was captured by members of the 2d Company, Panzer Jaeger Ersatz, Abteilung No 10 and taken to the orderly room of that unit at METTING. Shortly thereafter, upon the order of Captain FAHNGRUBER, Commanding Officer of the unit, the flier was forced to stand out of doors dressed only in thin trousers and shirt for approximately two and one-half hours. For one hour of this period he wore neither shoes nor socks. The weather was very cold at the time.

The victim has not been identified. He is known to be a lieutenant in the Army Air Force.

PARTICULARS OF EVIDENCE IN SUPPORT

0129

NOTES ON THE CASE

0130

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1662/US/G/22

0131

- 1. HARTUNG Kurt
- 2. UNIWIS Otto

Date Submitted

Decision of Committee I

24 OCT 1944

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1662/US/G/22

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SECRET

0132

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1662/US/G/22

11 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST
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GERMAN WAR CRIMINALS.
WAR CRIMINALS

CASE No. 22 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Kurt HARTUNG (in custody)
2. Otto UNIWIS

Date and place of commission of alleged crime.

BUCHA, Germany, on or about 7 July 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating and robbing of United States aviators.

Source: War Crimes Branch of United States Forces, European Theater (War Crimes Branch No. 12-1776, BUCHA(P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

On or about 7 July 1944 five unidentified United States aviators parachuted from their disabled aircraft in the vicinity of BUCHA, Germany. Kurt HARTUNG, a grocer and reserve policeman living at KARLWINKEL, approximately six or seven kilometers southwest of BUCHA, is accused of kicking one of the fliers and of striking him with a rifle butt. HARTUNG and one Otto UMWIS then removed some of the fliers' shoes and clothing and forced them to walk barefoot an unspecified distance.

The identity of the victims has not been established. It is known only that they are five United States aviators.

PARTICULARS OF EVIDENCE IN SUPPORT

0134

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1663/US/G/23

0136

1. STEIG Karl
2. PALAND Wilhelm
3. TEUTEBERG Fritz

Date Submitted Decision of Committee I

24 OCT 1945

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1663/US/G/23

(For the Use of the Secretariat)

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0137

Registered Number.

Date of receipt in Secretariat.

1663/US/G/23

17 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 23 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1 Karl STEIG (in custody)
- 2 Wilhelm PALAND (in custody)
- 3 Ortsgruppenleiter Fritz TEUTEBERG (in custody)

Date and place of commission of alleged crime.

REIFFENHAUSEN, Germany, in August 1944

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Severe assault of a captured United States aviator.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1740, REIFFENHAUSEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Sometime in August 1944 a United States aviator, after parachuting from a disabled airplane, was captured near REIFFENHAUSEN, Germany. Upon capture he was struck several times by Wilhelm PALAND and Karl STEIG. Victim was then taken to the house of the Burgermeister, where he was beaten and kicked by Ortsgruppenleiter Fritz TEUTEBERG.

The victim has not been identified, other than the fact that he was an American.

PARTICULARS OF EVIDENCE IN SUPPORT

0139

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1664/US/G/24

0141

1. BREHM Otto
2. BAUSCH Wilhelm
3. SCHMIDT Sebastian
4. KAUTER Johann

Date Submitted

Decision of Committee I

24 OCT 1948

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(For the Use of the Secretariat)

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1664/US/G/24

11 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

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CASE No. 24 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Otto BREHM (in custody)
2. Wilhelm BAUSCH (in custody)
3. Sebastian SCHMIDT
4. Johann KAUTER (in custody).

Date and place of commission of alleged crime.

On a small island in the Rhine River, near ERBACH, Germany, in the Seventh Army Zone of Occupation, on 19 September 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Beating of a United States Army Air Forces officer.

Source: War Crimes Branch of United States Forces, European Theater (War Crimes Branch No.12-714, BAUMAN (V)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0143 ●

A United States Army Air Forces officer parachuted to a small island in the Rhine River near ERBACH, Germany, at approximately 1500 hours on 19 September 1944. He was taken prisoner by some civilians from ERBACH who crossed to the island in a motor launch, and found the airman after a short search. Although the airman surrendered himself peacefully, Otto BREHM and William BAUSCH beat him with clubs, and Sebastian SCHMIDT struck him with a stick.

The flyer was brought to the city hall of ERBACH by his captors and turned over to the town mayor, Johann KAUTER, who asked why the flyer had not been beaten to death so that he would not be able to report his mistreatment. Subsequently the flyer was evacuated to ELTVILLE, Germany.

The victim of the alleged war crime has been tentatively identified as Lt. William BAUMAN, United States Army Air Forces.

PARTICULARS OF EVIDENCE IN SUPPORT

0144

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1665/US/G/25

0146

I. SCHNEIDER, Johann, and ~~1~~ Others

Date Submitted

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24 OCT 1945

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1665/US/G/25

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Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST

GERMANS WAR CRIMINALS WAR CRIMINALS

CASE No. 25 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Johann SCHNEIDER (in custody).....
- 2. Alois GERSTNER (in custody).....
- 3. Frans DECK (in custody).....
- 4. Adolf KIERMANN (in custody).....
- 5. Hans ROTHACKER (in custody).....
- 6. Mattheus GOTZMANN (in custody).....
- 7. Frans WIELAND (in custody).....
- 8. Karl KERN.....
- 9. Wilhelm KARCHER.....
- 10. Rudolph MERKEL.....
- 11. Isidor KLUMPP.....
- 12. Johann BORSCH.....

Date and place of commission of alleged crime.

GERNSBACH, Germany, and WEISSENBACH, Germany, on or about 9 August 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of three captured American aviators.

SOURCE: War Crimes Branch of United States Forces, European Theater (War Crimes Branch No. 12-493, GOTZMANN (W)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0148

On or about 9 August 1944, three American aviators parachuted from their planes in the vicinity of GERNSBACH, and WEISSENBACH, Germany. Two landed in the vicinity of WEISSENBACH and were captured by German civilians. One landed in the vicinity of GERNSBACH and was captured by German civilians. Following their capture all three were shot and beaten to death. The three bodies are presently interred in a cemetery at WEISSENBACH, Germany.

The victims have not been definitely identified, but they are believed to be American aviators named Kenneth L. PALMER, Robert L. HARMON, and Roy C. ASHES. This tentative identification is based on identification tags recovered.

PARTICULARS OF EVIDENCE IN SUPPORT

0149

NOTES ON THE CASE

0150

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1666/US/G/26

0151

KORNALEWICZ *Werner*

Date Submitted

Decision of Committee

24 OCT 1944

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1666/US/G/26

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0152

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1666/US/C/26

11 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 26 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Werner KORNALEWICZ (in custody)

Date and place of commission of alleged crime.

HASTENBECK, Germany, in March 1945.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

All treatment of Prisoners of War

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Assault and battery of a captured United States airman.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1622, HAMELN (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0153

In March 1945 an unknown United States airman parachuted from a damaged plane and landed with serious facial burns in the vicinity of HASTENBECK, Germany. He was apprehended by two German civilians, MULLER and MATHILDE LAMMERSHIRT, and brought to MULLER's house. Two officers arrived later and took the airman to the Burgermeister's office, and from there to HAMELN. The airman and his escort were followed by a German civilian, Werner KORNALEWICZ, and several Nazi officials. KORNALEWICZ, goaded on by Nazi officials, hit the airman two or three times on the head and shoulders with a stick. The airman continued on his way to HAMELN.

The victim has not been identified.

KORNALEWICZ has admitted that he hit the victim.

PARTICULARS OF EVIDENCE IN SUPPORT

0154

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1667/US/G/27

0156

1. WEDEL Georg
2. AWE Erhard

Date Submitted

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24 OCT 1948

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11 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

~~UNITED STATES CHARGES AGAINST~~

~~GERMAN WAR CRIMINALS~~

CHARGES AGAINST

WAR CRIMINALS

CASE No. 27 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Georg WEDEL (in custody).

2. Erhard AWE (in custody).

3. JOLLBEHR

Date and place of commission of alleged crime.

ISERBROOK near OSDORF, Germany, on 20 June 1944.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Convention 1929, Article 2,

Breach of the Geneva Convention 1939, Article 6.

SHORT STATEMENT OF FACTS.

Assault of captured United States aviator.

Source: War Crimes Branch of United States Forces, European Theater
(War Crimes Branch No. 12-1700, ISERBROOK (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On 20 June 1944 a United States aviator, Joseph Adolf EVERS, parachuted from his crippled aircraft, landing in a meadow near ISERBROOK. Several Germans immediately ran to him, one of whom, named Georg WEDEL, struck the flier in the face with a shovel. Other Germans soon arrived upon the scene, some carrying sticks and shovels, and as the crowd milled about him and shouted he was struck, pummeled and kicked by other unidentified persons. One Erhard AWE struck him several times with a steel helmet.

EVERS was then taken to the Luftgau in ISERBROOK where he was searched and his possessions divided among his captors. One Friedrich VOLLBEHR received his watch and flying jacket.

It was rumored that EVERS later died as a result of his injuries, but nothing definite is known about him after he reached the Luftgau.

The victim has been definitely identified as Joseph Adolf EVERS, United States Air Forces.

PARTICULARS OF EVIDENCE IN SUPPORT

0159

NOTES ON THE CASE

0160 ●

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1668/US/G/28

0161

I. BUCK Karl, and 8 others

Date Submitted

Decision of Committee I

24 OCT 1943

Acc A

CARDS CHECKED

1668/US/G/28

0162

MD/JAG/PS/22/577(2B)
NAPH'E

10th March 1946.

CONFIDENTIAL.

Commander-in-Chief,
British Army of the Rhine.

United Kingdom Charges against German War Criminals.

United Nations War Crimes Commission Ref: 1668/US/9/23

Accused: Hauptsturmführer Karl TRICK.
Untersturmführer Robert WUNSCH.
Oberleutnant Karl NUSSBÄCKER.
Wachmeister Erwin OSTERTAG.
Oberwachmeister Heinrich NEUSCHWANGER.
Oberwachmeister Josef MITH.
Sturmscharführer EDLERMANN.
Wachmeister DINKEL.
Wachmeister Helmut KORB.
Wachmeister Xaver VETTER.
Zugwachmeister BECK.
Bernhard Josef ULRICH.
Wachmeister Eugen BAUMANN.
NIEBEL.
DREHER.

The GAGGENAU Case.

I refer to my minutes of even reference dated 10th December 1945, 10th January and 30th January 1946 respectively, and I am directed by the Judge Advocate General of the Forces to convey to you the following further advice in connection with this case.

1. It will be observed that four additional accused, namely ULRICH, BAUMANN, NIEBEL and DREHER, have now been added to the previous list of accused and in my opinion the evidence justifies trial by military court under the Royal Warrant of these four accused, jointly with the remainder of the accused on the identical charge to that set out in paragraph 3 of my minute of even reference dated 30th January 1946.

2(a). It is understood that of these additional accused NIEBEL and DREHER are not yet known to be in custody, but the other two are understood to be in custody as under:-

Bernhard Josef ULRICH 4 C.L.C., B.A.O.R.
Eugen BAUMANN - French custody at St. MENHULD.

2(b). It should also be noted that the accused BECK, KORB and NEUSCHWANGER who at the date of my previous minute of even reference dated 30th January 1946 were not known to be in custody, have now been traced and are held in custody as under:-

BECK -, French custody.
Heinrich NEUSCHWANGER - 4 C.L.C., B.A.O.R.
Helmut KORB - 5 C.L.C., B.A.O.R.

3. It will be observed that of the total of 15 accused, ZITTERMANN, VETTER, NIEBEL and DIESER have not yet been traced and are not known to be in custody, but I see no reason why the trial of the remainder of the accused should on this account be delayed, and in the event of these four accused not now in custody being apprehended before the trial, they should then be brought to trial on the charge advised.

4. If all or any of the accused ZITTERMANN, VETTER, NIEBEL and DIESER are apprehended prior to the trial they should be interrogated and the interrogation report or statement should be submitted to the Judge Advocate General for his perusal.

5. I enclose the originals and eighteen copies each of the statements of the accused:-

Heinrich NEUSCHLANGER	(2)
Erwin OSWENTAG	(1)
Bernhard Josef ULRICH	(1)
Helmuth KORB	(1)

and these should be added to paragraph 6(b) of my minute of even reference dated 10th December 1945.

6. With the exception of the advices and observations herein contained the remainder of the paragraphs of my previous minutes of even reference of 10th December 1945, 10th January 1946 and 30th January 1946 are not affected.

(Sgd. H. SHAPCOTT

Brigadier,
Military Deputy,
J.A.G.

Copies to:-

D. J. A. G., B. I. O. R. (2)
Treasury Solicitor (3)
A. G. 3 (V. W.)

(For the Use of the Secretariat)

SECRET

0164

Registered Number.

Date of receipt in Secretariat.

1668/US/G/28

17 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 28 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl BUCK (in custody)
2. Robert WUENSCH (in custody)
3. Dr. Pütz, Chief of Gestapo at Baden-Baden, Germany
4. Oberleutnant Karl NUSSBERGER
5. Polize Meister Kurt or Heinrich OSTERTAG
6. Wachmeister Emil NEUSCHWANGER, known as the "Stuka".
7. Wachmeister ULLRICH
8. Wachmeister Karl ZIMMERMANN
9. Wachmeister Josef MUTH

Date and place of commission of alleged crime.

GAGGENAU, Germany, on or about 25 November 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of Laws and Customs of War

SHORT STATEMENT OF FACTS.

Murder of six British and four American Prisoners of War.

Source: War Crimes Branch of United States Forces, European Theater (War Crimes Branch No. 12-430, GAGGENAU (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On or about 25 November 1944, six British and four American prisoners of war were taken by truck from the GAGGENAU Concentration Camp to a spot in the woods near the GAGGENAU Cemetery where they were shot and killed.

Karl BUCK, confined in a civil prison at PARIS, France, admitted that he received an order from Dr. PUTZ, chief of the Gestapo in BADEN-BADEN, Germany, to the effect that all British and American prisoners were to be killed. He transmitted this to Robert WUENSCH his deputy at GAGGENAU. WUENSCH, confined in a civil prison at STRASSBOURG, confessed to receiving the order and passing it along to Oberleutnant NUSSBERGER who is not in custody.

The victims have been identified as follows:

- a. Major D.B. REYNOLDS, British Army.
- b. Capt A.R. WHATLY-SMITH, British Army.
- c. Capt V. GOUGH, British Army.
- d. Lt D.G. DILL, British Army.
- e. Pct M. GRIFFIN, British Army.
- f. Pct C. ASHE, British Army.
- g. Garis P. JACOBY, O-556376, United States Army.
- h. Michael PIPOCK, 16176838, United States Army.
- i. Curtis E. HODGES, 37623179, United States Army.
- j. Maynard A. LATTEN, United States Army.

PARTICULARS OF EVIDENCE IN SUPPORT

0166

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1739/US/G/29

0168

1. GOTZ Karl
and 2. + 3.

Date Submitted

Decision of Committee I

31 OCT 1941

1 + 3 A }
2 C }

1739/US/G/29

(For the Use of the Secretariat)

SECRET

0169

Registered Number.

Date of receipt in Secretariat.

1739/US/G/29

26 OCT 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 29 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl GOTZ, Member of Gestapo, Bensheim, Germany.
2. Members of Gestapo Headquarters at Bensheim, Germany on or about 18 March 1945.

WITNESS:

3. Dr. Kurt VOLLMERING, Nazi Party leader at Bensheim, Germany in March 1945.

Date and place of commission of alleged crime.

BENSHEIM, Germany on or about 18 March 1945.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach laws and customs of war.

SHORT STATEMENT OF FACTS.

A United States aviator, believed to have been 2nd Lieutenant Robert L. Van Horn, crashed near Bensheim, Germany. After surrendering and being turned over to the Gestapo at Bensheim, his body was found four days later showing that he was shot to death.

SOURCE: War Crimes Branch, United States Forces, European Theater (War Crimes Branch No. 12-1217, Winter Kasten (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0170

On or about 18 March 1945, a United States aviator crashed his fighter plane near BENSHEIM, Germany. The airman was uninjured and surrendered to a member of the Gestapo Karl GOTZ and a party leader named Dr. Kurt VOLLMERING. They notified Gestapo headquarters at BENSHEIM, and the airman was then turned over to Gestapo members sent from that headquarters. Four days later the airman was found shot to death. His body was buried in a cemetery at WINTER KASTEN, Germany.

The accused persons who were members of Gestapo headquarters at BENSHEIM, are being sought. Wanted Reports have been forwarded to CROWCASS on them.

The victim has not been definitely identified, but he is believed to be a United States aviator named Robert L. VAN HORN, a 2d Lieutenant. This tentative identification is based on the recovery of an identification card from German authorities.

PARTICULARS OF EVIDENCE IN SUPPORT

0171

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1. RIEMENSBERGER Andreas
and 2-4

Addendum I:- 1. STAUDINGER
to 6.

Date Submitted	Decision of Committee I	R/L	CARDS CHECKED
28 NOV 1945	1 to 4 on A.	R/L	CARDS CHECKED
20 JUN 1948	Addendum I:- 2-5:A 1,6 already listed ∴ no further action	B	CARDS CHECKED

(For the Use of the Secretariat)

0174

Registered Number.

Date of receipt in Secretariat.

1898/US/G/30

30 MAY 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 69 (Addendum) *

Addendum to WCC No. 1898/US/G/30

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hans STAUDINGER, German civilian.
2. Maximilian HERMANN, German civilian.
3. Josef HUBER, German civilian.
4. Hans VILLECHNER, Kreisleiter, not in custody.
5. Walter KAISER, German Lieutenant.
6. Oberfeldwebel Henrich EISENHART.

Date and place of commission of alleged crime.

31 July 1944 at or near ECHING, Germany.

Number and description of crime in war crimes list.

Murder of three captured members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 31 July 1944 Lts. R. MADDISON and Michiel ROHULICH, and Sgt. John J. Smith crash-landed in a four motored bomber near ECHING, Germany and surrendered to German soldiers stationed at an anti-aircraft position. Accused STAUDINGER, HERMANN, and HUBER took the fliers from the custody of accused KAISER upon orders of accused VILLECHNER and EISENHART, took them to a nearby barracks and shot and killed them. HERMANN and HUBER fired the shots and STAUDINGER was present aiding and abetting.

Note: Two other accused, Georg FISHER and Andreas RIEMENSPERGER, have been listed "A" on previous facts set out in original case. Accused STAUDINGER and EISENHART have also been listed "A" in the original case. It now appears that three, rather than two, United States airmen were killed.

Source: War Crimes Branch, USFET (Case No. 12-1067).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0175

ORIGINAL SOURCE OF MATTER

PARTICULARS OF EVIDENCE IN SUPPORT

0176

NOTES ON THE CASE

0177

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The accused STAUDINGER, HERMANN and HUBER will probably defend on the ground that they were acting in obedience to superior orders. Accused KAISER will probably defend upon the theory that he did not know for what purpose he was turning the airmen over to STAUDINGER, HERMANN, and HUBER. The case is considered reasonably complete.

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

1898/US/G/30

17 NOV 1945

0178

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 69

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Andreas Riemensperger, (in custody).

2. Oberfeldwebel Henrich Eisenhart.

3. Hans Staudinger.

4. Georg Fisher.

Wanted Reports have been forwarded to CROWCASS on all known accused.

Date and place of commission of alleged crime.

On or about 31 July 1944.

ECHING, Germany.

Number and description of crime in war crimes list.

Looting and Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

Breach of Article 6, Geneva Convention.

SHORT STATEMENT OF FACTS.

Looting and murder of two captured United States aviators.

Source: War Crimes Branch of United States Forces, European Theater
(War Crimes Branch No. 12-1067, ECHING (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0179

On or about 31 July 1944, two United States flyers, Michael ROHULICH, O-708312 and 2d Lieutenant R. MADDISON, parachuted from their disabled plane and landed near ECHING, Germany, where they were captured by German soldiers commanded by Oberfeldwebel Henrich EISENHART, EISENHART, Hans STAUDINGER and unidentified soldiers shot and killed these two flyers. There is also evidence that Andreas RIEMENSPERGER struck one of the flyers after capture and that Georg FISHER took the flight boots of one of the victims. The bodies of the flyers were disinterred and a finding made as to ROHULICH that death was caused by multiple gunshot wounds of the chest with laceration of the heart and lungs. Because of decomposition of the tissues, it was not possible to make a definite finding as to the cause of death in the case of Lieutenant R. MADDISON.

PARTICULARS OF EVIDENCE IN SUPPORT

0180

NOTES ON THE CASE

0181

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

**REGISTERED
NOS.**

31

TO

40

**REGISTERED
NOS.**

31

TO

40

1899/US/G/31

0182

1. KATZENMEIER Eugen

and 2. -4

Date Submitted

Decision of Committee I

2. 8 NOV 1945

1 to 4 A
~~1 to 4 A~~

all

CARDS CHECKED

1899/US/G/31

(For the Use of the Secretariat)

0183 ✓

Registered Number.

Date of receipt in Secretariat.

1899/US/G/31

17 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	GERMAN	WAR CRIMINALS
	CHARGES AGAINST		WAR CRIMINALS

CASE No. 70 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. **Eugen KATZENMEIER (in custody)**
 2. **Karl BRUECK, Giessen Kreisleiter)**
 3. **Heinrich ERB,**
 4. **Heinrich LIND**

Wanted Reports have been forwarded to CROWCASS on these men.

Date and place of commission of alleged crime.

GIESSEN, Germany.
On or about 11 September 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of a captured United States Aviator.

Source: War Crimes Branch of United States Forces, European Theater, (War Crimes Branch, No. 12-1848, GIESSEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0184

On or about 11 September 1944 an unidentified United States pilot parachuted in the vicinity of KLEIN LINDEN, KREIS GIESSEN, Germany. He was captured and taken to the office of the Burgermeister of KLEIN LINDEN, where he was taken into custody by Emil MUHL, Sergeant in the Wehrmacht. As MUHL was taking the flier to the hospital at GIESSEN he was stopped by three men, Heinrich ERB, Eugen KATZENMEIER and Heinrich LIND who forcibly seized the flier and upon the orders of Karl BRUECK, the Giessen Kreisleiter, shot and killed him in a wooded area on the edge of GIESSEN. His body was buried in the Neuer Friedhof at GIESSEN.

Victim: An unidentified United States aviator.

PARTICULARS OF EVIDENCE IN SUPPORT

0185

WITNESS:

NAME: Emil Muhl, Sergeant in the Wehrmacht.

NOTES ON THE CASE

0186

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

1900/US/G/32

0187

1. WEGER Adolf

and 2-5

Date Submitted

Decision of Committee I

28-11-45.

All A. Cause done

RR

CARDS CHECKED

(For the Use of the Secretariat)

0188

Registered Number

Date of receipt in Secretariat.

1900/US/G/32

17 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 71 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Adolf Weger, Criminal Commissar of Hanau, Germany, (in custody).
2. Fehrle, Police Director, (has committed suicide).
3. Julius Schulze, Criminal Secretary of the State Police at Hanau, Germany, (in custody).
4. Karl Neuber, member of the Gestapo in Hanau, Germany, (in custody)
5. Georg Guggenberger.

Date and place of commission of alleged crime.

HANAU, Germany.
17 February 1945.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of three captured United States aviators.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-926, FEHRLE (A)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0189

On 17 February 1945 three United States aviators parachuted from their plane at Hanau, Germany. They were **captured** and taken to the police station at Hanau. After being interrogated, they were taken, one at a time into the courtyard of the police station and deliberately shot to death.

Adolf Weger, the Criminal Commissar of Hanau, directed the killings and actually shot one of the victims. He has signed a written confession that he killed one aviator and directed the killing of the others on the orders of Police Director Fehrle, who has committed suicide. Julius Schulze, Criminal Secretary of the State Police at Hanau, signed a written confession that he participated in the murder. Karl Neuber, a member of the Gestapo in Hanau, has also signed a confession. Georg Guggenberger also participated in the crime.

Victims: The victims have not been definitely identified, but they are all United States aviators and one of them is believed to be named Charles B. Goldstein.

PARTICULARS OF EVIDENCE IN SUPPORT

0190

NOTES ON THE CASE

0191

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1901/US/G/33

0192

1. HEUKE Siegfried
2. ZIMMERMANN, Wilhelm

Date Submitted

Decision of Committee I

28-11-45

1, 2 A.

ALL

CARDS CHECKED

1901/US/G/33

(For the Use of the Secretariat)

Registered Number.

0193

Date of receipt in Secretariat.

1901/US/G/33

17 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 72

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Siegfried HEUKE
2. Wilhelm ZIMMERMANN

Wanted Reports have been issued listing their last known whereabouts.

Date and place of commission of alleged crime.

During October or November 1944.
POLLEBEN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS..

Murder of an unarmed United States airman.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1811, POLLEBEN (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0194

A wounded United States airman who parachuted from a disabled plane was shot and killed by one HEUKE upon the alleged order of one ZIMMERMANN. Two other airmen of the same crew were killed by one SEIFERT who has previously been executed for this offense.

Victim: An unknown United States airman. Inquiry has been directed to U.S. Theater Graves Registration Service to aid in establishing his identity.

PARTICULARS OF EVIDENCE IN SUPPORT

0195

NOTES ON THE CASE

0196

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1902/US/G/34

0197

KOLLER Alfred

Date Submitted

Decision of Committee I

8 NOV 1945 A.

lll

CARDS CHECKED

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

1902/US/G/34

17 NOV 1945

0198

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 73 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

Alfred KOLLER (in custody)

Date and place of commission of alleged crime.

On or about 26 November 1944.
ROLOVEN, Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Ill-treatment of Prisoners of War.

Breach of the Geneva Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

Assault of captured United States aviator.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1894, ROLOVEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0199

On or about 26 November 1944, a United States plane was shot down and the pilot parachuted to earth near ROLOVEN, Germany. Upon landing, he was approached by Alfred KOLLER, who picked up a stick and beat him several times on the head, until the victim fell down bleeding. The victim was then taken into custody and led away by a German officer.

Victim: Ross S. HOUSTON, a member of the United States Army Air Forces, rank unknown.

PARTICULARS OF EVIDENCE IN SUPPORT

0200

NOTES ON THE CASE

0201

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1903/US/G/35

0202

I. TEUTEBERG *Fitz*

+ 2. + 3.

Date Submitted	Decision of Committee I		CARDS CHECKED
2 8 NOV 1945	<i>All A.</i>	<i>all</i>	

1903/US/G/35

(For the Use of the Secretariat)

0203

Registered Number.

Date of receipt in Secretariat.

1903/US/G/35

17 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 74 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Fritz TEUTEBERG, Ortsgruppenleiter, (in custody) 2. Wilhelm PALAND, (in custody) 3. Karl STIEG, (in custody)</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 14 August 1944. REIFFENHAUSEN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Assault of a captured United States aviator.

Source; War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1740, REIFFENHAUSEN (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

On or about 14 August 1944, a United States aviator parachuted to safety near REIFFENHAUSEN, and surrendered to Hermann LINNE. As the latter was escorting the victim, Wilhelm PALAND and Karl Stieg approached and beat the victim several times with their fists. LINNE and the victim then continued to the Burgeameister's residence. After the victim had been there about twenty minutes Ortsgruppenleiter TEUTEBERG came up, questioned the victim and then began to hit him. He struck the victim several times on the head and chest until the victim fell down, at which time TEUTEBERG kicked him in the ribs. The victim appeared to be in great pain. Later that day he was taken away by the local authorities.

Victim: The victim has not been identified other than the fact that he was a United States aviator.

PARTICULARS OF EVIDENCE IN SUPPORT

0205

NOTES ON THE CASE

0206

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

1904/US/G/36

0207

SCHIELZ Friedrich

Date Submitted	Decision of Committee I		
28 NOV 1945	A.	ML	CITE OF...

1904/US/G/36

(For the Use of the Secretariat)

0208

Registered Number.

Date of receipt in Secretariat.

1904/US/G/36

17 NOV 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 75 *

Name of accused, his rank and unit, or official position.

Friedrich SCHIELZ, German policeman.

(Not to be translated.)

A Wanted Report has been forwarded to CROWCASS.

Date and place of commission of alleged crime.

IDESHEIM, Germany.

On or about 17 August 1944.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Murder of an unarmed United States airman.

Source: War Crimes Branch of United States Forces, European Theater,
(War Crimes Branch No. 12-1852, IDESHEIM (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0209

Friedrich SCHIELZ, a German policeman, shot and killed a United States airman, Sergeant Patsy ROCCO, who had parachuted to safety from a disabled plane. The victim was walking with his hands tied behind his back when the accused shot him through the back of the head with a rifle.

Victim: Sergeant Patsy ROCCO, ASN 32216757

PARTICULARS OF EVIDENCE IN SUPPORT

0210

NOTES ON THE CASE

0211

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

2305/US/G/37

0212

SUENDERHAUF Richard Alfred

Date Submitted

Decision of Committee I

7 FEB 1946

A

B

NOT CHECKED

2305/US/G/37

(For the Use of the Secretariat)

SECRET

0213

Registered Number.

Date of receipt in Secretariat.

2305/US/G/37

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 211 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Richard Alfred SUENDERHAUF, Stabs Arzt 103rd Regiment, 47th Infantry Division.</p>
<p>Date and place of commission of alleged crime.</p>	<p>3 September 1944. Near MONS, Belgium.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Using ambulance to carry troops and ammunition. b. Breach of rules relating to the Red Cross.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of Geneva Red Cross Convention 1929, Article 24.</p>

SHORT STATEMENT OF FACTS.

On 3 September 1944 a column of ambulances commanded by Accused was stopped at a road block and found to contain arms and ammunition and to be carrying troops. The name of the Accused was obtained when he turned over a dog to a CIC man expressing the desire to get it back after the war.

The ambulances commanded by the accused were provided with the Red Cross emblems.

Source: War Crimes Branch, USFET, (Case No. 6-7, Suenderhauf).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.2524 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) WLP.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0215

The following is a list of the evidence in support of the above-mentioned case, and is intended to be read in connection with the report of the Special Agent in Charge, New York, dated at New York, New York, on the 1st day of June, 1934.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused denies that he is the perpetrator, claiming that he was captured alone and in the afternoon not in the morning when the incident took place. The case appears to be reasonably complete.

2306/US/G/38

0217

HACKERT Alois

Date Submitted

Decision of Committee I

FEB 1946

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BOARD OFFICERS

2306/US/G/38

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0218

Registered Number.

Date of receipt in Secretariat.

2306/VS/G/38

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 212 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Alois HACKERT, Unteroffizer, Wehrmacht.</p>
<p>Date and place of commission of alleged crime.</p>	<p>12 June 1944. VALOGNES, France.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 12 June 1944, Accused, at that time a squad leader in the Wehrmacht, took three United States prisoners and, instead of returning them to the rear, shot and killed two of them. The third prisoner escaped.

Source: War Crimes Branch, USFET, (Case No. 11-23, Hackert (A)).

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(29655) W.L.P.252/4 5,000 5/45 A. & B., W.Ltd. Gp.685
(30449) W.L.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

0213 ●

PARTICULARS OF EVIDENCE IN SUPPORT

0220

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The evidence indicates that the offense was committed on the Accused's own initiative. The probable defense is that the Accused took no part in the killing, but it was done by a Corporal acting by his own responsibility. The case is considered reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The evidence indicates that the offense was committed on the Accused's own initiative. The probable defense is that the Accused took no part in the killing, but it was done by a Corporal acting by his own responsibility. The case is considered reasonably complete.

2307/US/G/39

0222

RAUTHER (a RATHER a RATHERT)

23

Date Submitted	Decision of Committee I		
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2307/US/G/39

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Registered Number.

Date of receipt in Secretariat.

2307/US/G/39

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 213. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm RAUTHER (also known as RATHER or RATHERT).

Date and place of commission of alleged crime.

18 December 1944.

KORJANKE, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 18 December 1944 at a Commando at KORJANKE, Germany, a United States Prisoner of War, T/5 Elmer RIFFLE was shot and killed by a German Civilian Overseer, Wilhelm RAUTHER (also known as RATHER or RATHERT). RAUTHER'S present whereabouts is unknown. He was overseer on Seefeld Farm located about 7 miles from KORJANKE, Germany to which were detailed for work United States Prisoners of War who were confined at KORJANKE in Commando barracks .

Source: War Crimes Branch, USFET, (Case No. 12-197, Riffle (V)).

TRANSMITTED BY.....

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0224

PARTICULARS OF EVIDENCE IN SUPPORT

0223

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused is solely and completely responsible for the crime. There is no foreseeable defense. The case appears to be reasonably complete.

2308/US/G/40

0227

I. SCHNITTKER

to 3.

Date Submitted

Decision of Committee I

7 FEB 1946

1-3. A

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2308/US/G/40

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Date of receipt in Secretariat.

2308/US/G/40

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 214 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. SS Lieutenant SCHNITTKER.
2. Oberscharfuehrer Werner ACKERMAN.
3. Unterscharfuehrer Erich WALTHER.

Date and place of commission of alleged crime.

November 1944.
Near FRICKENHORST, Germany.

Number and description of crime in war crimes list.

- a. Directions to give no quarter.
- b. Refusal to give quarter.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The Accused SCHNITTKER instructed his men they were not to take any United States prisoners. The Accused WALTHER and ACKERMAN are alleged to have carried out his orders in that regard.

Source: War Crimes Branch, USFET, (Case No. 12-208, Schnittker(A)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0229

PARTICULARS OF EVIDENCE IN SUPPORT

0230

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The probable defense will be that the Accused were only following orders given from higher sources. The Accused persons' whereabouts is unknown. An effort is being made for their apprehension. The case is considered reasonably complete.

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2309/US/G/41

0232

1. GOECKEL Von
2. KAMPF

Date Submitted	Decision of Committee I		
7 FEB 1946	Both A	B	BOTH LETTER

2309/US/G/41

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0233

Registered Number.

Date of receipt in Secretariat.

2309/US/G/41

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 215

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. General VON GOECKEL, Commanding Officer of Oflag 13B.
2. Captain KAMPF, SS Security Officer of Oflag 13B.

Date and place of commission of alleged crime.

20 March 1945.
Oflag 13B, HAMMELEBURG, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 20 March 1945, two United States officers who were prisoners of war at Oflag 13B, were going to a latrine in the camp during an air raid. An unidentified German guard shot and killed them. The Accused are charged with responsibility for the acts of their subordinates. At most prisons shooting of prisoners on the slightest pretext was condoned by the authorities.

Source: War Crimes Branch, USFET, (Case No. 12-388, Meskell (W)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF EVIDENCE IN SUPPORT

0235

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The Accused are still at large. Effort is being made to apprehend them. The case is considered reasonably complete.

2310/US/G/42

0237

1. GEISEL *Heinrich*
2. KNAUSS

Date Submitted

Decision of Committee I

7 FEE 1348

Both A

B

CARDSCHECKED

2310/US/G/42

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SECRET

0238

Registered Number.

Date of receipt in Secretariat.

2310/US/G/42

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 216

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich GEISEL, German civilian.

2. KNAUSS, German civilian.

Date and place of commission of alleged crime.

On 22 February 1945.

ALSFELD, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 22 February 1945 an unidentified United States flyer parachuted to earth at ALSFELD. He was taken to the local police station by one KOHLER and delivered to GEISEL and KNAUSS. A very few minutes later KOHLER heard a shot. GEISEL told a witness that the flyer was dead.

Source: War Crimes Branch, USFET, (Case No. 12-419, Alsfeld (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0239

PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the Accuseds' own initiative. Accused Geisel is believed to be dead. Probable defense is unknown but if KNAUSS knows that GEISEL is dead he will probably disclaim any participation in the murder and blame it all on Geisel. The case is reasonably complete.

2311/US/G/43

0242

1. NOACK Hermann
2. BOSS Karl

Date Submitted

Decision of Committee I

7 FEB 1946

Both A



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2311/US/G/43

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SECRET

Registered Number.

Date of receipt in Secretariat.

2311/US/G/43

31 JAN 1946

0243

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 217 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hermann NOACK, Major of the R.A.L., Ettingshausen.
2. Karl BOSS, German civilian.

Date and place of commission of alleged crime.

Late September 1944.
Near HARBACH, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In late September 1944, Major NOACK and Karl BOSS drove out into the country with a United States flyer. The car stopped and Major NOACK ordered the flyer to get out, and BOSS to turn the car around. Then NOACK shot and killed the flyer. NOACK and BOSS then went to the burgomeister's office and picked up a second flyer and killed him in the same manner.

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Source: War Crimes Branch, USFET, (Case No. 12-472).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0245

2050 (Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Karl BOSS claims that he drove the car under orders and did not know that the flyers were to be killed. Major NOACK was acting on his own initiative. BOSS' probable defense will be that he was not an active participant in the crime and merely drove the car under orders. NOACK's defense, if any, is not known. The case appears to be reasonably complete.

2312/US/G/44

0247

1. BUCH Paul
2. BACHMAN Heinrich

Date Submitted

Decision of Committee I

7 FEB 1948

Both A

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2312/US/G/44

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SECRET

0248

Registered Number.

Date of receipt in Secretariat.

2312/US/G/44

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 218 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Paul BUCH, Wehrmacht, whereabouts unknown.
2. Heinrich BACHMAN, Wehrmacht, whereabouts unknown.

Date and place of commission of alleged crime.

29 March 1944.
Stalag XI A.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

A United States prisoner of war at Stalag XI A was shot and killed by the Accused in the compound area of the camp although he was not trying to escape. The victim has been identified as Private Lawrence BLOCK.

Source: War Crimes Branch, USFET, (Case No. 12-521, Block (V)).

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Page 2

0249

PARTICULARS OF ALLEGED CRIME

0250

PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense will be that the victim was attempting to escape. The case is considered reasonably complete.

2313/US/G/45

0252

CHOPSTOCK Richard

Date Submitted

Decision of Committee I

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2313/US/G/45

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2313/US/G/45

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 219 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Richard CHOPSTOCK, German civilian.

Date and place of commission of alleged crime.

October 1944,
WALLHAUSEN, Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.
b. Murder.

a. Breach of the Geneva Prisoners of War Convention 1929,
Article 2.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In October 1944, a United States flyer fell to the ground from his plane near WALLHAUSEN, Germany. His parachute did not open but he was still alive when found. The accused German kicked and beat him until the flyer died. Thereupon the Accused stripped the victim's body of valuables.

Source: War Crimes Branch, USFET, (Case No. 12-572, Chopstock (A)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed upon the Accused's own initiative. The defense may be that the flyer was dead at the time of the beating, or that the beating did not occur at all. The case is considered reasonably complete.

2314/US/G/46

0257

1. KATZ Friedrich
to 3.

Date Submitted

Decision of Committee I

7 FEB 1946

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2314/US/G/46

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Registered Number.

Date of receipt in Secretariat.

2314/US/G/46

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 220

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Friedrich KATZ, German policeman.
- 2. Emil GHISSER, German policeman.
- 3. Karl NERGE, German policeman.

Date and place of commission of alleged crime.

2 February 1945.
WIESBADEN, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 2 February 1945, a United States flyer, identified as Lt. Paul C. DAVENPORT, was severely beaten by the 3 Accused who were then members of the WIESBADEN police force. The beating caused substantial injury to the victim.

Source; War Crimes Branch, USFET, (Case No. 12-819 Davenport (V)).

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Page 2

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0260

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense will be a denial that a beating occurred. The case is considered reasonably complete.

2315/US/G/47

0262

BOCK Von

Date Submitted

Decision of Committee I

7 FEB 1946

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CARD CHECKED

2315/US/G/47

(For the Use of the Secretariat)

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2315/US/G/47

0263

Date of receipt in Secretariat.

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 221 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Captain VON BOCK, German Wehrmacht, ^{at the time} and formerly Commander of Stalag IX A.</p>
<p>Date and place of commission of alleged crime.</p>	<p>28 March 1945. Stalag IX A, ZIEGENHAIN, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

On 28 March 1945, at Stalag IX A, a United States prisoner of war climbed through the window of a latrine to another enclosure where he was shot by a German guard. Thereafter the authorities at the Stalag did not allow anyone to give the victim medical aid and as a result he bled to death. The Accused must be charged with responsibility for the actions of his subordinates both in the shooting of the victim as well as in permitting him to bleed to death.

Source: War Crimes Branch, USFET, (Case No. 12-1219, Rudy II).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0265

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The probable defense of the Accused may be that the prisoner was shot while attempting to escape even though it occurred in the enclosure. The case is reasonably complete.

2316/US/G/48

0267

RADEMACHER Wilhelm

Date Submitted	Decision of Committee I	
7 FEB 1946	A.	B.
		CARDSCHECKED

2316/US/G/48

(For the Use of the Secretariat)

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Registered Number.

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Date of receipt in Secretariat.

2316/US/G/48

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 222 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm RADEMACHER, German Civilian.

Date and place of commission of alleged crime.

12 September 1944.
OSTERWIECK, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929,
Article 2.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 12 September 1944, a United States flyer parachuted to the ground near OSTERWIECK, Germany and was captured. While being conducted to the police station, the Accused came up to the flyer and struck him knocking the flyer down.

Source: War Crimes Branch, USFET, (Case No. 12-1332, Osterwieck).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

0268

Registered Number.

SECRET

Date of receipt in Secretariat.

2316/US/G/48

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 222 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm RADEMACHER, German Civilian.

Date and place of commission of alleged crime.

12 September 1944.
OSTERWIECK, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS:

On or about 12 September 1944, a United States flyer parachuted to the ground near OSTERWIECK, Germany and was captured. While being conducted to the police station, the Accused came up to the flyer and struck him knocking the flyer down.

Source: War Crimes Branch, USFET, (Case No. 12-1332, Osterwieck).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0269

PARTICULARS OF ALLEGED CRIME

0269

15720

PARTICULARS OF EVIDENCE IN SUPPORT

0280

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accuseds' own initiative. The Accused will probably blame one another in their defenses. The case is considered reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accuseds' own initiative. The Accused will probably blame one another in their defenses. The case is considered reasonably complete.

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2319/US/G/51

0282

1. INGEBRAND Andreas
2. ENDRES Norbert

Date Submitted	Decision of Committee I	B	CARDS CHECKED
7 FEB 1946	Both A	B	CARDS CHECKED

2319/US/G/51

(For the Use of the Secretariat)

SECRET

0283

Registered Number.

Date of receipt in Secretariat.

2319/US/G/51

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 225

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Andreas INGEBRAND, German civilian.

2. Norbert ENDRES, German civilian.

Date and place of commission of alleged crime.

On or about 29 September 1944.

At or near NEUSTADT and SAALE, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 29 September 1944, an unarmed United States airman who had been captured, apparently after parachuting from a disabled plane, was delivered to the police at BASTHEIM, Germany. He was subsequently taken to the police station at NEUSTADT and SAALE. Thereafter the Accused German civilians (the Kreisleiter and deputy Kreisleiter) took the flier out on the road and shot and killed him.

Source: War Crimes Branch, USFET, (Case No. 12-1462).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) WLP.2624 5,000 5/45 A. & E. W.Ltd. Gp.685
(30419) WLP.1183,17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The Accused Endres was reported in July 1945 to be in Hospital at KLAGENFURT, Austria. Offense was carried out on accused's own initiative and in keeping with orders of the Nazi Party to kill all captured Allied flyers. The accused will likely allege as a defense a general denial. The case is considered reasonably complete.

2320/US/G/52

0287

1. SCHICKERT Ludwig
2. Two Soldiers

Date Submitted	Decision of Committee I		
7 FEB 1946	1. A 2. C		<u>CARDSCHECKED</u>

2320/US/G/52

(For the Use of the Secretariat)

SECRET

0288

Registered Number.

Date of receipt in Secretariat.

2320/US/G/52

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 226

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Ludwig SCHICKERT.
2. Two German SS Soldiers, identity and present whereabouts unknown.

Date and place of commission of alleged crime.

On or about 27 December 1944.
In vicinity of BECHTHEIM, Kreis WORMS, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On or about 27 December 1944, Lt William O. LITTLEWOOD, a member of the United States Army Air Forces was assaulted by one Ludwig SCHICKERT, who struck and kicked the victim. The flier was subjected to further assaults by two unidentified SS soldiers.

Source: War Crimes Branch, USFET, (Case No. 12-1595).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
 (30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

**The assault was committed on the accuseds' own initiative.
The case is considered reasonably complete.**

2321/US/G/53

0292

Members of Criminal Police, Dessau

Addendum: 1. KOHLA
to 3.

Date Submitted	Decision of Committee I		CARDS CHECKED
7 FEB 1946	Adjourn	A	
1 APR 1946	1, 2: A } 3: C } Addendum	B	
6 FEB 1947	Addendum II :- A	D	CARDS CHECKED LIST 23

2321/US/G/53

(For the Use of the Secretariat)

0293

Registered Number.

Date of receipt in Secretariat.

2321/US/G/53

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

WAR CRIMINALS

CHARGES AGAINST

GERMAN

WAR CRIMINALS

Case No.

Addendum/to

CASE No. 227

*

Name of accused, his rank and unit, or official position.

1. Jacob KEMPF, German National ✓

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 7 July 1944, at or near KLEINZERBST, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 7 July 1944 a United States Liberator bomber was shot down near BERNBURG, Germany. Three of the crew were killed in the crash and the three victims of this atrocity were captured, their names being: 2nd Lt. Samuel J. LEVINE, ASN O-207287, John M. CHOJECKI (rank unknown), ASN 36355990, and Walter DUISMORE (rank unknown), ASN 3325227. The captured flyers were locked up in the Fire Station at GERWITZ, Germany. The Chief of Criminal Police at DESSAU was notified of the flyers' capture and sent for the accused KEMPF who, in company with two accomplices who have since been tried and convicted, took the three flyers to a woods outside KLEINZERBST where they shot them in the back. All of the victims apparently died immediately. According to KEMPF this was done in accordance with HIMMLER's "secret-order" that all "terror flyers" should be shot.

Source: 7708 War Crimes Group (Case No. 12-1745 KLEINZERBST (P))

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(29655) W.L.P. 252.4 5,000 5/45 A. & E. W. Ltd. Gp. 685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) The probable defense will be superior orders.
- (c) The case appears to be reasonably complete.

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0297

Registered Number.

Date of receipt in Secretariat.

2321/US/G/53 Addendum 1.

5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 227 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>Additional information obtained since the filing of the original charges in this case:</p> <ol style="list-style-type: none"> 1. Fritz KOHLA 2. Ernest VOLZER 3. Other members of the Criminal Police of the Town of Dessau, Germany.
<p>Date and place of commission of alleged crime.</p>	<p>7 July 1944. Bernburg, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 7 July 1944, three United States flyers parachuted to the ground near BERNBURG, Germany and were captured by the local criminal police of DESSAU. The victims were taken out into the woods and shot and killed. Accused Nos. 1 and 2 are being jointly charged with the killing of the victims. The cases of these two accused have been referred for trial. There are other individuals whose identity is at present unknown and who are suspected of complicity in this crime. They have been charged above as Accused No. 3.

Source: War Crimes Branch, USFET (Case No. 12-1745, Klinzerbst).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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Registered Number.

Date of receipt in Secretariat.

2321/US/G/53

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 227 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. All Members of the Criminal Police of the Town of DESSAU, Germany.

Date and place of commission of alleged crime.

7 July 1944, BERNBURG, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 7 July 1944, three United States flyers parachuted to the ground near BERNBURG, Germany and were captured by the local criminal police of DESSAU. The victims were taken out into the woods and shot and killed.

Source: War Crimes Branch, USFET, (Case No. 12-1745, Klinzerbst).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the offenders' own initiative. The probable defense will be that the flyers were attempting to escape. The case is considered reasonably complete.

2322/US/G/54

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SUKOPP 016

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2322/US/G/54

Registered Number.

Date of receipt in Secretariat.

12322/US/G/54

31 JAN 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 228

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Otto SUKOPP.

Date and place of commission of alleged crime.

28 September 1944.

GROSS DENKE, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

A United States flyer after parachuting to the ground was captured. He was in serious physical condition. Accused started to remove him to a hospital and then instead shot the flyer twice through the head thereby killing him.

Source: War Crimes Branch, USFET, (Case No.12-1851 Dennerle).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The offense was committed on the offenders' own initiative. The probable defense will be that it was a mercy killing. The case appears to be reasonably complete.

2323/US/G/55

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1. ALBISHAUSEN Author
+ 2-4.

Date Submitted

Decision of Committee I

7 FEB 1946

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2323/US/G/55

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0311

Registered Number.

Date of receipt in Secretariat.

2323/US/G/55

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 229 *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<p>1. Anton ALBISHAUSEN, German civilian. 2. Fritz OHSIEK, German civilian. 3. Josef BOULLET, German civilian. 4. Josef STEINHAUSEN, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 15 October 1944. At COLOGNE-BICKENDORF.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War. a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

On or about 15 October 1944, an unidentified United States aviator parachuted from his plane near COLOGNE-BICKENDORF, Germany. He was being marched toward the Hitler Jugend Haus, when the Accused took him from his military guard, beat him severely and shot him.

Source: War Crimes Branch, USFET, (Case No.12-1873).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offenses were committed on the accuseds' own initiative and in spite of the resistance of the German military guard. Accused may allege an attempt was made by flyer to escape. The case is complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The offenses were committed on the accuseds' own initiative and in spite of the resistance of the German military guard. Accused may allege an attempt was made by flyer to escape. The case is complete.

2324/US/G/56

0315

WEISSHUHN Karl

Date Submitted

Decision of Committee I

7 FEB 1946

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2324/US/G/56

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SECRET

0316

Registered Number.

Date of receipt in Secretariat.

2324/US/G/56

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 230 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl WEISSHUHN, German civilian.

Date and place of commission of alleged crime.

2 November 1944,
WITCHERSDORF, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Laws and Customs of War.
b. Breach of the Geneva Prisoners of War Convention 1929,
Article 2.

SHORT STATEMENT OF FACTS.

On 2 November 1944, a United States flyer was captured near WITCHERSDORF. While the flyer was being taken into custody by German soldiers, the Accused came up and struck the victim with a club, breaking his collar bone.

Source: War Crimes Branch, USFET, (Case No. 12-1890 Witchersdorf).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the offender's own initiative. The probable defense will be that accused struck the flyer in the heat of passion. This case is considered to be reasonably complete.

2325/US/G/57

0320

1. AUGURGER Rudolf
2. HEMAUER Johann

Date Submitted	Decision of Committee I		
7 FEB 1946	Both A	B	<u>CARD</u> <u>CHECKED</u>

2325/US/G/57

(For the Use of the Secretariat)

SECRET

0321

Registered Number.

Date of receipt in Secretariat.

2325/US/G/57

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 231 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Rudolf AUGURGER, German national.
2. Johann HEMAUER, German national.

Date and place of commission of alleged crime.

9 June 1944.
MOETZING, Germany, near REGENSBURG, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 9 June 1944, a United States flyer, after parachuting from a disabled bomber, was captured by the two above-named Germans Accused. After searching him for weapons, they proceeded to beat him. Thereafter he was turned over to German police authorities.

Source: War Crimes Branch, USFET, (Case No. 12-1905, MOETZING).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed entirely on the initiative of the two Accused. The probable defense will be a specific denial of the assault. The case is reasonably complete and ready for trial as to the Accused persons.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed entirely on the initiative of the two Accused. The probable defense will be a specific denial of the assault. The case is reasonably complete and ready for trial as to the Accused persons.

2326/US/G/58

0325

1. LINDWEILER Johann
2. WAGENPHEIL Gregor

Date Submitted

Decision of Committee I

27 FEB 1948

Both A

B

CARDSCHECKED

2326/US/G/58

(For the Use of the Secretariat)

SECRET

0326

Registered Number.

Date of receipt in Secretariat.

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1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 232 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Johann LINDWILER, German civilian.</p> <p>2. Gregor WAGENPHEIL, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 10 September 1944.</p> <p>NURNBERG, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 10 September 1944, a United States bomber was shot down near NURNBERG, Germany. An unidentified United States flyer fell to the ground, apparently dying. The two Accused kicked his still-quivering body and then took his watch and boots.

Source: War Crimes Branch, USFET, (Case No. 12-1918 NURNBERG).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accuseds' own initiative. Probable defense will be a denial that the assault and robbery occurred. The case appears to be reasonably complete.

2327/US/G/59

0330

SCHWARZ Jacob

Date-Submitted

Decision of Committee I

7 FEE 1946

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CARD CHECKED

2327/US/G/59

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SECRET

0331

Registered Number.

Date of receipt in Secretariat.

2327/US/G/59

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

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CHARGES AGAINST

WAR CRIMINALS

CASE No. 233 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jakob SCHWARZ, German civilian.

Date and place of commission of alleged crime.

12 September 1944.

STETTEN, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 12 September 1944, an unidentified United States flyer parachuted to the ground near STETTEN, Germany. The flyer was captured and unarmed when the Accused came up and put his pistol to the flyer's temple and pulled the trigger. The pistol did not go off. Then the Accused beat the flyer and later the flyer was turned over to the German authorities.

Source: War Crimes Branch, USFET, (Case No. 12-1958, Benninghof (W)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense is a denial of the charge of beating the flyer, although the Accused admits attempting to shoot him. The case appears to be reasonably complete.

2328/US/G/60

0335

WEGMANN Richard

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2328/US/G/60

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WEGMANN Richard

Date Submitted

Decision of Committee I

7 FEB 1946

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Registered Number.

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0336

Date of receipt in Secretariat.

1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 234

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Richard WEGMANN, German civilian.

Date and place of commission of alleged crime.

28 May 1944.

Near ELM, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 28 May 1944, a United States flyer parachuted to the ground near ELM, Germany. He was captured by civilians and surrendered. While he was being conducted to the Burgmeister's, the Accused came up to the flyer and shot and killed him. The victim is believed to be Leroy D. CRUSE.

Source: War Crimes Branch, USFET. (Case No. 12-1967 Elm (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was clearly on the Accused's own initiative. The probable defense will be that Accused was not responsible for his actions due to a previous skull injury. The case is considered reasonably complete.

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OTTE Heirich

Date Submitted	Decision of Committee I	CARDS CHECKED
7 FEB 1946	A	B
1 MAY 1947	Addendum I:- 1 : already listed 2 : A 3 : W	B CARDS CHECKED LIST 58

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24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN

WAR CRIMINALS

Addendum No.1 to CASE NO. 235. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Heinrich OTTE, Wachtmeister (already listed)</p> <p>2. Hans Otto SEIDEL, Bezirks Oberleutnant der Gendarmerie</p> <p>3. Willy LANG, Farmer</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 10 February 1945, at or near KEMEL, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 10 February 1945 a United States airman, believed to be Cecil ALLEN, ASN 38529143, parachuted from a plane and landed in a field near NAUBOTH, Germany, United States Zone, and was apprehended by a searching party which was told by the local Burgermeister and the Gendarmerie at KEMEL to deliver him to KEMEL, and they would be met by a gendarme enroute. Three km. outside of KEMEL, OTTE and LANG, whom OTTE had ordered to accompany him, met them. OTTE remarked, "You should have shot the flyer; you could have saved yourselves time". OTTE and LANG took custody of the airman. After they had walked some distance towards town OTTE drew his pistol and shot ALLEN in the back of his head killing him instantly. SEIDEL was OTTE's superior officer and had repeatedly brought to OTTE's attention an order forbidding police to deliver alive captured airmen. SEIDEL advised OTTE, "Otte, your report that the pilot was brought in dead is in order".

TRANSMITTED BY U.S. War Crimes Group (Case No.12-1968, KEMEL (P)).

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PARTICULARS OF ALLEGED CRIME

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Page 3

PARTICULARS OF EVIDENCE IN SUPPORT

0343

NOTES ON THE CASE

- 4 -

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) OTTE committed the offense on orders issued by SEIDEL. LANG acted on orders from OTTE.
- (b) OTTE will claim superior orders. SEIDEL will deny issuance or transmittal of said orders and assert his knowledge of the murder was limited to OTTE's report. LANG will claim he was compelled by OTTE to accompany him and that he attempted to dissuade OTTE from the shooting.
- (c) The case appears to be reasonably complete.

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2329/US/G/61

8 1 JAN 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 235 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich OTTE, German civilian.

Date and place of commission of alleged crime.

On or about 10 February 1945.

Near KEMEL, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 10 February 1945, an unidentified United States flyer parachuted to the ground near KEMEL, Germany. Thereafter the Accused, while marching the captured flyer to KEMEL, drew his pistol and shot and killed the flyer.

Source: War Crimes Branch, USFET, (Case No. 12-1968 Kemel (P)).

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PARTICULARS OF ALLEGED CRIME

0346

PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense may be that the Accused was forced to shoot the flyer because he attempted to escape. The case appears to be reasonably complete.

2330/US/G/62

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2
STADLER Johann

Date Submitted

Decision of Committee I

7 FEB 1962

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CARDCHECKED

2330/US/G/62

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2330/US/G/62

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Date of receipt in Secretariat.

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 236 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann STADLER.

Date and place of commission of alleged crime.

February 1944.

At UNTERISLING, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In February 1944, an unidentified allied airman parachuted to the ground at UNTERISLING, Germany, and was captured. The Accused German struck the flyer with the butt of a rifle after the flyer had surrendered, knocking him down.

Source: War Crimes Branch, USFET, (Case No. 12-1980, Unterisling (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense will be that the Accused feared the flyer might have had a weapon when he approached the flyer. The case appears to be reasonably complete.

2331/US/G/63

0354

1. KOLB Fritz
64.

Date Submitted

Decision of Committee I

7 FEB 1946

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2331/US/G/63

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0355

8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 237 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Fritz KOLB, German civilian.
2. Josef KOLB, German civilian.
3. Albert LOERCH, German civilian.
4. Adolf FUERLEIN, German civilian.

Date and place of commission of alleged crime.

19 July 1944.
At SOLLN-MUNICH.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Sergeant Richard TRAVERS parachuted to earth at SOLLN-MUNICH on or about 19 July 1944. While being led to the police station, he was beaten by Josef KOLB, Fritz KOLB and Albert LOERCH. Adolf FRUERLEIN encouraged the others to do the beating.

Source: War Crimes Branch, USFET, (Case No. 12-1989).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Offense committed on Accuseds' own initiative. Accused admit the offense and plead excitement due to an air raid. The case is considered reasonably complete.

2332/US/G/64

0359

I. HILLIG Karl
to 3.

Date Submitted

Decision of Committee I

7 FEB 1946

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31 JAN 1948

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 238 *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<p>1. Oberzahlmeister Karl HILLIG. 2. Corporal Willie HARDIG (or HARTIG), German Army. 3. Luftwaffe Captain, German Army, (name unknown).</p>
<p>Date and place of commission of alleged crime.</p>	<p>On night of 2-3 February 1945. In BRUCHSAL, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Murder.. b. Ill-treatment of Prisoners of War. a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

On night of 2-3 February 1945, an unidentified United States aviator parachuted from his falling plane near BRUCHSAL, Germany, and surrendered to an unknown Luftwaffe Captain. While being escorted to a German barracks, Oberzahlmeister Karl HILLIG came up and shot and killed the American in the presence of the German Captain. Later the victim's watch and possessions were taken by Corporal Willie HARDIG (or HARTIG).

Source: War Crimes Branch, USFET, (Case No. 12-2005).
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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the Accused, HILLIG's, own initiative, in the presence of the Luftwaffe Captain, who made no attempt to prevent it. The Accused may allege as a defense an attempt by the airman to escape. The case is considered reasonably complete.

2333/US/G/65

0364

1. TOELLE Haus
to 3.

Date Submitted

Decision of Committee I

7 FEB 1948

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2333/US/G/65

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8 1 JAN 1948

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 239 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hans TOELLE, Obergefreiter.
2. Herbert LANGNER, Leutnant.
3. Willi FRIEDRICHS, Captain.

Date and place of commission of alleged crime.

On or about 16 April 1945.
Near THANHAM, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 April 1945, a United States aviator, identified as Lt. Donald E. HOWIE, parachuted from his plane in the vicinity of THANHAM, Germany. A searching party was organized by order of FRIEDRICHS and LANGNER. The victim was located. He raised his hands in surrender and was shot four times by TOELLE, from which shots he died immediately.

See Page 11

Source: War Crimes Branch, USFET, (Case No. 12-2018).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed pursuant to instructions of FRIEDRICHS and possibly LANGNER. The Accused may allege as a defense: 1. Superior orders; 2. That he fired in self-defense. The case is complete as to TOELLE. As to LANGNER and FRIEDRICHS, the case is reasonably complete.

2334/US/G/66

0369

HITZER Georg

Date Submitted

Decision of Committee I

7 FEB 1946

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2334/US/G/66

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Registered Number.

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2334/US/G/66

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 240 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Georg HITZER, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>January 1945. Near RAUNHEIM, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

In January 1945, four United States aviators parachuted from their plane near RAUNHEIM, Germany. They surrendered to Georg HITZER. He beat one with a longhandled scrub brush and struck another in the mouth with his hand, causing both victims to bleed.

Source: War Crimes Branch, USFET, (Case No. 12-2025).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0372

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed without provocation on the Accused's own initiative. Accused will deny the assault. The case is complete.

2335/US/G/67

0374

1. TESCH Kurt
2. EBERT Fritz

Date Submitted

Decision of Committee I

7 FEB 1946

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2335/US/G/67

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8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 241

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Kurt TESCH, a German national and member of SS.
2. Fritz (or Friedrich) EBERT, German national.

Date and place of commission of alleged crime.

On or about 15 October 1944.
 In vicinity of LAUBENHEIM, Germany.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On or about 15 October 1944, an unidentified member of the United States Army Air Forces parachuted to earth in the vicinity of LAUBENHEIM, Germany and surrendered to the Wehrmacht. Thereafter, a German national, Kurt TESCH, shot and mortally wounded the flier. Shortly before the flier died, however, Fritz EBERT, a German national, committed an assault upon the flier by kicking him about the head.

Source: War Crimes Branch, USFET, (Case No. 12-2026).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed by the Accused, Kurt TESCH, on his own initiative. The assault likewise was committed by Accused, Fritz EBERT, on his own initiative. The case is considered reasonably complete.

2336/05/6/68

0379

I. JAEGER Philipp

to H.

Date Submitted

Decision of Committee I

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Date of receipt in Secretariat.

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8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 242 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Philipp JAEGER, German civilian. 2. Johannes ZEHFUSS, German civilian, (former Kreisleiter in BINGEN, Germany.). 3. Richard SEIFERT, Captain of Gendarmerie of Darmstadt, Germany. 4. Unknown German Unteroffizier (probably a member of 1st or 2nd Battery, 430th Flak Bn.).
<p>Date and place of commission of alleged crime.</p>	<p>On or about 11 September 1944. Near DROMERSHEIM, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 11 September 1944, at or near DROMERSHEIM, Germany, Philipp JAEGER issued orders to have a captured and surrendered United States flier killed. The flier was killed the same day near DROMERSHEIM. JAEGER received his orders to have the United States flier killed from the Accused ZEHFUSS. The unknown German non-commissioned officer actually killed the United States flier. The Accused, SEIFERT, is suspected of being implicated in the killing of the flier.

Source: War Crimes Branch, USFET, (Case No. 12-2029).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the Accuseds' own initiative and in carrying out a system of killing all captured Allied fliers under orders of the Nazi Party. The probable defense will be a general denial. The case is considered reasonably complete.

2337/US/G/69

0384

1. RICHTER Gustav Helmut
to H.

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2337/US/G/69

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8 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 243 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Gustav Helmuth RICHTER, German civilian.
2. Karl SUNDMAKER, German civilian,
3. Otto SCHENK, German civilian.
4. Georg JACKLE, German civilian.

Date and place of commission of alleged crime.

On or about 24 February 1945.
In BREMEN, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 24 February 1945, an unidentified United States aviator parachuted from his plane into BREMEN, Germany. Upon landing, he surrendered to civilians, and while he was being taken to the police station by two air-raid wardens, he was beaten by SUNDMAKER and JACKLE. After reaching the station he was beaten by SCHENK and RICHTER.

Source: War Crimes Branch, USFET, (Case No. 12-2032).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the Accused Germans' own initiative. No probable defense is indicated; all have confessed, and the case is considered reasonably complete.

2338/US/G/70

0389

I. DOERR Anton
to 7.

Date Submitted

Decision of Committee I

7 FEB 1946

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8 1 JAN 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 244 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Anton DOERR. 2. Aloys NEIS. 3. August STURM. 4. Karl MAI. 5. Greta HUPPERT. 6. Adam TRAMPERT. 7. Anton JOST.</p> <p>All Accused are German civilians.</p>
<p>Date and place of commission of alleged crime.</p>	<p>August 1944. In WEHRDEN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929, Article 2. b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

In August 1944, a United States flyer landed in WEHRDEN, Germany. He surrendered to two soldiers, and while they were leading him away a crowd gathered and beat him in spite of the efforts of the soldiers to protect him. All the Accused were identified as taking part in the beatings.

Source: War Crimes Branch, USFET, (Case No. 12-2034).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0391

PARTICULARS OF EVIDENCE IN SUPPORT

0392

2

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the Accuseds' own initiative. Defenses are general denials, and two who admit striking the flyer say they did it because he kicked their children. The case is considered reasonably complete.

**REGISTERED
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71

TO

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**REGISTERED
NOS.**

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TO

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2339/US/G/71

0394

I. ASCHMITAT (HACHMIDA)
to 4.

Date Submitted	Decision of Committee I		
7 FEB 1946	1-4 A	B	CARDCHECKED

2339/US/G/71

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

2339/US/G/71

9 1 JAN 1946

0395

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 245 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ASCHMITAT, Fritz (alias HACHMIDA, Fritz) , Gefreiter.
2. SOSSNA, Joseph, Gefreiter.
3. SCHROER (FNU), O'Lt.
4. KETTERER, Gerhard, Lt. or O'Lt.

Date and place of commission of alleged crime.

24 June 1944.
At LONGUEIL, SEINE INFERIEURE, France.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 24 June 1944 a United States aircraft crashed in the vicinity of LONGUEIL, France. Two of the crew, Lts. George L. ROTH and Warren F. LeBARON, were found between the several portions of the plane. ASCHMITAT, aided by SOSSNA, fired at ROTH and probably LeBARON. SCHROER later accelerated ROTH's death by two more shots. KETTERER, under whose command ASCHMITAT served, was seen to congratulate him on two occasions.

Source: War Crimes Branch, USFET, (Case No. 11-47, ROTH (V)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0396

PARTICULARS OF EVIDENCE IN SUPPORT

0397

NOTES ON THE CASE

0398

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The shootings by ASCHMITAT and SOSSNA are deemed to have been performed in the knowledge that their commander, KETTERER, approved of such conduct. SCHROER, an officer, likewise acted in pursuance of an established policy. Only frivolous defenses are foreseen on the part of ASCHMITAT and SCHROER. KETTERER will claim the shootings were performed without his knowledge or approval. SOSSNA will disclaim actual participation. The case is considered to be reasonably complete and should be ready for trial after apprehension of the Accused.

2340/US/G/72

0399

GEHRMAN

Date Submitted

Decision of Committee I

7 FEB 1946

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2340/US/G/72

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2340/US/G/72

8 1 JAN 1946

0400

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 246

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. **GEHRMAN (FNU) Pfc. (Pvt), Fire Guard, STALAG XIII
HAMMELBURG, Germany.**

Date and place of commission of alleged crime.

**21 March 1945.
STALAG XIII, HAMMELBURG, Germany.**

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

During an authorized walk to the latrine on 21 March 1945, Lt. WEEKS, a United States Army Officer, was shot to death by GEHRMAN at STALAG XIII, HAMMELBURG, Germany. Lt. WEEKS had his hands in his pockets at the time he was shot.

Source: War Crimes Branch, USFET, (Case No. 12-388).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0401 ●

PARTICULARS OF EVIDENCE IN SUPPORT

0402

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Offense was committed on Accused's own initiative. Probable defense will be ignorance of rescission of orders that a United States officer prisoner could not leave billets during air raid alert. The case is complete.

2341/US/G/73

0404

I. GOEBELL

6 22.

Date Submitted

Decision of Committee I

7 FEB 1946

1-22. A

CARDSCHECKED

2341/US/G/73

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234/US/G/73

8 1 JAN 1946

0405

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 247

Name of accused, his rank and unit, or official position.

(Not to be translated.)

*For investigation
see page 2*

- | | |
|---|----------------------------|
| 1. Kurt GOEBELL. | 12. Johann Josef SCHMITZ. |
| 2. Jan J. AKKERMANN. | 13. Gustav MAMMENG. |
| 3. Erich WENTZEL. | 14. Heinrich HEINEMANN. |
| 4. Karl WEBER. | 15. Klaas MEYERS-GERHARDS. |
| 5. Walter KROLIKOVSKI. | 16. Josef HANKEN. |
| 6. Jakob SEILER. | 17. Gunther ALBRECHT. |
| 7. Gerhardt GARRALS. | 18. Johann POINTER. |
| 8. Raender HAKSEMA, (or
Reinhardt HOKSEMA) | 19. Karl GEYER. |
| 9. August HAESIKER. | 20. Heinz WITZKE. |
| 10. Erich (or Wilhelm) LANGER. | 21. August SCHIERLAU. |
| 11. Jakob WITMAACK. | 22. WEGMAN (FNU). |

Date and place of commission of alleged crime.

4 August 1944.
At BORKUM ISLAND, Germany.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Laws and Customs of War.
- b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On 4 August 1944 a United States flying Fortress was forced down on BORKUM ISLAND. Its seven crew members were uninjured and were taken prisoners. They were searched and interrogated, then forced to march, under military guard, through the streets of BORKUM where they were beaten by the Accused civilians and the guards. Neither the guards nor officers in charge made any effort to protect the prisoners, but on the contrary, fostered the assaulting. When the airmen reached the city hall in BORKUM one was shot and killed. A few minutes later, when the airmen reached a point on Reede Street near the Sports Platz in BORKUM, the remaining six fliers were shot and killed.

Source: War Crimes Branch, USFET (Case No.12-489).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

On 4 August 1944 a United States Flying Fortress landed in the Muschelfeld on the north side of BORKUM Island around 1300 hours. The plane made a belly landing and the seven members of the crew alighted from the plane. Only one member of the crew had an injury which was on the forehead.

The airmen were led to Battery Ostland where they were searched and made to stand with their hands over their heads until around 1600 hours and on the orders of Fregatten-Kapitaen Kurt Goebell, Festungskommandant of the Marineflakabteilung Number 216, and Oberleutnant Jakob Seiler, Chief of Ostland Battery, were marched over the Muschelfeld, along the sea wall to the Promenade in the town of Borkum towards the Fliegerhorst at the other end of the Island a distance of about twelve kilometers. They could have gone the entire route on a train and could have taken a route so as to miss the town.

They were turned down Viktoria Strasse from the Promenade but Oberleutnant Erich Wentzel, Adjutant, ordered they turn back and made them pass between members of the Reichs Labor Corps who beat them with shovels. August Haesiker, Oberstfeldmeister of the Reichsarbeitsdienst, said he ordered this beating.

They continued their march with their hands over their heads, down Strand Strasse to Bahnhof Strasse where they were turned right on the latter Street. At this intersection a civilian struck some of the prisoners about the head with his fist and shouted at them. Oberleutnants Wentzel and Karl Weber were nearby at this time.

When they turned down Franz Habich Strasse, Jan J. Akkermann, Burgo-master of BORKUM, shouted at them, "kill them, kill them like dogs", and Reinhardt Hoksema and Josef Hanken struck them.

The prisoners were led down Franz Habich Strasse to Neue Strasse and turned left down that street to Seldte Strasse and turned right on Seldte Strasse. The Rathaus is located at the latter intersection. Gerhardt Garrals was seen among other civilians at this intersection to strike and kick the prisoners and one of them fell from exhaustion or was knocked down here and later shot by a German soldier. Oberleutnant Wentzel saw this American on the ground here.

The remaining six airmen and six guards proceeded down Seldte Strasse where Korvetten-Kapitaen Walter Krolikovski, Flakkommandeur of the 216 Battery, Oberleutnants Wentzel and Weber, saw the prisoners being beaten and did nothing to prevent their also being later shot. This was at the Old Tower.

The march continued down Blumen Strasse to Reede Strasse and along the latter street, with the prisoners being beaten by their guards and civilians among whom were the accused. They were forced to keep their hands over their heads during the entire march and were not disorderly nor did they try to escape at any time.

About 1730 hours at the corner of Suederreihe Strasse and Reede Strasse, a German Infantryman, thought to be Gefreiter or Obergefreiter Langer, ran up behind each of the remaining six Americans and shot them in the back of the head. A few minutes later, one of the guards, possibly Obermaat Jakob Wittmaack, shot the two Americans at the head of the column a second time each.

Korvetten-Kapitaen Krolikovski ordered the guards to his office where they were obliged to sign a prepared statement to the effect that the civilians had killed the United States airmen.

/continued from Page 2 /

The approximate distances from Battery Ostland to the Rathaus, where the first American was killed, is 6.1 kilometers; from the Rathaus to the Dorf Hotel, approximately one (1) kilometer; and from the Dorf Hotel to the Sports Platz, where the remaining six Americans were killed, approximately 1.4 kilometers.

Victims: Howard S. GRAHAM,
Kenneth FABER,
William F. DOLDO,
William J. MYERS,
Harvey M. WALTHALL,
W.M.W. LAMBERTUS,
James W. DANNO.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The assaulting and murders were committed on the Accuseds' own initiative and in furtherance of Dr. GOEBBELS' orders not to protect captured airmen from civilian demonstrations. All of the Accused are directly implicated in the beating and killing of the seven airmen. Several of the accused have admitted the assault. Those charged with murder will likely urge as a defense a complete denial of the murder plan, and those of the military will attempt to place all blame on the civilians. The case is considered reasonably complete.

2342/US/G/74

0409

I. EHLEN

to 6.

Date Submitted	Decision of Committee I		
7 FEB 1946	1-6. A	B	<u>CARDSCHECKED</u>

2342/US/G/74

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2342/US/G/74

8 1 JAN 1946

0410

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 248

*

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Josef EHLEN, German Civilian. 2. August VIEHL, German Civilian. 3. Paul WINKLER, German Civilian. 4. Karl ECKHARDT, German Civilian. 5. Franz MULLER, German Civilian. 6. Christian HELWIG, German Civilian.
<p>Date and place of commission of alleged crime.</p>	<p>On or about 27 September 1944. At or near NENTERSHAUSEN, Germany,</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 27 September 1944, four United States aviators parachuted from their plane near NENTERSHAUSEN, Germany. Upon landing they surrendered to local authorities. Thereafter, six German civilians, Josef EHLEN, August VIEHL, Paul WINKLER, Karl ECKHARDT, Franz MULLER and Christian HELWIG, took the fliers to a labor camp and after beating them, shot and killed them.

Source: War Crimes Branch, USFET, (Case No. 12-551).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0411

PARTICULARS OF EVIDENCE IN SUPPORT

0412

NOTES ON THE CASE

0413

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Two of the murders were committed on the Accuseds' own initiative, and the other two were committed in obedience to orders of Accused Paul WINKLER. The case is considered reasonably complete.

2343/US/G/75

0414

1. ALBISHAUSEN
to H.

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2343/US/G/75

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2343/US/G/75

8 1 JAN 1946

0415

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 249 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Anton ALBISHAUSEN, Volksturm. 2. Josef BOULLET. Deputy Ortsgruppenleiter. 3. Fritz OHSIEK, German civilian. 4. Josef STEINHAUSEN, German civilian.
<p>Date and place of commission of alleged crime.</p>	<p>October 1944. At COLOGNE-BICKENDORF.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>A. Murder. b. Ill-treatment of Prisoners of War. a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

In October 1944, a United States flyer parachuted to earth at COLOGNE-BICKENDORF. He was captured by 2 soldiers and as he was being led to the Hitler Jugend House, he was kicked and slapped by OHSIEK and STEINHAUSEN. BOULLET tried to shoot him but his gun wouldn't work so he struck the flyer with the pistol. When the flyer mounted the first step to the House, ALBISHAUSEN shot him in the head from the rear.

Source: War Crimes Branch, USFET, (Case No. 12-1146).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0416



PARTICULARS OF EVIDENCE IN SUPPORT

0417

NOTES ON THE CASE


(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

ALBISHAUSEN admits the killing but claims he was ordered to shoot by BOULLET. BOULLET claims he was never near the flyer. OHSIEK acted on his own initiative and admits it. The case appears to be reasonably complete.

2344/US/G/76

0419

I. LOESCH
to 3.

Date Submitted	Decision of Committee I		
7 FEB 1946	1-3. A		CARDSCHECKED

2344/US/G/76

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

344 US/G/76

1 JAN 1946

0420

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 250 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ^{Kriminalsekretär} Karl LOESCH, Criminal Secretary of Gestapo at GIESSEN.
2. KEPPEL, Gestapo Chief at GIESSEN.
3. Konrad WALD, Oberwachtmeister,

Date and place of commission of alleged crime.

On or about 27 March 1945.
At GIESSEN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 27 March 1945, as the United States Forces were approaching, Lt. NICHOLS was taken from the Gestapo prison, where he had been confined, to Gestapo headquarters. There KEPPEL ordered WALD and LOESCH to kill him. They tied his hands behind his back and marched him to the river bank where WALD shot him. LOESCH was present at the time they reported back that their order had been carried out. The body was found in the river on 16 April 1945, and was identified by a jailer as that of Lt. NICHOLS.

Source: War Crimes Branch, USFET, (Case No. 12-1457).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0421 ●

PARTICULARS OF EVIDENCE IN SUPPORT

0422

NOTES ON THE CASE

0423

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Offense was ordered by KEPPEL on his own initiative and carried out by WALD and LOESCH. LOESCH and WALD may plead superior orders. The case appears to be reasonably complete.

NOTES ON THE CASE

0423

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Offense was ordered by KEPPEL on his own initiative and carried out by WALD and LOESCH. LOESCH and WALD may plead superior orders. The case appears to be reasonably complete.

2345/US/G/77

0424

I. ENGELBRECHT
to 3.

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2345/US/G/77

(For the Use of the Secretariat)

Registered Number.

SECRET

0125

Date of receipt in Secretariat.

2345/US/G/77

31 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 251 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Lt. ENGELBRECHT, first name unknown, former 2nd Lt. German Army, unit unknown, (Chief of Police, ROTHENBERG, Germany). 2. Doctor ECKERT, first name unknown. 3. Major Wilhelm BORK, Medical Reserve Corps, German Army, unit unknown.
<p>Date and place of commission of alleged crime.</p>	<p>20 February 1945. ROTHENBERG, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Ill-treatment of Prisoners of War. Breach of the Geneva Prisoners of War Convention 1929, Article 2.</p>

SHORT STATEMENT OF FACTS.

Three United States flyers bailed out of a burning plane, surrendered, were taken in charge by local police, and were beaten, kicked and generally mistreated by the three Accused.

Source: War Crimes Branch, USFET, (Case No. 12-1752).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0426

PARTICULARS OF EVIDENCE IN SUPPORT

0427

NOTES ON THE CASE

0428

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The assault was committed upon the initiative of the accused and no higher authority was involved. The case is complete.

2346/US/G/78

0429

I. RUBSAMEN
to 7.

Date Submitted	Decision of Committee I		CARDS CHECKED
7 FEB 1948	1-7. A	D	

2346/US/G/78

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

2376/US/G/78

8 1 JAN 1946

0430

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 252

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Paul RUBSAMEN, German soldier, enlisted man, rank unknown.
2. Paul WINKLER, German civilian.
3. Martin BEESE (or BAESE), German civilian.
4. Karl SCHRADER, German civilian.
5. Jacob EHLEN, German civilian.
6. Reinhard BECK, German civilian.
7. Josef CUMBACK, German civilian.

Date and place of commission of alleged crime.

1100 hours 27 September 1944.
At NENTERHAUS, Germany.

Number and description of crime in war crimes list.

- a. Murder.
- b. Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Records show Hector V. SCALA, ASN 32764692, a flier in the United States Air Corps, rank unknown, bailed out of his damaged plane about 1100 hours 27 September 1944, near NENTERHAUSEN, Germany. He surrendered, unarmed, and was shortly thereafter shot to death by Accused Paul RUBSAMEN, after having been severely beaten by all seven Accused. The shooting and beating were unprovoked.

Source: War Crimes Branch, USFET, (Case No. 12-1915).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0431

PARTICULARS OF EVIDENCE IN SUPPORT

0432

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

This murder was committed on the first Accused's own initiative. The assault was the act of a mob with no particular organized leadership, under no orders of anyone in authority. Charges are based on sworn, written confessions of perpetrators, supported by independent, eyewitness proof. Case appears to be reasonably complete.

2347/US/G/79

0434 .

UTERMARK Siegfried

Date Submitted

Decision of Committee I

7 FEB 1946

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CARDSCHECKED

2347/US/G/79

(For the Use of the Secretariat)

Registered Number.

SECRET

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2347/US/G/79

8 1 JAN 1946

0435

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 253 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Oberarbeisdienstfuehrer Siegfried UTERMARK.

Date and place of commission of alleged crime.

On or about 23 August 1944.
At GROSS LIEDERN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 23 August 1944, Lt. Leslie N. HAUSS, serial number unknown, parachuted safely to ground at GROSS LIEDERN, Germany. As he sat on the ground unbuckling his parachute, Siegfried UTERMARK approached. The airman raised his hands over his head in a token of surrender and UTERMARK shot and killed him.

Source: War Crimes Branch, USFET, (Case No. 12-1973).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0436

PARTICULARS OF EVIDENCE IN SUPPORT

0437

NOTES ON THE CASE

0438

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

**The murder was committed on Accused's own initiative.
Accused will probably plead self defense. The case is considered
reasonably complete.**

2348/US/G/80

0439

PELLIZAEUS Josef

Date Submitted

Decision of Committee I

7 FEB 1946

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B

CARDSCHECKED

2348/US/G/80

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2313/US/G/30

8 1 JAN 1946

0440

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 254 *

Name of accused, his rank and unit, or official position.

1. JOSEF PELIZAEUS, SA Sturmfuehrer and Stellvertretender. 2

(Not to be translated.)

Date and place of commission of alleged crime.

30 November 1944.
At WELLESWEILER, Germany.

Number and description of crime in war crimes list.

Ill-treatment of wounded and Prisoners of War.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929, Article 2.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 30 November 1944, S/Sgt. F.J. McADAM parachuted on to the roof of a house in WELLESWEILER. Erich HERBER climbed up to release him. The Accused arrived and took complete charge, keeping people away. The flyer was unconscious, and HERBER cut the parachute shrouds and lowered the flyer slowly to the edge of the roof. The roof was about 4 meters from the ground. The Accused called to HERBER to let the flyer down which HERBER did, thinking the Accused would catch him. The Accused deliberately stepped aside and let the flyer fall to the ground. Later the flyer was taken to a first aid station and was found to have a flak wound in one leg, and a fracture of the other leg. By the time he was taken to the first aid station he had bled a great deal and was weak. He was ordered to a hospital and taken to HDMBURG where the hospital was full. The car then started for LANDSTONE, and the flyer died on the way. He was buried in the cemetery at LANDSTUHL. The pathologist gives hemorrhage and shock as the cause of death.

TRANSMITTED BY Source: War Crimes Branch, USFET, (Case No. 12-2052).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0441



PARTICULARS OF EVIDENCE IN SUPPORT

0442

PARTICULARS OF ALLEGED CRIME

0441



NOTES ON THE CASE

0443

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accused's own initiative. The probable defense is a denial and that medical attention was provided as soon as possible. The case appears to be reasonably complete.

**REGISTERED
NOS.**

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TO

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**REGISTERED
NOS.**

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TO

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2349/US/6/81

0444

I. HOLLACHER

to 3.

Date Submitted	Decision of Committee I		
7 FEB 1946	1-3 A 2-5	B	CARDCHECKED

2349/US/6/81

(For the Use of the Secretariat)

0445

Registered Number.

Date of receipt in Secretariat.

2349/US/G/31

9 1 JAN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 255

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Ludwig HOLLACHER, Unteroffizier of the Wehrmacht, in Unit Leitstelle 4 H. J. Ausbilder, WIESBADEN.

2. Friedrich (Fritz) METZ, Obergefreiter in Unit Leitstelle 4 H.J. Ausbilder, WIESBADEN.

3. Conrad EICH, Gendarmerie Meister at NIEDERBIEBER.

Date and place of commission of alleged crime.

On or about 21 September 1944.

At HUELLENBERG, KREIS NEUWIED, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 September 1944, a United States airman, F.P. CHINCHILLA, parachuted from his disabled plane in the vicinity of HUELLENBERG. Upon capture he was placed in the cellar of a nearby building. METZ received a telephone call from EICH ordering the airman shot. METZ demurred, but HOLLACHER carried out the order.

Source: War Crimes Branch, USFET, (Case No. 12-2064 Chinchilla (V)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0446

PARTICULARS OF ALLEGED CRIME

0446

PARTICULARS OF EVIDENCE IN SUPPORT

0447

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The investigation of subject case indicates a series of orders emanating from Heinrich HIMMLER's office which direct subordinates to kill all captured airmen. This policy is the subject of another investigation now being conducted. The defense of HOLLACHER and EICH will be "superior orders". METZ will rely upon his refusal to personally carry out the orders, although he was present at the murder and didn't object to someone else doing the actual killing. The case is complete and will be brought to trial upon apprehension of HOLLACHER and EICH.

2350/US/G/82

0449

1. IDE
to 3.

Date Submitted

Decision of Committee I

7 FEB 1940

1-3. A

D

2350/US/G/82

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2350/US/G/82

9 1 JAN 1946

0450

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 256

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich IDE, former Ortsgruppenleiter of BOCHUM, Germany.
2. Walter BURSTEDDE, German civilian.
3. Heinrich REINMOLLER, German civilian.

Date and place of commission of alleged crime.

24. March 1945.
BOCHUM, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 24 March 1945, three United States flyers were captured near BOCHUM, Germany. They were beaten and shot to death by the three Accused.

Source: War Crimes Branch, USFET, (Case No. 12-2097).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0452

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accuseds' own initiative. The defense may be that the flyer was already dead when he was shot.

2351/US/G/83

0454

1. SCHERF Peter
2. STEINES Rudolf

Date Submitted

Decision of Committee I

7 FEB 1944

B.G.H. A

B

CARDS CHECKED

2351/US/G/83

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2351/US/G/83

9 1 JAN 1946

0455

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 257 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Peter SCHERF, former Oberburgemeister of WALDRACH, Germany.
2. Rudolf STEINES, WALDRACH, Germany.

Date and place of commission of alleged crime.

9 August 1944.
WALDRACH, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On 9 August 1944, an unidentified allied flyer was captured by German authorities in WALDRACH, Germany. As he was being marched away he was beaten severely by the two Accused.

Source: War Crimes Branch, USFET, (Case No. 12-2114).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Page 2

PARTICULARS OF ALLEGED CRIME

0456

PARTICULARS OF EVIDENCE IN SUPPORT

0457

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The offense was committed on the Accuseds' own initiative. Probable defense will be that no beating occurred. The case is considered reasonably complete.

2352/US/G/84

0459

I. MUELLER

to 5.

Date Submitted	Decision of Committee I		CARDS CHECKED
7 FEB 1946	1-5 A	X	

2352/US/G/84

(For the Use of the Secretariat)

Registered Number.

SECRET

Date of receipt in Secretariat.

2352/US/G/84

31 JAN 1946

0460

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 258

*

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Ernst MUELLER, Meister of Gendarmerie, ALTENBURG, Germany. 2. Commandant SCHROEDER, Lt.Col. of SS, MERLEBURG, Germany. 3. RAUSCH, section leader, NOUMBERG. 4. D.R. URRAN, Oberwachtmeister, ALTENBURG, Germany. 5. SEILER, Oberwachtmeister, ALTENBURG, Germany.</p>
<p>Date and place of commission of alleged crime.</p>	<p>30 August 1944. Near ALTENBURG, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 30 August 1944, two United States flyers parachuted from their plane near ALTENBURG, Germany and were captured. Following their capture two of the Accused shot and killed the flyers. One victim was tentatively identified as Lt. DYKEMANN.

See page 4.

Source: War Crimes Branch, USFET, (Case No. 12-485).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0461

PARTICULARS OF EVIDENCE IN SUPPORT

0462

PARTICULARS OF EVIDENCE IN SUPPORT

0462

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Two of the Accused, Ernst MUELLER and RAUSCH, committed the murders on their own initiative. One Accused Commandant SCHRODER, has issued orders for the killing of captured Allied flyers. The Accused D.R. URBAN and SEILER participated in the murders on their own initiative. The probable defense will be that it was done on orders from higher authorities to kill all captured Allied flyers. The case appears to be reasonably complete.

2353/US/G/85

0464

I. DAMMANN
to 3.

Date Submitted

Decision of Committee I

7 FEB 1946

1-3 A

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CARDSCHECKED

2353/US/G/85

(For the Use of the Secretariat)

Registered Number.

SECRET

Date of receipt in Secretariat.

2353/15/G/85

31 JAN 1946

0465

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 259 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Herman DAMMANN
2. Peter BRÜMMER
3. Ernest BÖHRS

Date and place of commission of alleged crime.

20 June 1944.
NEU WALMSDORF, Kreis HAMBURG, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 20 June 1944, an unidentified United States flyer bailed out of his disabled plane in the Hamburg Area. He surrendered and was immediately murdered by the three civilian Accused named herein, acting in conjunction with an unidentified German soldier.

Source: War Crimes Branch, USFET, (Case No. 12-531).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0466



PARTICULARS OF EVIDENCE IN SUPPORT

0467

NOTES ON THE CASE

0468

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The murder was committed on individual initiative of the Accused and was not due to official position, orders, or in pursuance of a system or legal provision. There is no defense, and the case is ready for trial.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The murder was committed on individual initiative of the Accused and was not due to official position, orders, or in pursuance of a system or legal provision. There is no defense, and the case is ready for trial.

2354/US/G/86

0469

I. HOEFLE
to 7.

Date Submitted Decision of Committee I

7 FEB 1946

1-5. A
6-7. S

B

CARDSCHECKED

2.6 SEP 1946

Addendum 1-3
5-6 on A as before.
4, 7, 8, 9, 10 on A
11 on W.

B

CARDS CHECKED LIST 44

2354/US/G/86

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0470

Registered Number.

Date of receipt in Secretariat.

2354/US/G/86 Addendum

17 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST CHARGES AGAINST	GERMAN	WAR CRIMINALS WAR CRIMINALS
ADDENDUM	to	CASE No. 257 260	

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Hermann HOFLE, General of Waffen SS and Hoaherer SS, and Polizerfuehrer in BRAUNSCHWEIG; also former German Commander of Slovakia. 2. Wilhelm PFEIFFER, Kreisleiter of GOSLAR. 3. Franz SCHUBERT, former Chief of VIENENBURG Gendarmerie. 4. Otto FRICKE, German national. 5. Alfred PFEIL, German national. 6. Hans FRÖLICH, also known as FRÖHLICH; German national. 7. Kurt FLAMME, SS man. 8. Otto REINHARDT, policeman. 9. Robert SCHOTTKE, policeman. <p style="text-align: center;">(Continued on Page 2)</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 19 May 1944 in the vicinity of VIENENBURG, Germany.</p> <p>On or about 19 May 1944 in the vicinity of LOCHTUM, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p> <p>Ill-treatment of prisoners of war.</p>

SHORT STATEMENT OF FACTS.

VIENENBURG Incident: Three of approximately eight United States airmen who parachuted from their disabled aircraft on or about 19 May 1944 were captured in the vicinity of VIENENBURG, Germany. The prisoners were taken to the VIENENBURG City Hall for interrogation. Before the interrogation, one of the airmen was beaten by FLAMME and FRÖLICH and another by FRICKE and PFEIFFER. HOFLE ordered PFEIFFER to have the prisoners shot. Later the same day PFEIFFER, FRICKE, PFEIL, FRÖLICH and SCHUBERT, together with the three airmen, were driven in two cars to KRAHENHOLZ, near VIENENBURG. PFEIFFER ordered SCHUBERT, PFEIL and FRÖLICH to shoot the airmen, and ordered FRICKE to accompany them to make certain that the prisoners were killed. PFEIFFER remained in one of the cars. The airmen were taken to a point 500 meters from the cars and each shot in the back of the head by SCHUBERT, PFEIL and FRÖLICH. The bodies were later found at the scene of the crime and buried there.

(Continued on Page 2)

Source: War Crimes Branch, USFET, (Case No. 12-1837, VIENENBURG-LOCHTUM (P))
 TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
 (29655) Wt.P.252.4 5,000 5/45 A. & E. W.Ltd. Gp.685
 (30449) Wt.P.1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

10. Opper MANN, policeman.
11. Wilhelm KRAMER, German national. (Witness)

SHORT STATEMENT OF FACTS (Continued)

LOCHTUM Incident: Two of the aforementioned eight airmen were also captured on or about 19 May 1944 in the vicinity of LOCHTUM, Germany, adjacent to VIENENBURG. The flyers were interrogated by Kreisleiter PFELFFER. When he saw them, PFELFFER asked "Why are these swine still alive?" and ordered Policemen OPPERMANN, SCHOTKE and REINHARDT to kill the flyers. The hands of the flyers were tied behind their backs and the policemen took them by auto to a field where they got out. OPPERMANN and REINHARDT, armed with drawn pistols, were five to ten meters behind the flyers. SCHOTKE, armed with a carbine, was twenty meters behind the flyers. Wilhelm KRAMER, a shepherd, saw the flyers marched through the field with the policemen. He heard shots and saw the flyers fall to the ground, and the policemen at the sides of the bodies. OPPERMANN came up to KRAMER and stated, "These two airmen tried to run away before, and now they can't run any more". The police reported that the flyers were shot while trying to escape.

PARTICULARS OF EVIDENCE IN SUPPORT

0472

A. [Illegible text]
 B. [Illegible text]
 C. [Illegible text]
 D. [Illegible text]
 E. [Illegible text]
 F. [Illegible text]
 G. [Illegible text]
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 K. [Illegible text]
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 U. [Illegible text]
 V. [Illegible text]
 W. [Illegible text]
 X. [Illegible text]
 Y. [Illegible text]
 Z. [Illegible text]

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

(a) HOFLE committed the offense in accordance with HIMMLER's order.

PFEIFFER committed the offense on HOFLE's orders, in the VIENENBURG incident. He acted on his own initiative in the LOCHTUM incident.

The other accused committed the offense in obedience to orders.

(b) HOFLE will deny issuing the orders to have the prisoners shot.

PFEIFFER denies any participation in the crimes.

FRICKE has made a full and complete confession.

SCHUBERT, FRÖLICH and PFEL will allege the prisoners attempted to escape.

REINHARDT and SCHOTTKE will deny any guilty participation in the crimes.

FLAMME, FRÖLICH, PFEIFFER and FRICKE will deny beating the airmen.

(c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2354/US/R/86

31 JAN 1945

0474

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 260

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Herman HOEFLE, SS Obergruppenfuehrer and General of Police. 2. Wilhelm PFEIFFER, Kreisleiter. 3. Franz SCHUBERT, Chief of Police. 4. Hans FROLICH, SS member. 5. Alfred PFEIL, Civilian. 6. Otto FRICKE, Civilian. 7. Kurt FLAMME, Civilian.
<p>Date and place of commission of alleged crime.</p>	<p>19 May 1944. At VIENENBURG, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

Three unidentified members of the United States Army were captured after having parachuted from their disabled aircraft. They were taken to the City Hall at VIENENBURG for interrogation and HOEFLE ordered them shot. Thereupon they were taken to a nearby forest by PFEIFFER, SCHUBERT, FROLICH, PFEIL and FRICKE. PFEIFFER ordered SCHUBERT, FROLICH and PFEIL to shoot the prisoners. FRICKE and FLAMME present and witnessed the murder.

Source: War Crimes Branch, USFET, (Case No. 12-1837, Vienenburg (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0475

PARTICULARS OF EVIDENCE IN SUPPORT

0476

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The offense was committed pursuant to an order of the German Reich to shoot captured airmen. The defenses of the various Accused will be to deny the issuance of the order or actual participation. The case is reasonably complete and will be brought to trial upon apprehension of all perpetrators.

2355/US/G/87

0478

1. UNGER
2. FRIED

Date Submitted

Decision of Committee I

7 FEB 1946

Both A

B

CARDSCHECKED

2355/US/G/87

(For the Use of the Secretariat)

Registered Number.

SECRET

Date of receipt in Secretariat.

3355/US/G/87

8 1 JAN 1946

0179

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 261 *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Johann UNGER, German civilian. 2. Rudolf FRIED.
Date and place of commission of alleged crime.	On or about 9 August 1944. At or near AACHEN, Germany.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of Prisoners of War. a. Breach of the Laws and Customs of War. b. Breach of the Geneva Prisoners of War Convention 1929, Article 2.

SHORT STATEMENT OF FACTS.

On or about 9 August 1944, three United States aviators parachuted from their disabled plane near AACHEN, Germany. Upon landing they surrendered to local authorities. Thereafter two German civilians, Johann UNGER and Rudolf FRIED, took the fliers into a room in the Benedictine Hospital, where UNGER struck one flier in the jaw knocking him down and FRIED kicked another in the fore part of the right thigh.

Source: War Crimes Branch, USFET, (Case No. 12-2109).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0481

(Under this heading should be included the view taken as to (a) the degree ● responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assaults were committed on the Accuseds' own initiative. There is no indication of any possible defense. The case is considered reasonably complete.

2356/US/G/88

0183

ENGLE

Date Submitted

Decision of Committee I

7 FEB 1946

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B

CARDSCHECKED

2356/US/G/88

(For the Use of the Secretariat)

Registered Number.

SECRET

Date of receipt in Secretariat.

2356/US/G/88

8 1 JAN 1946

0184

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 262 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Schutze ENGLE, German Corporal.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 7 December 1943. Varzin, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 7 December 1943, Private Glee Moore, a United States Prisoner of War, was shot and killed by the Accused, a German guard, while working on a Kommando detail on a farm near Varzin, Germany. The shooting was without provocation.

Source: War Crimes Branch, USFET, (Case No. 12-128).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29655) Wt.P.2524 5,000 5/45 A.&E.W.Ltd. Gp.685

PARTICULARS OF ALLEGED CRIME

0485

PARTICULARS OF EVIDENCE IN SUPPORT

0486

NOTES ON THE CASE

0487

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

**The murder was committed on the Accused's own initiative.
The case is considered reasonably complete.**

2357/US/G/89

0488

1. GRELL
2. WOLF

Date Submitted

Decision of Committee I

7 FEB 1948

Both A

B

CARDS CHECKED

2357/US/G/89

(For the Use of the Secretariat)

SECRET

Registered Number.

Date of receipt in Secretariat.

2357/US/G/89

31 JAN 1946

0189

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 263 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Alvin GRELL, German civilian.
- 2. Herman WOLF, German civilian.

Date and place of commission of alleged crime.

On or about 28 September 1944.
In or near WITTMAR, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoners of War.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929, Article 2
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 28 September 1944, four unidentified United States aviators parachuted from their plane near WITTMAR, Germany. Upon landing they surrendered to local authorities. Thereafter, Alvin GRELL struck one of the fliers with his pistol and Herman WOLF struck another in the face with his pistol, without justification or provocation.

Source: War Crimes Branch, USFET, (Case No. 12-1673)

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0491

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assaults were committed on the Accuseds' own initiative.
No probable defense is indicated. The case is considered
reasonably complete.

2358/US/G/90

0493

I. FIRMINICH
to 7.

Date Submitted Decision of Committee I

7 FEB 1946

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(X)

CARDSCHECK

2358/US/G/90

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Registered Number.

Date of receipt in Secretariat.

2358/US/G/90

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 264 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Ludwig FIRMENICH, German Civilian. 2. Heinrich OVERDICK, German Civilian. 3. Hugo SCHUCK, German Civilian. 4. Adolf KNELL, German Civilian. 5. Phillip JAEGER, German Civilian. 6. Wilhelm KRAFT, German Civilian. 7. Heinrich KUNZ, German Civilian.
<p>Date and place of commission of alleged crime.</p>	<p>On or about 12 September 1944. Near BINGEN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<ol style="list-style-type: none"> a. Ill-treatment of Prisoners of War. b. Murder. <ol style="list-style-type: none"> a. Breach of the Geneva Prisoners of War Convention 1929, Article 2, b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 12 September 1944 a United States aviator, believed to be L. APPLE, was captured by local civilians near BINGEN, Germany after parachuting from his plane. The Accused German civilians above named beat the aviator severely and then Accused No.7, Heinrich KUNZ, shot the flyer in the head killing him. Accused No.7 was later supposed to have been killed in an Allied air raid on 20 December 1944.

Source: War Crimes Branch, USFET, (Case No. 12-1115, Bingen (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0496

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The offense was committed on the offenders' own initiative. The Accused OVERDICK and FIRMINICH will deny that they had any part in the assault. The Accused JAEGER will claim that he did not strike the flyer, although he was present. The other Accused will deny either beating or taking part in the shooting of the flyer. The case appears to be reasonably complete.

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2849/US/G/91

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SEEHOLZER

Date Submitted

Decision of Committee I

11 APR 1945

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 332 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Georg SEEHOLZER, German national.</p> <p><i>In custody</i></p>
<p>Date and place of commission of alleged crime.</p>	<p>14 June 1944 at AUBING, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Ill-treatment of Prisoners of War.</p> <p>b. Assault and Battery.</p> <p>Breach of the Geneva Prisoners of War Convention 1929.</p>

SHORT STATEMENT OF FACTS.

On 14 June 1944, a United States airman was captured and marched to the jail in AUBING, Germany. The accused repeatedly slapped and kicked the victim without provocation.

Source: War Crimes Branch, USFET, (Charge No. 12-2183, AUBING).

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 332 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Georg SEEHOLZER, German national.

In custody.

Date and place of commission of alleged crime.

14 June 1944 at AUBING, Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.

b. Assault and Battery.

Breach of the Geneva Prisoners of War Convention 1929.

SHORT STATEMENT OF FACTS.

On 14 June 1944, a United States airman was captured and marched to the jail in AUBING, Germany. The accused repeatedly slapped and kicked the victim without provocation.

Source: War Crimes Branch, USFET, (Charge No. 12-2183, AUBING).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Carrying out a system approved by authority. The probable defense will be that the flyer was not injured as a result of the slapping. The case appears to be reasonably complete and ready for trial

2850/US/G/92

0503

TRECKSEL

Date Submitted

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1 APR 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 333 *

Name of accused, his rank and unit, or official position.

1. TRECKSEL, Geert.

Presumed to be in custody of U.S.A. forces.

(Not to be translated.)

Date and place of commission of alleged crime.

7 July 1944.

Barnflair, Holland. (GSGS 4042, 3B (27)).

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 7 July 1944 Lt. Walter D.S. HAMBARGER, a United States airman, parachuted from a damaged plane at BARNFLAIR Holland. The accused came up, shook his hand, and stabbed him to death with a bayonet.

Source: War Crimes Branch, USFET, (Case No. 14-34).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Carrying out a system approved by authority. Case is reasonably complete.

2851/US/G/93

0508

I. LIENHART

to 4.

Date Submitted

Decision of Committee I

1 APR 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 334 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Markus Max Karl LIENHART, --German soldier. 2. Franz LIENHART, German civilian. 3. Leutnant Franz NEIDENIK, German soldier. 4. Sturmbannfuhrer SCHWEITZER, German soldier.
<p>Date and place of commission of alleged crime.</p>	<p>On or about 4 March 1945, at or near STRASSGANG, Austria, (GSGS Series 4346, Sheet 048, Coordinates B85).</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Murder. b. Ill-treatment of Prisoners of War. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 4 March 1945, four United States aviators parachuted from their plane near STRASSGANG, Austria. Upon landing, they surrendered to local authorities. Thereafter, a German soldier, Markus LIENHART, shot and killed two of the flyers, and NEIDENIK, a German officer, shot and killed another. SCHWEITZER was present and ordered the killing of two of the flyers. Franz LIENHART, a German civilian, was present and beat another of the flyers with his fists. The fourth flyer was killed by an unidentified SS-man.

Source: War Crimes Branch, USFET (Charge No. 12-2256).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The acts were committed on the accuseds' own initiative. The accused, Markus LIENHART, may allege as a defense that he was acting under the orders of SCHWEITZER. The case is considered reasonably complete.

2852/US/G/94

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BREMER

Date Submitted Decision of Committee I

1 APR 1946

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 335 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Christian BREMER, German Civilian.

Date and place of commission of alleged crime.

In October 1943 at or near Woolendorf, Germany (GSGS Series 4346, Sheet K51, Coordinates F70).

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.

b. Assault.

a. Breach of the Geneva Prisoners of War Convention 1929.

b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In October 1943, an unidentified United States aviator parachuted from his plane near WOOLENDORF, Germany. While he was still in the air one hundred (100) meters from accused's house, accused repeatedly fired his rifle at the flier.

Source: War Crimes Branch, USFET (Case No. 12-484).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the accused German's own initiative. No defense indicated; accused has confessed. The case is considered reasonably complete.

2853/US/G/95

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I. BERGMANN

is II.

Date Submitted

Decision of Committee I

1 - APR 1946

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 336 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. BERGMANN, Johann, Criminal Commissioner.
2. BEUS, Magdalena, civilian, Ludzowstrasse 7, AACHEN, Germany.
3. FIESELER, Gottfried, Ludzowstrasse 7, AACHEN, Germany, civilian.
4. KAPPES, Paul, civilian, AACHEN, Germany.
5. FLASCHE, Gustav, Police President of AACHEN City Police.
6. MUNS, Hans, Police Master, AACHEN, Germany Criminal Police.
7. PESCH, Josef, Winchhausenermag 46, FREIENBERG, Germany.
8. SCHWENKE, Fritz, AACHEN City Jail, Director Criminal Police.
9. SNOBER, Max, Police Officer, AACHEN City Criminal Police.
10. WINK, Johann, Over-Secretary, AACHEN City Criminal Police.
11. STEINNEBECHER, Wreidrich, Policeman, AACHEN City Police.

Date and place of commission of alleged crime.

9 August 1944, AACHEN, Germany (GSGS Series 4346, Sheet 3, Coordinates K84).

Number and description of crime in war crimes list.

- a. Ill-treatment of Prisoners of War.
- b. Assault and Battery.

References to relevant provisions of national law.

- a. Breach of the Geneva Prisoners of War Convention 1929.
- b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 9 August 1944 a United States Army Air Forces bomber crashed in a field in Schmitthof, Germany, near AACHEN (GSGS Series 4346, Sheet 3, K84). Two of the crew were apprehended and taken to the house of Leo KEERES pending arrival of the AACHEN City Police. Eight policemen from AACHEN came to evacuate the two prisoners and during the process of evacuation the two men were brutally treated. They were stoned by civilians and beaten by the policemen until their transfer to soldiers of the Luftwaffe. All of the accused participated and the beatings and stonings resulted in great bodily harm to the victims.

Source: War Crimes Branch, USFET, (Case No. 12-377 AACHEN-SIME (F)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused are guilty of action under orders that men of ordinary sense and understanding must know to be illegal. General denial and Superior Orders. The case appears to be reasonably complete.

2854/US/G/96

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Date Submitted

Decision of Committee I

11 APR 1945

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2854/US/G/96

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 337.....*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hans POHL, German Civilian.

Date and place of commission of alleged crime.

On or about the 10 March, 1944, in SCHIERSTEIN, Germany, (GSGS 4346, Sheet K51, Coordinates M36) American Zone.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

a. Ill-treatment of Prisoners of War.
b. Assault and Battery.

a. Breach of the Geneva Prisoners of War Convention 1929.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about the 10 day of March, 1944, an unknown United States aviator, under military guard at SCHIERSTEIN, Germany, was assaulted without provocation by Hans POHL, a German civilian.

Source: War Crimes Branch, USEPET (Case No. 12-1880).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the accused POHL's own initiative pursuant to the established policy of beating and killing captured airmen. The case is considered reasonably complete.

2855/US/G/97

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I. SAUR

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Date Submitted

Decision of Committee I

11 APR 1945

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Date of receipt in Secretariat.

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 338

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hans SAUR, German civilian.
2. Franz KINZIG, German civilian.
3. Ludwig KUHLEMANN, German civilian.
4. SCHMIDT, first name unknown, German civilian.
5. SEIDLER, first name unknown, German civilian.
6. Heinz VESEN, German civilian.
7. KUNZEL, first name unknown, German civilian.

Date and place of commission of alleged crime.

On or about the 25th of July 1944 at or near GUSEN, Austria
(GSGS Series 4346, Sheet 049, Coordinates V98).

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about the 25th of July 1944, five unidentified United States aviators parachuted from their planes near GUSEN, Austria. Three of these were shot by a group of SS men while they were still in the air. The group included SAUR, KINZIG, KUHLEMANN, SCHMIDT, SEIDLER, VESEN and KUNZEL. The other two fliers were shot by KUHLEMANN after their capture by an Oberscharfuhrer BAST.

Source: War Crimes Branch, USFET (Case No. 12-1370).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0531

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murders were committed on the accuseds' own initiative, pursuant to an established policy. Accused will apparently rely on a general denial of the charges as a defense. The case is considered reasonably complete.

2856/US/G/98

0533

RUDOLPH

Date Submitted	Decision of Committee I	D	CAPTS CHECKED
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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 339 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Otto RUDOLPH, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 2 November 1944, at or near Sangerhausen, Germany (GSGS Series 4346, Sheet M52, Coordinates D42).</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>a. Ill-treatment of Prisoners of War.</p> <p>b. Assault and Battery.</p> <p>a. Breach of the Geneva Prisoners of War Convention 1929.</p> <p>b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On 2 November 1944 an unidentified United States pilot who had parachuted from his plane was discovered hiding under a railroad bridge near Sangerhausen, Germany by Otto RUDOLPH. Rudolph picked up a large stone and beat the pilot over the head with it. Later, with one HENSCHEL and one MYER assisting, RUDOLPH further beat the pilot while his hands were tied.

Source: War Crimes Branch, USFET, (Case No. 12-524).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the German accused's own initiative in accordance with established policy. Accused may maintain force was necessary to disarm flier. The case is considered reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the German accused's own initiative in accordance with established policy. Accused may maintain force was necessary to disarm flier. The case is considered reasonably complete.

2857/US/G/49

0538

LOHMER

Date Submitted Decision of Committee I

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

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CHARGES AGAINST

WAR CRIMINALS

CASE No. 340. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hermann LOHMER, German civilian.

Date and place of commission of alleged crime.

On or about the 13th October 1944 at or near HOFFNUNGSTAHL, Germany (GSGS Series 4346, Sheet K51, Coordinates WF6357).

Number and description of crime in war crimes list.

a. Ill-treatment of Prisoners of War.
b. Assault and Battery.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 13 October 1944, an unidentified United States aviator parachuted to earth near HOFFNUNGSTAHL, Germany. Hermann LOHMER, a German civilian policeman, while accompanying the airman to the jail, struck and kicked him savagely and repeatedly without provocation.

Source: War Crimes Branch, USFET, (Case No. 12-1650).

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 340. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hermann LOHMER, German civilian.

Date and place of commission of alleged crime.

On or about the 13th October 1944 at or near HOFFNUNGSTAHL, Germany (GSGS Series 4346, Sheet K51, Coordinates WF6357).

Number and description of crime in war crimes list.

a. Ill-treatment of Prisoners of War.
b. Assault and Battery.

References to relevant provisions of national law.

a. Breach of the Geneva Prisoners of War Convention 1929.
b. Breach of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 13 October 1944, an unidentified United States aviator parachuted to earth near HOFFNUNGSTAHL, Germany. Hermann LOHMER, a German civilian policeman, while accompanying the airman to the jail, struck and kicked him savagely and repeatedly without provocation.

Source: War Crimes Branch, USFET, (Case No. 12-1650).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0541

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assault was committed on the accused German's own initiative pursuant to an established policy. Accused may depend upon a general denial as a defense. The case is considered reasonably complete.

2858/US/G/100

0543

BREITENSTEIN

Date Submitted

Decision of Committee I

11 APR 1946

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CARDS CHECKED

2858/US/G/100

(For the Use of the Secretariat)

0544

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Date of receipt in Secretariat.

2858 / US/G/100

5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 341 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Emil BREITENSTEIN, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 20 July 1944 in MOOSINNING, Germany (GSGS 4346, Sheet M49, Coordinates Z07, American Zone).</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 20 July 1944 a United States aviator, identified as Arthur W. MANOCH, parachuted from his plane near MOOSINNING, Germany. Upon landing he surrendered to local authorities. Thereafter, Anton SCHOSSER, Josef GOLDBRUNNER, Alfons Jacob WILM, and Emil BREITENSTEIN took the flyer into custody after which time he was shot and killed by one Anton SCHOSSER. SCHOSSER was ordered by BREITENSTEIN to kill the flyer.

Source: War Crimes Branch, USEET, (Case No. 12-1149).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183 17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The names of Anton SCHOSSER, Josef GOLDBRUNNER, and Alfons Jacob WILM have already been listed by Committee I and the United Nations War Crimes Commission on List "A" in Case Number 1636/US/G/9 (United States Case No.9).

The murder was committed (by Anton SCHOSSER) in obedience to orders personally given by "EMIL BREITENSTEIN" accused, who remains unfied in this case. The accused, Emil BREITENSTEIN, may allege as a defense that he did not give an order to Anton SCHOSSER to murder the American aviator. The case is considered reasonably complete.

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I. BLUM

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Date Submitted

Decision of Committee I

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Date of receipt in Secretariat.

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 342. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Ferdinand BLUM, German civilian. 2. Edith KOHLER, German civilian. 3. Hugo LANGENFELD, German civilian. 4. Heinrich REINHARD, German civilian. 5. Heinrich RUPP, German civilian. 6. Johann TRENZ, German civilian. 7. Hans BOETCHER, German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 1 August 1944 at or near SCHWALBACH, Germany (GSGS Series 4346, Sheet K50, Coordinates Q37).</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>a. Ill-treatment of Prisoners of War. b. Assault and Battery. a. Breach of the Geneva Prisoners of War Convention 1929. b. Breach of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 1 August 1944 a United States aviator, tentatively identified as George MACCARY, parachuted from a bomber and landed near SCHWALBACH, Germany. Upon landing he was taken in custody by local authorities. Thereafter, while the flyer was being walked into town he was severely beaten by BLUM, KOHLER, LANGENFELD, REINHARD, RUPP, TRENZ, and BOETCHER.

Source: War Crimes Branch, USFMT, (Case No. 12-2150).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29055) W.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The assaults were committed on the accused Germans' own initiative. The accused REINHARD may allege as a defense that he was acting under orders of accused BLUM; other accused will probably rely upon general denial. The case is considered reasonably complete. The assaults were committed in pursuance of an established policy to beat and murder captured Allied flyers.

2860/US/G/102

0553

I. SCHIEDHERING

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Date Submitted

Decision of Committee I

11 APR 1946

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 343

*

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Josef SCHIEDHERING, German civilian. 2. Rudolf MUTZECK, German civilian. 3. Heinrich LINDT, German civilian, not yet in custody.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 10 December 1944 at GIESSEN, Germany. (GSGS Series 4346, Sheet L51, Coordinates G62).</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder of an unidentified member of the United States Army. Violation of Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 10 December 1944, six United States prisoners of war were placed on a detail to assist in air-raid rescue work at a burning university at GIESSEN, Germany. Accused SCHIEDHERING, MUTZECK, and LINDT were supervising the detail and in goading the prisoners to work faster LINDT and SCHIEDHERING each fired a series of shots into one of the prisoners killing him. While MUTZECK did not fire any shots, he was present aiding and assisting the perpetrators.

Source: War Crimes Branch, USFET, (Case No. 12-1783, GIESSEN (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Offense was committed on the accused Germans' own initiative. SCHIEDHERING will apparently rely upon a general denial. No defenses are indicated as to LINDT and MUTZECK. The case appears to be reasonably complete.

2861/US/G/103

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I. SCHNEIDER.

to 5.

Date Submitted

Decision of Committee I

11 APR 1946

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Date of receipt in Secretariat.

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5 APR 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 344 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Peter SCHNEIDER, German policeman.
2. Jacob ZIMMER, German policeman.
3. Franz GOLDINGER, German civilian.
4. Peter KLAES, German civilian.
5. Albert WOLL, German civilian.

Date and place of commission of alleged crime.

On or about 31 July 1944 at or near DUDWEILER, Germany.
(GSGS Series 4346, Sheet K50, Coordinates Q.47).

Number and description of crime in war crimes list.

Assault upon three unidentified captured members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 31 July 1944, three United States fliers parachuted from their disabled bomber and landed near DUDWEILER, Germany, where they were taken into custody by the German police. Accused ZIMMER beat one flier about the face with his fist. Accused SCHNEIDER incited the civilians to beat the fliers with iron bars, which was done by accused GOLDINGER, KLAES, and WOLL.

Source: War Crimes Branch, USFET, (Case No. 12-2270, DUDWEILER (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

Accused GOLDINGER, KLAES, and WOLL were acting under the orders of the accused SCHNEIDER, who was Master of Police of DUDWEILER. Accused ZIMMER apparently acted on his own initiative. SCHNEIDER will apparently rely on a general denial; ZIMMER will apparently claim self-defense in that he had been told fliers had fire weapons under their flying suits which they could fire from a spring concealed in their hands; and no serious defense is indicated as to KLAES, WOLL, or GOLDINGER. They all admit their participation. The case appears to be reasonably complete.

2862/US/G/104

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HAFERBURG

Date Submitted Decision of Committee I

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Date of receipt in Secretariat.

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5 APR 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS

WAR CRIMINALS

CASE No. 345 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Rudolf HAFERBURG, German civilian.

Date and place of commission of alleged crime.

On or about 7 October 1944 at or near BILLRODA, Germany
(GSGS Series 4346, Sheet M52, Coordinates J59)

Number and description of crime in war crimes list.

Assault on an unidentified captured member of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 7 October 1944 two unidentified United States aviators parachuted to earth near BILLRODA, Germany. Both aviators were wounded, one very seriously. The accused HAFERBURG ran to the seriously injured aviator, cursed him and kicked him **repeatedly**.

Source: War Crimes Branch, USFET (Case No. 12-1592, BILLRODA (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree ●
responsibility of the accused in view of his official position, e.g., was offence
committed on the offender's own initiative, or in obedience to orders, or in carrying
out a system approved by authority or a legal provision ; (b) the probable defence ;
(c) whether the case appears to be reasonably complete.)

The offense was committed on the accused German's own
initiative. Accused's defense will probably consist of a
general denial. The case is believed to be reasonably complete.

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree ● responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The offense was committed on the accused German's own initiative. Accused's defense will probably consist of a general denial. The case is believed to be reasonably complete.

I. EISENHAUER
to 14.

Date Submitted	Decision of Committee I		
20 JUN 1946	1-14: A	B	CARDS CHECKED

(For the Use of the Secretariat)

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3204/US/G/105

30 MAY 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 346

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. ✓ Unteroffizier Wilhelm EISENHAUER. ✓
2. ✓ Oberst Eduard HERMANN
3. ✓ Hauptmann Karl H. SCHICKLER.
4. Unteroffizier Wilhelm HEIMES
5. Gefreiter Rupert LANG
6. Hauptmann Wilhelm HOCH
7. Hauptmann KRUEGER
8. Hauptmann LUCANEK
9. Oberleutnant ACHENBACH
10. Oberleutnant TRIMMEL
11. Stabsarzt HAUSMANN
12. Unterarzt BEYER
13. Oberzahlmeister BECHTOLD
14. Oberzahlmeister DIEZ.

Date and place of commission of alleged crime.

Between 19 December 1944 and 5 February 1945 at GEROLSTEIN, Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Murder of a captured member of United States Army.
Maltreatment of United States prisoners of war.
Employment of United States prisoners of war on unauthorised works.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Between about 19 December 1944 and 5 February 1945, at a German prisoner-of-war camp (DULAG 377), accused Eisenhauer shot and killed an American prisoner who was slow in falling out for a detail. Statements of over 100 witnesses disclose that during same period at this camp from 900 to 1300 prisoners of war were housed in a two-storey shed of 50 by 100 feet, with no blankets or beds. During this period the weather was below freezing most of the time. Food consisted of ½ loaf of bread and ½ pint of thin soup per man per day, and was largely unfit for human consumption. Evidence discloses that German guards had plenty of good food during this time. No latrine facilities were provided, except for a few buckets on the floor, resulting in contamination of food and dysentery among the prisoners.

Prisoners were forced to repair railroads damaged by bombing and in (over

Source: War Crimes Branch, USFET (Cases No. 12-355 and No. 12-356, Putnam)
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PARTICULARS OF ALLEGED CRIME

0570

one instance 15 prisoners were killed and others wounded while on such a detail. Also they were forced to dig gun emplacements for installation of anti-aircraft guns.

Accused Hermann and Schickler were Commandants of this camp during this period. All other accused were subordinate officials of the camp, actively engaged as principals in the commission of the alleged crimes.

Accused Hermann, Schickler, Heimes, and Lang are in United States custody.

PARTICULARS OF EVIDENCE IN SUPPORT

0571

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on accused's own initiative. The accused may allege as a defense, that the victim was slow in obeying orders. Other accused will plead superior orders or deny alleged crimes. The case is considered reasonably complete.

3205/US/G/106

0573

ZAHNEN

Date Submitted

Decision of Committee I

20 JUN 1946

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3205/US/G/106

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

3205/US/G/106

30 MAY 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 347

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Matthias ZAHNEN, German Feldwebel.

Date and place of commission of alleged crime.

On or about 15 August 1944 at or near OBERKAIL, Germany.

Number and description of crime in war crimes list.

Murder of a captured and unidentified member of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of war.

SHORT STATEMENT OF FACTS.

On or about 15 August 1944 an unidentified United States aviator parachuted to earth near OBERKAIL, Germany. He was captured and shot by accused ZAHNEN, who in company with Unteroffizier HEMMERS was seeking him on a motorcycle. HEMMERS was later himself killed in an air raid.

Source: War Crimes Branch, USFET (Case No.12-2261, OBERKAIL (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The murder was committed on the accused Germans' own initiative. The accused may allege as a defense that the airman attempted to escape. The case is considered reasonably complete.

3206/US/G/107

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I. ASBOECK
16 32.

Date Submitted	Decision of Committee I	CARDS CHECKED
20 JUN 1946	1-32: A	B

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30 MAY 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 348 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Leopold ASBOECK, German civilian.
2. Dr. Rudolf BAST, German civilian.
3. Andreas DINKEL, German civilian, not in custody.
4. Herr EDELMANN, German civilian, not in custody.
5. Ernst ERHART, German civilian.
6. Rudolf GEYRHOFER, German civilian.
7. Franz GOETZ, German civilian.
8. Norbert GRUBER, German civilian.
9. Herta HAUSWIRTH, German civilian.
10. Karoline HENDL, German civilian.

(over)

Date and place of commission of alleged crime.

On or about 20 March 1945 at AMSTETTEN, Austria.

Number and description of crime in war crimes list.

Assault upon 15 captured members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 20 March 1945 a group of 15 captured United States airmen in transit by rail from Hungary to HORSCHING, Austria, were escorted by Luftwaffe guards into AMSTETTEN, Austria when the train was halted near there due to an air-raid. At the town square a crowd of approximately 200 civilians assaulted the United States prisoners and beat them severely with fists, boots, canes, whips, shovels, and rifle butts. All of the named perpetrators were members of the crowd and participated in the assault.

Source: War Crimes Branch, USFET (Case No. 5-37, Lt. White).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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Registered Number.

Date of receipt in Secretariat.

3206/US/G/107

30 MAY 1946

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 348 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Leopold ASBOECK, German civilian.
2. Dr. Rudolf BAST, German civilian.
3. Andreas DINKEL, German civilian, not in custody.
4. Herr EDELMANN, German civilian, not in custody.
5. Ernst ERHART, German civilian
6. Rudolf GEYRHOFER, German civilian.
7. Franz GOETZ, German civilian.
8. Norbert GRUBER, German civilian.
9. Herta HAUSWIRTH, German civilian.
10. Karoline HENDL, German civilian.

(over)

Date and place of commission of alleged crime.

On or about 20 March 1945 at AMSTETTEN, Austria.

Number and description of crime in war crimes list.

Assault upon 15 captured members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 20 March 1945 a group of 15 captured United States airmen in transit by rail from Hungary to HORSCHING, Austria, were escorted by Luftwaffe guards into AMSTETTEN, Austria when the train was halted near there due to an air-raid. At the town square a crowd of approximately 200 civilians assaulted the United States prisoners and beat them severely with fists, boots, canes, whips, shovels, and rifle butts. All of the named perpetrators were members of the crowd and participated in the assault.

Source: War Crimes Branch, USFET (Case No. 5-37, Lt. White).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0580

ACCUSED: (Contd).

11. Friedrich HUEBNER, German civilian.
12. Dr. Erwin JESSER, German civilian.
13. Friedrich KISCH, German civilian.
14. Frau KRAMER, German civilian, not in custody.
15. Gretl KUBISKA, German civilian.
16. Frau KARNER (Korner or Kurner), German civilian, not in custody.
17. Alois LACHINGER, German civilian.
18. Rudolf MAYERHOFER, German civilian.
19. Paul NIEMIEZ, German civilian.
20. Josef PAULCZYNSKI, German civilian.
21. Elisabeth PERBEL, German civilian.
22. Johann PRESSL, German civilian.
23. Josef RAMHARTER, German civilian.
24. Josef SCHEUCH, German civilian.
25. Dr. Karl SCHICKELBERGER, German civilian.
26. Police Inspector Franz SCHLOEGLHOFER, not in custody.
27. Josefa SCHMIDHAMMER, German civilian.
28. Stefan SCHWARTZ, German civilian.
29. Franz STIEGER, German civilian.
30. Friedrich WEINERTH, German civilian.
31. Frau Anna WINTERER, German civilian, not in custody.
32. Victor ZIEGLER, German civilian.

PARTICULARS OF EVIDENCE IN SUPPORT

0581

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

The Assault was committed on the accused Germans' own initiative. The accused will probably defend by seeking to minimize the force of the individual blows that were struck. The case is considered reasonably complete.

3207/US/G/108

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UNSTATTER

Date Submitted	Decision of Committee I		
20 JUN 1946	A	B	CARDS CHECKED

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(For the Use of the Secretariat)

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3207/VS/G/108

8 MAY 1948

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UNITED NATIONS WAR CRIMES COMMISSION

United States	CHARGES AGAINST CHARGES AGAINST	German	WAR CRIMINALS WAR CRIMINALS
	CASE No. 349	*	

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Franz UMSTATTER, member of the Wehrmacht.

Date and place of commission of alleged crime.

On or about 26 August 1944 at or near RUSSELSHEIM, Germany.

Number and description of crime in war crimes list.

Murder of John N. Sekul, William A. Dumont, Thomas D. Williams, Elmore L. Austin and two other unknown members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 26 August 1944 eight American Prisoners of War were attacked and beaten by a mob in the streets of RUSSELSHEIM, Germany. Six of the prisoners were killed. The accused personally killed the six victims with a beam "over a meter long."

Source: War Crimes Branch, USFET (Case No.12-1497).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused will deny his participation in the crime and offer an alibi seeking to account for his presence elsewhere when the crime was committed. The proof is considered reasonably complete.

3208/US/G/109

0588

NINGELGEN

Date Submitted

Decision of Committee I

20 JUN 1946

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CARDS CHECKED

3208/US/G/109

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

3208/US/G/109

30 MAY 1946

0589

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 350 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Albert NINGELGEN - Kriminal Sekretar, German Criminal Police.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 6 November 1944, at or near KAISERSLAUTERN, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder by shooting of 2nd Lt. Stanford G. WOLFSON, a captured member of the United States Army Air Forces.</p> <p>Violation of the Laws and Customs of war.</p>

SHORT STATEMENT OF FACTS.

On 5 November 1944, 2nd Lt. Stanford G. WOLFSON, United States Army Air Corps, parachuted from a B-17 and on the following day surrendered himself near KAISERSLAUTERN, Germany. SS Obersturmfuhrer Alfred GRUMS (now deceased), Kriminal Sekretar Albert NINGELGEN and SS Untersturmfuhrer Wilhelm BANSPACH thereupon took him in custody and drove him to the outskirts of the city. GRUMS thereupon told NINGELGEN to get out of the car with the prisoner and walk him to the city on foot. When NINGELGEN returned, GRUMS asked him "Well, . . .", to which NINGELGEN replied "Disposed of". GRUMS and NINGELGEN then took charge of burying the flyer who had a number of wounds in his body.

Source: War Crimes Branch, USFET (No.12-2420, Wolfson (V)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0590

PARTICULARS OF EVIDENCE IN SUPPORT

0591

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Accused will probably claim that he turned the prisoner over to a Wehrmacht patrol on the road and that the victim was killed by the patrol while attempting to escape. The case appears to be reasonably complete.

3209/US/G/110

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I. LANG

to 7.

Date Submitted

Decision of Committee I

20 JUN 1946

1-7: A

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CARDS CHECKED

3209/US/G/110

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

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30 MAY 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 351 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm LANG, German policeman.
2. Albert August WEIL, German national.
3. Karl MÜLLER, former German Burgomeister
4. Otto PFLUGER, German national.
5. Heinrich DERN, German national.
6. Otto LECHENS, German national.
7. Ludwig MÜLLER, German national.

Date and place of commission of alleged crime.

On or about 2 March 1945, near LANG-GONS, Germany.

Number and description of crime in war crimes list.

Murder of Robert H. FOLSOM, W. L. HOENSHEL and Henry M. ISENBERG, captured members of the United States Army Air Forces.

References to relevant provisions of national law.

Violation of the Laws and Customs of war.

SHORT STATEMENT OF FACTS.

On or about 2 March 1945, Robert H. FOLSOM, W. L. HOENSHEL and Henry M. ISENBERG, of the United States Army Air Forces, parachuted from their plane near LANG-GONS, Germany. Shortly thereafter all three were captured, subjected to abuses by the above named accused and within approximately one hour after their landing were murdered. Each of the accused aided, abetted, encouraged or actively participated in the killing, although Heinrich ENGEL, policeman, now deceased, is alleged to have done the actual shooting.

Source: War Crimes Branch, USFET (No.12-1833, Lang-Gons(P)).

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0595

PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

0597

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the individual responsibility and initiative of the accused. The accused will probably deny all elements of the offense. The case appears to be reasonably complete.

(For the Use of the Secretariat)

Registered Number.

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Date of receipt in Secretariat.

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30 MAY 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 351 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm LANG, German policeman.
2. Albert August WEIL, German national.
3. Karl MÜLLER, former German Burgomeister
4. Otto PFLUGER, German national.
5. Heinrich DERN, German national.
6. Otto LECHENS, German national.
7. Ludwig MÜLLER, German national.

Date and place of commission of alleged crime.

On or about 2 March 1945, near LANG-GONS, Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Murder of Robert H. FOLSOM, W. L. HOENSHEL and Henry M. ISENBERG, captured members of the United States Army Air Forces.

Violation of the Laws and Customs of war.

SHORT STATEMENT OF FACTS.

On or about 2 March 1945, Robert H. FOLSOM, W. L. HOENSHEL and Henry M. ISENBERG, of the United States Army Air Forces, parachuted from their plane near LANG-GONS, Germany. Shortly thereafter all three were captured, subjected to abuses by the above named accused and within approximately one hour after their landing were murdered. Each of the accused aided, abetted, encouraged or actively participated in the killing, although Heinrich ENGEL, policeman, now deceased, is alleged to have done the actual shooting.

Source: War Crimes Branch, USFET (No.12-1833, Lang-Gons(P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

SECRET

PARTICULARS OF ALLEGED CRIME

0595

PARTICULARS OF EVIDENCE IN SUPPORT

0596

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the individual responsibility and initiative of the accused. The accused will probably deny all elements of the offense. The case appears to be reasonably complete.

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3210/US/G/III

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I. BECKER
to 53.

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Registered Number.

Date of receipt in Secretariat.

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20 MAY 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 352

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Freidrich BECKER, SS Unterscharfuhrer
2. Joseph BECKER, No description
3. Franz BERGER, SS Man.
4. Konrad BLOMBERG, Reichskriminalplizeiamt.
5. Peter BONGARTZ, No description.
6. Wilhelm BRUSCH, No description.
7. Ludwig BUDDENSIEG, No description.
8. Karl BUTTNER, No description.
9. Georg DEGNER, No description.
10. Christian EISBUSCH, No description.
11. August FAHRNBAUER, No description.

(CONTINUED on attached rider)

Date and place of commission of alleged crime.

At various and sundry times between 1 January 1942 and 8 May 1945 at or near the vicinity of Flossenburg concentration camp, near FLOSSENBERG, Germany, and at or near the vicinity of the Flossenburg out-camps, particularly HERSBRUCK, WOLKENBURG, GANACKER and LEITMERITZ.

Number and description of crime in war crimes list.

Subjection of citizens of Allied Nations, stateless persons, citizens of the United States of America, and members of Armed Forces of United Nations who were then prisoners of war to killing, beatings, tortures, starvation, abuses and indignities.

References to relevant provisions of national law.

Violation of the Laws and Customs of war.

SHORT STATEMENT OF FACTS.

Between 1 January 1942 and 8 May 1945 the accused German nationals or persons acting with German nationals, acting in pursuance of a common design, aided, abetted and participated, at the places above described, in the killing, beating, torture, starvation and abuse of Poles, Frenchmen, Yugoslavs, citizens of the Soviet Union, Czechs, citizens of the United States of America and other non-German nationals who were in the custody of the then German Reich and members of the armed forces of nations then at war with the then German Reich who were then and there surrendered and unarmed prisoners of war in the custody of the German Reich.

Source: War Crimes Branch, USFET (No.1380, Flossenburg)

TRANSMITTED BY

*Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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RIDER TO CHARGE FORM

0601

Name of accused
his rank and unit,
or official position.
(Continued)

12. Johann GEISBERGER, SS Hauptscharfuhrer
13. Michael GELHARDT, SS Rottenfuhrer
14. Karl Frederick Alois GIESELMAN, No description
15. August GINSHEL, No description.
16. Karl GRAEBER, No description.
17. Gerhard HAUBOLD, SS Oberscharfuhrer.
18. Josef HAUSER, Foreman Messerschmit Shop
19. Peter HERZ, No description.
20. Georg HOINISCH, No description.
21. Alois JAKUBITH, No description.
22. Karl KEILING, No description.
23. Hans Johann LIPINSKI, No description.
24. Eduard LOSCH, No description.
25. Karl MATHOI, Prisoner.
26. Gustav MATZKE, No description.
27. Raymond MAURER, General of Waffen SS.
28. Christian MOHR, SS Sergeant.
29. Erich MUSSFELDT, Block leader
30. Walter PAUL, Capo of potato peelers
31. Adolf NEYE, No description
32. Willi OLSCHESKI, Capo
33. Josef OSWALT, No description
34. Hermann PACHEN, No description.
35. Otto PAWLICZEK, Unterscharfuhrer
36. Erich PENZ, No description.
37. Joseph PINTER, SS Rottenfuhrer
38. Theodor RETZLAFF, No description.
39. Walter REUPSCH, SS Unterscharfuhrer
40. Albert ROLLER, SS Sturmscharfuhrer.
41. Dr. Heinrich SCHMITZ, No description.
42. Kurt Erich SCHREIBER, SS Hauptscharfuhrer.
43. Cornelius SCHWANNER, SS Hauptscharfuhrer.

0602

RIDER TO CHARGE FORM

Name of accused,
his rank and unit,
or official position.
(Continued).

44. Ludwig SCHWARZ, SS Sturmbannfuhrer
45. Alois SCHUBERT, Administrative head
Messerschmit plant.
46. Stepan SCZETYNSKYI, No description.
47. Bruno SKIERKA, SS Untersturmbannfuhrer
48. Hermann SOMMERFELD, No description.
49. Georg WEILBACH, No description.
50. Ludwig WINKLER, SS Unterscharfuhrer
51. Wenzel WODAK, SS Unterscharfuhrer.
52. Erhard WOLF, SS Unterscharfuhrer
53. Joseph WURST, SS Guard.

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Some of the atrocities were committed on the offenders' own initiatives, others in obedience to orders. Probable defenses will be superior orders and denials of individual participation in the acts complained of. The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Some of the atrocities were committed on the offenders' own initiatives, others in obedience to orders. Probable defenses will be superior orders and denials of individual participation in the acts complained of. The case appears to be reasonably complete.

3292/US/G/112

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1. MOLLER
+ 2.

Date Submitted	Decision of Committee I	M/C	CARDS
27 JUN 1946	1, 2: A	M/C	CARDS

3292/US/G/112

Registered Number.

Date of receipt in Secretariat.

3292/US/G/112

19 JUN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 353 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Reinhard MÖLLER, civilian.</p> <p>2. Gustav ENGELHARDT, local Volksturm head.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 30 November 1944, at or near KUECHEN, Germany, U.S. Zone.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 30 November 1944, Forrest PETERSON, United States Army Air Corps, parachuted to ground near KUECHEN, Germany and was captured by a German civilian. The accused, ENGELHARDT, upon seeing the flyer, ordered that he be shot, whereupon MÖLLER fired one shot at the pilot and ENGELHARDT fired another killing the prisoner.

Source: War Crimes Branch, USFET (Case No. 12-2283 KUECHEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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0607

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

ENGELHARDT directed the shooting. MÖLLER acted on his own initiative and in part was motivated by ENGELHARDT's orders. Both accused will rely on the defense of superior orders. The case appears to be reasonably complete.

3293/US/G/113

0610

CONZMANN

Date Submitted	Decision of Committee I	RC	CARDS CHECKED
27 JUN 1946	A	RC	Total 40

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CONZMANN

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Registered Number.

Date of receipt in Secretariat.

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19 JUN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 354 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Karl Gottlieb CONZMANN, Acting Burgermeister and Ortsgruppenleiter.</p>
<p>Date and place of commission of alleged crime.</p>	<p>Summer of 1944, at or near HEBSACK, Germany. U.S. Zone</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Assault and battery.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

In the summer of 1944 an unidentified United States airman parachuted near HEBSACK, Germany, and was taken in custody by two German soldiers. The accused, who was Acting Burgermeister and Ortsgruppenleiter, arrived and announced that he was taking charge, whereupon he hit the flyer a number of times with his fist, closing the flyer's eye and leaving his face bloody. The flyer was then removed as a prisoner of war.

Source: War Crimes Branch, USFET (Case No. 12-1807 Rohrbron (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
 (29655) Wt.P.252/4 5,000 5/45 A. & E.W.Ltd. Gp.685

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Page 2

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

Offense was committed on accused's own initiative. Accused will claim he did not injure the flyer seriously. Case appears to be reasonably complete.

3294/US/G/114

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Date Submitted

Decision of Committee I

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Registered Number.

Date of receipt in Secretariat.

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19 JUN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS.
CHARGES AGAINST WAR CRIMINALS

CASE No. 355 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Alwin REINKE, Civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>At or near ASCHEBERG, Germany, British Zone. On or about 21 May 1944.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 21 May 1944 a United States aviator, believed to be Robert A. HILDEBRAND, parachuted from his plane near ASCHEBERG, Germany. After he landed, the pilot was seen by the accused who directed him to march ahead. The accused then without provocation shot him in the back of his head.

Source: War Crimes Branch, USFET (Case No. 12-2337 Hildebrand (V)).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.
(29855) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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0617

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

The murder was committed on the individual responsibility and initiative of the accused. The accused will probably claim the flyer attempted to escape. The case appears to be reasonably complete.

3295/US/G/115

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I. JENTZ

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Date Submitted

Decision of Committee I

27 JUN 1946

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19 JUN 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS.
WAR CRIMINALS

CASE No. 356 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl JENTZ, Party member, policeman.
2. Richard HAMMER, Party and SA man.
3. Hans OHRT, Civilian.
4. Hans WAHLS, Party member.
5. Gotthard PARZYK, Blockleiter & SA man.
6. Willi VOIGHT, Civilian.
7. Paul DOOSE, SS Obersturmfuhrer.
8. Ernst HACHMEIER, Party and SS man.
9. Otto GIESE, Blockleiter and SA man.
10. Christian SCHUTT, civilian.

(Continued on attached rider).

Date and place of commission of alleged crime.

On or about 6 August 1944 at or near LUBECK-SIEMS, Germany, British Zone.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 6 August 1944, near LUBECK-SIEMS, Germany, an unknown United States airman parachuted to the ground. He was soon surrounded by a crowd who proceeded to beat and kick him. Eventually a pistol was produced and members of the mob took turns in shooting him to death. From 10 to 17 shots were pumped into his body by all of the accused.

Source: War Crimes Branch, USFET (Case No.12-1307 Lubeck (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

SECRET

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RIDER TO CHARGE FORM

Case No. 356

Name of accused, his
rank and unit, or
Official position.

(Continued)

11. Friedrich LEHMENSICK, Civilian.
12. Karl NEEB, Ortsgruppenleiter.
13. Hertha STAPELFELDT, Housewife.
14. HOHN (FNU), SS Obersturmbannfuhrer.
15. August (DOSE) DOOSE, Sailor.
16. Paul SACK, Civilian.

PARTICULARS OF EVIDENCE IN SUPPORT

0500

NOTES ON THE CASE

0625

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

All the offenders acted on their own initiative. Case appears to be reasonably complete.

3813/US/G/116

0626

HEIM, Albert.
and 63

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8 AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 357 *

<p>Name of accused, his rank and unit, or official position. <i>(Not to be translated.)</i></p>	<p>(1). Albert HEIM, Major in Wehrmacht (2). Fritz SAALMUELLER, Obltn. in Wehrmacht (3). Herbert KUNZE, Lt. in Wehrmacht</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 20 July 1944, near WOLLMATINGEN, Kreis KONSTANZ, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder Violation of Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 20 July 1944 three United States airmen parachuted to earth and were taken in custody. Major HEIM directed that two of the airmen be shot and the accused SAALMUELLER killed one of them. The accused KUNZE shot the third flyer. It is not clear who shot the second flyer.

Source: War Crimes Branch, USFET, Case No. 12-45, Konstanz (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29855) Wt.P.252.4 5,000 5/45 A. & E., W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The accused HEIM committed the offense on his own initiative. The accused KUNZE and SAALMUELLER were presumably following orders.
- b. SAALMUELLER and KUNZE will probably claim superior orders. HEIM will deny having ordered the specific killings.
- c. Case appears to be reasonably complete.

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CASE No. 357 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- (1). Albert HEIM, Major in Wehrmacht
- (2). Fritz SAALMUELLER, Obltn. in Wehrmacht
- (3). Herbert KUNZE, Lt. in Wehrmacht

Date and place of commission of alleged crime.

On or about 20 July 1944, near WOLLMATINGEN, Kreis KONSTANZ, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 20 July 1944 three United States airmen parachuted to earth and were taken in custody. Major HEIM directed that two of the airmen be shot and the accused SAALMUELLER killed one of them. The accused KUNZE shot the third flyer. It is not clear who shot the second flyer.

Source: War Crimes Branch, USFET, Case No. 12-45, Konstanz (P).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

0630

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The accused HEIM committed the offense on his own initiative. The accused KUNZE and SAALMUELLER were presumably following orders.
- b. SAALMUELLER and KUNZE will probably claim superior orders. HEIM will deny having ordered the specific killings.
- c. Case appears to be reasonably complete.

3814/US/G/117

0631

SCHEILZ, Friedrich

Date Submitted

Decision of Committee I

15 AUG 1946

A

CARDS CHECKED

LIST 43

3814/US/G/117

(For the Use of the Secretariat)

SECRET

0632

Registered Number.

Date of receipt in Secretariat.

3814/US/G/117

8 AUG 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 358 *

Name of accused, his rank and unit, or official position.

(1) Friedrich SCHEILZ, Policeman.

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 17 August 1944, at or near IDESHEIM, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 17 August 1944, a United States flyer, believed to be Sgt. Patsy ROCCO, ASN 32216757, who had bailed out from a disabled bomber surrendered to a farmer near IDESHEIM who turned him over to the police. The accused policeman handcuffed the aviator and led him to a crossroad. There he shot and killed him.

Source: War Crimes Branch, USFET (Case No. 12-1852, Idesheim (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.L.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.L.P.1183/17 5,000 10/45

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0632

Registered Number.

Date of receipt in Secretariat.

3814/US/G/117

8 AUG 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 358 *

Name of accused, his rank and unit, or official position.

(1) Friedrich SCHEILZ, Policeman.

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 17 August 1944, at or near IDESHEIM, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 17 August 1944, a United States flyer, believed to be Sgt. Patsy ROCCO, ASN 32216757, who had bailed out from a disabled bomber surrendered to a farmer near IDESHEIM who turned him over to the police. The accused policeman handcuffed the aviator and led him to a crossroad. There he shot and killed him.

Source: War Crimes Branch, USFET (Case No. 12-1852, Idesheim (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29656) Wt.P.252/4 5,000 5/45 A.&E. W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. Offense committed on the offender's own initiative.
- b. Accused will claim the aviator tried to escape.
- c. Case appears to be reasonably complete.

3815/US/G/118

0636

TAURER, Anton.
and to 4

Date Submitted Decision of Committee I

15 AUG 1946

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3815/US/G/118

(For the Use of the Secretariat)

SECRET

0637

Registered Number.

Date of receipt in Secretariat.

3815 / US / G / 118

8 AUG 1949

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 359 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Anton TAURER, Blockwart and Landwachtmann.
2. Stefan HANSER, SS Untersturmführer and Gendameriemeister.
3. Franz WINKLER, civilian.
4. Anton OBERZAUCHNER, Ortsgruppenleiter.

Date and place of commission of alleged crime.

On or about 16 November 1944 at EBENBERG, Kreis SPITTAL-an-der-DRAU, Province of CARINTHIA, Austria.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of Laws and Customs of War.

SHORT STATEMENT OF FACTS.

TAURER and WINKLER shot a surrendered, unarmed United States airman, believed to be William J. McCURDY, on 16 November 1944, on the repeated orders of HANSER and OBERZAUCHNER.

Source: War Crimes Branch, USFET, (Case No.5-113, Ebenberg (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E.W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

0870

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. Offense was committed on the initiative of all accused.
- b. WINKLER will deny all elements of the offense.
TAURER will claim the pilot failed to halt.
HANSER and OBERZAUCHNER will deny having directed the murder.
- c. Case appears to be reasonably complete.

3816/US/G/119

0641

HOFMANN, Ernst
and 2

Date Submitted Decision of Committee I

15 AUG 1948

1, 2: A

CARDS CHECKED

LIST 43

3816/US/G/119

(For the Use of the Secretariat)

SECRET

0642

Registered Number.

Date of receipt in Secretariat.

3816/US/G/119

18 AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 360 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Ernst HOEMANN, German civilian.
2. Johann HETTINGER, German civilian.

Date and place of commission of alleged crime.

On or about 17 August 1943 near EPPINGEN, Germany.

Number and description of crime in war crimes list.

Assault.

References to relevant provisions of national law.

Violation of Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Robert Kay (or Key), a United States flyer, parachuted from his plane suffering from a serious wound in the stomach. Both accused, without provocation, kicked him in the face and head, causing him bodily harm.

Source: War Crimes Branch, USFET (Case No.12-2595, Epplingen (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.259/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

0645

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. Offense was committed on the offenders' own initiative.
- b. Denial of all elements of the offense.
- c. Case appears to be reasonably complete.

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NOTES ON THE CASE

0645

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. Offense was committed on the offenders' own initiative.
- b. Denial of all elements of the offense.
- c. Case appears to be reasonably complete.

3817/US/G/120

0646

KAISER, Michael.

Date Submitted	Decision of Committee I	CARDS CHECKED
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EB AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 361 *

Name of accused, his rank and unit, or official position.

(1). Michael KAISER, German national, former Gendarmerie Kreisfuehrer and Bezirksoberleutnant in Gendarmerie.

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 16 July 1944 near MOERLACH, Germany.

Number and description of crime in war crimes list.

Denial of proper medical aid and attention to two wounded members of the United States Army, who were surrendered prisoners of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 July 1944, two unknown United States flyers parachuted to earth near MOERLACH, Germany. Both were badly wounded. KAISER denied medical aid to one for more than 7 hours and to the other for more than 4 hours.

Source: War Crimes Branch, USFET, (Case No. 12-2616 Mindorf (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20656) W.L.P.252/4 5,000 5/45 A.& E., W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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0649 PARTICULARS OF EVIDENCE IN SUPPORT

0649

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on KAISER's own initiative.
- b. KAISER will probably claim that he remembers very little of either incident and that his memory is failing him.
- c. Case appears to be reasonably complete.

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3818/US/G/121

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LARSEN, Otto
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Date Submitted	Decision of Committee I	CASES CHECKED
15 AUG 1948	1-4: A	LIST 43

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(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

3818/US/G/121

18 AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

CASE No. 362 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>(1). Otto LARSEN, SS Untersturmfuehrer. (2). Rudolf STAREK, Austrian civilian. (3). August BARTH, Wehrmacht Hauptmann. (4). KAISER, Wehrmacht Major.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 22 November 1944 near OBERNDORF, Austria.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

A United States airman, believed to be Jack M. JOHNSON, ASN 33896541, parachuted to earth and was taken prisoner. LARSEN and STAREK, upon orders of BARTH, shot the airman. KAISER had previously issued a Battalion Order that airmen were not to be taken alive.

Source: War Crimes Branch, USFET (Case No. 12-348, Laufen (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) W.P.250/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183,17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. The offense was committed partly in obedience to orders and partly on the personal initiative of the perpetrators.

b. STAREK will probably claim superior orders and ignorance of LARSEN's intentions.

LARSEN will claim that the flyer attempted to escape and may rely on superior orders from BARTH.

BARTH will deny giving any orders to kill and so will KAISER.

c. Case appears to be reasonably complete.

3819/US/G/122 .

0656

OSTENRIEDER, Georg

Date Submitted	Decision of Committee I	CARDS CHECKED
15 AUG 1946	A	LIST 43

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Date of receipt in Secretariat.

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18 AUG 1945

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
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WAR CRIMINALS.
WAR CRIMINALS

CASE No. 363 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Georg OSTENRIEDER (or OSTERRIEDER), German civilian.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 19 July 1944 near OBERGUNZBURG, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Assault.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 19 July 1944, 2nd Lt. Richard G. CHAPMAN, a United States aviator, was thrown out of a B-17 which was badly hit by fighters. He landed on his back in the vicinity of OBERGUNZBURG, Germany, and appeared to be temporarily paralyzed. While CHAPMAN lay on the ground, accused OSTENRIEDER beat him with a pistol and with his fists in the face and head.

Source: War Crimes Branch, USFET (Case No.12-27 Chapman (V))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on OSTENRIEDER's own initiative.
- b. OSTENRIEDER will probably claim that he only hit CHAPMAN two or three times.
- c. Case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on OSTENRIEDER's own initiative.
- b. OSTENRIEDER will probably claim that he only hit CHAPMAN two or three times.
- c. Case appears to be reasonably complete.

3820/US/5/123

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Date Submitted

Decision of Committee I

15 AUG 1946

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CASES CHECKED

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0662

Registered Number.

Date of receipt in Secretariat.

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18 AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 364 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. KRONE, RAD Oberfeldmeister.
2. Hans SEIDEL, Oberstfeldmeister and C.O. of RAD Lager.
3. Herbert STEINMÜLLER, RAD Vormann.
4. Franz HOFBAUER, RAD Haupttruppfuehrer.
5. Franz BLAUNSTEINER, RAD Vormann.
6. Oswald RATH, RAD Vormann.

Date and place of commission of alleged crime.

On or about 13 and 14 February 1945 in the neighborhood of SCHUTZEN-am-GEBIRGE, Kreis EISENSTADT, Austria.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Upon orders of KRONE and SEIDEL, the Commanding Officers of a RAD Lager, the remaining accused listed, shot 4 United States flyers who bailed out of a damaged plane and who were then unarmed, surrendered prisoners of war in the custody of the German authorities.

Source: War Crimes Branch, USFET, (Case No.5-144 Schutzen (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

0663

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

0664

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. KRONE and SEIDEL committed the offense upon their own initiative. The remaining accused followed orders.
- b. KRONE and SEIDEL will deny having issued the orders. The remaining accused will claim superior orders.
- c. The case appears to be reasonably complete.

7 2000

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. KRONE and SEIDEL committed the offense upon their own initiative. The remaining accused followed orders.
- b. KRONE and SEIDEL will deny having issued the orders. The remaining accused will claim superior orders.
- c. The case appears to be reasonably complete.

3821/US/6/124

0666

LEHNICK-EMDEN, Wolfgang

Date Submitted

Decision of Committee I

15 AUG 1946

1-3: A

CARD DE 381

LIST 43

3821/US/6/124

(For the Use of the Secretariat)

SECRET

0667

Registered Number.

Date of receipt in Secretariat.

3821/US/G/124

18 AUG 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 365 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

(1). LEHNICK - EMDEN, Wolfgang, Lieutenant

(2). KNAST, Hans, Uffz.

(3). SCHUSTER, Kurt, Uffz.

See p. 4.

Date and place of commission of alleged crime.

On or about 13 October 1943, near CAIZZO, Italy.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Accused, former members of 3rd Company, 29 Panzer Grenadier Regiment, murdered twenty-two Italian civilians near CAIZZO, ITALY, on 13 October, 1943. The civilians were unarmed and not engaged in partisan activities. Slaughter of these unarmed civilians was apparently in retaliation of Allied military successes.

Source: U.S. Theater Judge Advocate, Mediterranean Theater of Operations.

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP 2524 5,000 5/45 A. & E. W.L.D. Gp. 685
(30449) WLP 1183 17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. Offences were apparently committed on accused own initiative.
- b. Accused will probably deny offenses.
- c. Case has been fully investigated and is ready for trial.

4026/US/G/125

0671

PFEIFFER Wilhelm
and to 4

Date Submitted	Decision of Committee I		
26 SEP 1946	1-4 on A	B	CARDS CHECKS LIST 46

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(For the Use of the Secretariat)

0672

Registered Number.

Date of receipt in Secretariat.

4026/US/G/125

7 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 367 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm PFEIFFER, German national.
2. Otto FRICKE, German national.
3. Franz SCHUBERT, German national.
4. Alfred PFEIL, German national.

Date and place of commission of alleged crime.

On or about 22 February 1945 in the vicinity of VIENENBURG, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 22 February 1945, an unknown United States airman who had parachuted from his disabled aircraft surrendered himself to a German national in VIENENBURG, Germany. The prisoner was taken to the City Hall for interrogation. During the interrogation Police Chief Franz SCHUBERT struck the airman in the face four times. Thereafter, SCHUBERT took the airman, whose hands were tied behind his back, to the VIENENBURG Jail and notified Kreisleiter Wilhelm PFEIFFER. The latter ordered Otto FRICKE and Alfred PFEIL to have the airman shot. The flyer was taken to a road between VIENENBURG and WEDDINGEN and there killed by FRICKE and PFEIL. The dead flyer was found with a bullet hole in the head. SCHUBERT admits that he mistreated and choked the airman by tightening a rope around his neck pursuant to orders issued by HIMMLER.

Source: War Crimes Branch, USFET, (Case No. 12-1878, VIENENBURG-WEDDINGEN (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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[The following text is extremely faint and largely illegible. It appears to be a list or a series of entries, possibly containing names and dates, but the specific details cannot be discerned.]

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PARTICULARS OF EVIDENCE IN SUPPORT

0674

1. On or about the 1st day of January, 1952, the following evidence was received:

(a) A letter from the [redacted] dated [redacted] and captioned [redacted].

(b) A letter from the [redacted] dated [redacted] and captioned [redacted].

(c) A letter from the [redacted] dated [redacted] and captioned [redacted].

0700

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

(a) SCHUBERT and PFEIFFER committed the offense upon their own initiative.

FRICKE and PFELL committed the offense upon the orders of PFEIFFER.

(b) No major defenses are anticipated, other than categorical denials of guilt. The cases involving other murders in this vicinity indicate that a policy existed whereby all captured airmen would be mistreated and killed.

(c) The case appears to be reasonably complete.

4027/US/G/126

0676

UTERMARK, Siegfried.

Date Submitted

Decision of Committee I

26 SEP 1946

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CARLS G. K. LISA 44

4027/US/G/126

(For the Use of the Secretariat)

SECRET

0677

Registered Number.

Date of receipt in Secretariat.

4027 / US / G / 126

17 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 368 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Siegfried UTERMARK, Oberarbeitsfuehrer</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 18 March 1945, near GOEDDENSTEDT, Germany</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War</p>

SHORT STATEMENT OF FACTS.

On or about 18 March 1945 a United States airman, believed to be Harold E. CHURCHILL, ASN 16115914, who had parachuted to safety near GOEDDENSTEDT, Germany, was discovered in a nearby woods by Oberarbeitsfuehrer UTERMARK. Without challenging or demanding surrender in any way, UTERMARK fired a burst of shots from a machine pistol at the flyer. The flyer was lying in a thicket and apparently had been crawling toward UTERMARK. After the first burst from the machine pistol, the flyer rolled slightly on his left side, raising his head up and his hands over his head, and cried out. Despite this attempt to surrender, UTERMARK deliberately fired two more bursts at him. When, later, the flyer still showed signs of life, UTERMARK remarked that, if necessary, he would shoot him again. The body was searched by UTERMARK and found unarmed.

Source: War Crimes Branch, USFET, (Case No.12-1813, GOEDDENSTEDT (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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SECRET

0677

Registered Number.

Date of receipt in Secretariat.

4027 / US / G / 126

17 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	GERMAN WAR CRIMINALS
CHARGES AGAINST		WAR CRIMINALS

CASE No. 368 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Siegfried UTERMARK, Oberarbeitsfuehrer

Date and place of commission of alleged crime.

On or about 18 March 1945, near GOEDDENSTEDT, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

On or about 18 March 1945 an United States airman, believed to be Harold E. CHURCHILL, ASN 16115914, who had parachuted to safety near GOEDDENSTEDT, Germany, was discovered in a nearby woods by Oberarbeitsfuehrer UTERMARK. Without challenging or demanding surrender in any way, UTERMARK fired a burst of shots from a machine pistol at the flyer. The flyer was lying in a thicket and apparently had been crawling toward UTERMARK. After the first burst from the machine pistol, the flyer rolled slightly on his left side, raising his head up and his hands over his head, and cried out. Despite this attempt to surrender, UTERMARK deliberately fired two more bursts at him. When, later, the flyer still showed signs of life, UTERMARK remarked that, if necessary, he would shoot him again. The body was searched by UTERMARK and found unarmed.

Source: War Crimes Branch, USFET, (Case No. 12-1813, GOEDDENSTEDT (P)).

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(29655) Wt. P. 252/4 5,000 5/45 A. & E. W. Ltd. Gp. 685
 (30440) Wt. P. 1183/17 5,000 10/45

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Page 2

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0679

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) The accused will probably take the position that he shot only to halt an escaping prisoner, whose death was therefore accidental.
- (c) Case appears to be reasonably complete.

4028/US/G/127

0681

KLAEBE, August
and 2

Date Submitted

Decision of Committee I

26 SEP 1946

1 A 2 on A

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CARDS CHECKED LIST 46

4028/US/G/127

(For the Use of the Secretariat)

SECRET

0682

Registered Number.

Date of receipt in Secretariat.

4028/US/G/127

7 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST WAR CRIMINALS

CASE No. 369 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. August KLAEBE, also known as August KLEBE, Gendarmeriemeister. 2. Paul FORSTER, Polizeimeister.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 17 August 1943, near SCHLEIDEN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Assault on a prisoner of war Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 17 August 1943, 1st Lt. Eugene D. COOK, an United States airman, parachuted from a disabled plane near SCHLEIDEN, Germany, in the vicinity of HERGARTEN. The flyer was walking out of a small wooded area on to the highway when he was approached by two Germans in uniform; one of them, August KLAEBE, Gendarmeriemeister of HERGARTEN, called out to COOK. When COOK was within 35 feet of him, KLAEBE asked if he were an American. COOK raised his hands above his head and answered in the affirmative; whereupon KLAEBE shot him in the right thigh and lower abdomen. The shot was fired at the direction of Police Chief Paul FORSTER who stood next to KLAEBE. The flyer was taken to the hospital, where he was operated on; he recovered and was later liberated by the Russians.

Source: War Crimes Branch, USFET (Case No. 12-2058 HERGARTEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) FORSTER committed the offense on his own initiative.
KLAEBE committed the offense at FORSTER's direction.
- (b) FORSTER will deny all elements of the offense.
KLAEBE will contend that the victim was shot while trying to escape.
- (c) Case appears to be reasonably complete.

4029/US/G/128

0686

FEIX, Carl
and 63

Date Submitted	Decision of Committee I		
26 SEP 1946	A-3 on A	B	CARDS CHECKED LIST 44

4029/US/G/128

(For the Use of the Secretariat)

0687

Registered Number.

Date of receipt in Secretariat.

4029/US/G/128

7 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE No. 370 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Carl FEIX, German national
2. Franz HEININGER, German national
3. Alfred HÖMER, German national

Date and place of commission of alleged crime.

On or about October 1944, near NIEDERNHAUSEN, Germany.

Number and description of crime in war crimes list.

Assault on an unknown United States airman

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

In or about October 1944, an United States airman parachuted out of his plane and landed in the neighbourhood of NIEDERNHAUSEN, Germany. He was captured by Luftwaffe personnel and taken to NIEDERNHAUSEN. As they approached a leather factory in the town, Carl FEIX jumped out in the street, kicked the airman and hit him with his fists. They fell over in the struggle. HEININGER, an employee of FEIX, entered the fracas, beat the flyer with a stick and kicked him. The Luftwaffe men then escorted him toward the Burgomeister's office, followed by a crowd of civilians. At this time Alfred ROMER hit the flyer, kicked him and rammed him with his bicycle.

Source: War Crimes Branch, USFET (Case No.12-2185, FEIX (A)).

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Page 2

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0689

NOTES ON THE CASE

0690

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

(a) Each of the accused committed the offense on his own initiative.

(b) FELIX will probably claim that unknown and unidentified soldiers pushed the airman into him and that he then lost his temper.

Reininger may claim superior orders on the part of FELIX, but according to witnesses he deliberately entered into the fracas.

ROMER has offered no defense.

(c) Case appears to be reasonably complete

4030/US/G/129

0691

MERTEN, Peter
and 63

Date Submitted	Decision of Committee I	
2,6 SEP 1946	1. A 3 or A.	B CARDS CHECK: LI. 44

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0692

Registered Number.

Date of receipt in Secretariat.

4030/US/G/129

17 SEP 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN WAR CRIMINALS
WAR CRIMINALS

CHARGES AGAINST

CASE No. 371 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Peter MERTEN, former Ortsgruppenleiter 2. Mathias LAMBERTI, German national 3. Emil DITGEN, Oberfrontfuehrer
<p>Date and place of commission of alleged crime.</p>	<p>On or about 3 August 1944 near HUTTERSDORF, Kreis SAARLAUTERN, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of prisoner of war.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 3 August 1944, Ralph S. BRACKENS, an United States airman, parachuted from his plane and landed in the vicinity of HUTTERSDORF, Kreis SAARLAUTERN, Germany. The airman was suffering from wounds in his head and arm and had a broken leg. Ortsgruppenleiter MERTEN, Oberfrontfuehrer DITGEN, Mathias LAMBERTI and others arrived on the scene. MERTEN and DITGEN urged the crowd to beat the flyer to death. LAMBERTI hit the flyer with his fist, knocked him to the ground, trampled on him with his hobnailed shoes and kicked him. MERTEN urged LAMBERTI to kill the flyer and LAMBERTI, who had a knife in his hand, stabbed the flyer with it in the back. DITGEN was requested by the local Police Chief to take the flyer to the hospital in his car and refused to do so. The Police Chief secured an aid man and, after having first aid administered, succeeded in getting the flyer to a hospital.

Source: War Crimes Branch, USFET (Case No. 12-2593 MERTEN (A)).

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(30449) WLP.1183.17 5,000 10/45

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Page 2

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PARTICULARS OF ALLEGED CRIME

SEP 1 1946

PARTICULARS OF EVIDENCE IN SUPPORT

0694

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Each of the perpetrators committed the offense on his own initiative.
- (b) MERTEN admits telling LAMBERTI of the so-called "Vogelfrei" order of Himmler concerning the killing of parachuted airmen, but denies having taken a more active part.

LAMBERTI will claim he was incited by MERTEN.

DITGEN will claim non-participation.

- (c) The case appears to be reasonably complete.

4169/US/G/130

0696

DÖSCH, Ludwig
and 2

Date Submitted

Decision of Committee I

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CARDS CHECKED LIST 45

4169/US/G/130

(For the Use of the Secretariat)

0697

Registered Number.

Date of receipt in Secretariat.

4169 / US / G / 130

5 OCT 1946

UNITED NATIONS WAR CRIMES COMMISSION

CHARGES AGAINST	WAR CRIMINALS
UNITED STATES	WAR CRIMINALS
CHARGES AGAINST	GERMAN
CASE No. 366 *	

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Ludwig DÖSCH, Gestapo interrogator. 2. Ernst TÖNNIES, Gestapo agent and SS Oberscharführer.
Date and place of commission of alleged crime.	(a) On or about 10 June 1944, at or near FRANKFURT-AU-MAIN, Germany. (b) In 1944, at or near WIESBADEN and FRANKFURT-AU-MAIN, Germany.
Number and description of crime in war crimes list. References to relevant provisions of national law.	Ill-treatment of prisoners of war Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

(a) On or about 10 June 1944, S/Sgt. Herbert GEBERS was taken before a Gestapo interpreter-interrogator, Ludwig DÖSCH, in the Gestapo Prison known as Oberursel, near FRANKFURT-AU-MAIN. DÖSCH told him he was to be interrogated for "identification purposes only". Upon GEBERS' refusal to answer questions calling for information of a military nature, DÖSCH procured another member of the Gestapo, Ernst TÖNNIES, to assist him in the interrogation. GEBERS was made to lie face down across the arms of a chair while TÖNNIES beat him violently with a rubber hose or truncheon on his back and buttocks for approximately 5 minutes, during which time about 30 blows were struck. DÖSCH meanwhile continued to question him. Upon his refusal to sign a document purporting to contain statements made by him, GEBERS was again beaten with the rubber hose by TÖNNIES in the same manner. As a result of these beatings, GEBERS suffered injuries of a most serious and painful nature which impaired his physical and mental health and during a period of over two months caused him to be unable to walk unassisted.

(Continued on Page 2)

Source: War Crimes Group, USFET, (Case No. 12-336, GEBERS (V))
TRANSMITTED BY

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PARTICULARS OF ALLEGED CRIME

SHORT STATEMENT OF FACTS (Continued)

- (b) During the period April through May 1944, Erika REITH, a stenographer for DOSCH, saw him beat unknown members of the United States Army when he interrogated them in WIESBADEN, Germany. It was common knowledge that DOSCH threatened and beat prisoners and reduced their food rations and TUNNIES was notorious for his brutality.

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Each of the accused committed the offense on his own initiative.
- (b) The accused will contend that S/Sgt. GEBERS and other unknown members of the United States Army, upon being apprehended in civilian clothing, were not entitled to treatment as prisoners of war but could be looked upon as spies. DOSCH may also contend that he was not a party to the assault upon Sgt. GEBERS since he did not personally slap or strike him.

The accused will also contend that their treatment of the victims during the period April through May 1944 did not constitute beatings. Testimony of the witnesses refutes this.

- (c) The case appears to be reasonably complete.

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4325/US/G/131

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STOLL, Karl

Date Submitted	Decision of Committee I		CARDS CHECKED LIST 50
DEC 4 1946	A	B	

4325/US/G/131

(For the Use of the Secretariat)

0702

Registered Number.

Date of receipt in Secretariat.

4325/US/G/131

25 NOV 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 372 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl STOLL, German national, a political leader of the Deutsche Arbeitsfront.

Date and place of commission of alleged crime.

On or about 19 October 1944 near GRIESHEIM, FRANKFURT A/M, Germany

Number and description of crime in war crimes list.

Assault on an United States airman.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 19 October 1944 a United States pilot, 1st Lt. Lloyd C. Carter, ASN O-742963, while on a bombing mission over Germany was forced to bail out of a B-24 bomber. CARTER landed in the Main River about 20 feet from the bank, in the vicinity of GRIESHEIM, FRANKFURT A/M, Germany. He was assisted from the water by witnesses Christian CHRIST and Johann BREHM. As CHRIST and BREHM walked about 15 or 20 yards from the river with CARTER in their custody, they were approached by Karl STOLL, a political leader of the Deutsche Arbeitsfront, who had a pistol in his right hand. STOLL, at the point-blank range of one meter, shot CARTER squarely in the face. CARTER fell to the ground. STOLL thereupon left the scene of the shooting. CARTER was taken to a hospital in FRANKFURT A/M where he received treatment and later recovered. He was liberated by advancing United States forces and returned to ZI on or about June 1945.

Source: War Crimes Group, USMPT, (Case No. 12-2313, GRIESHEIM (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0704

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) STOLL will probably deny that he shot Lt. CARTER or, if he does admit the shooting, will claim superior orders. His denial of the shooting can be refuted by eye-witness testimony and also his own admission that he did the shooting made to witnesses RAUSCHENBERG and BODEWING.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0702

Registered Number.

Date of receipt in Secretariat.

4325/US/G/131

25 NOV 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 372 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl STOLL, German national, a political leader of the Deutsche Arbeitsfront.

Date and place of commission of alleged crime.

On or about 19 October 1944 near GRIESHEIM, FRANKFURT A/M, Germany

Number and description of crime in war crimes list.

Assault on an United States airman.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 19 October 1944 a United States pilot, 1st Lt. Lloyd C. Carter, ASN O-742963, while on a bombing mission over Germany was forced to bail out of a B-24 bomber. CARTER landed in the Main River about 20 feet from the bank, in the vicinity of GRIESHEIM, FRANKFURT A/M, Germany. He was assisted from the water by witnesses Christian CHRIST and Johann BREHM. As CHRIST and BREHM walked about 15 or 20 yards from the river with CARTER in their custody, they were approached by Karl STOLL, a political leader of the Deutsche Arbeitsfront, who had a pistol in his right hand. STOLL, at the point-blank range of one meter, shot CARTER squarely in the face. CARTER fell to the ground. STOLL thereupon left the scene of the shooting. CARTER was taken to a hospital in FRANKFURT A/M where he received treatment and later recovered. He was liberated by advancing United States forces and returned to ZI on or about June 1945.

Source: War Crimes Group, USFET, (Case No. 12-2513, GRIESHEIM (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) STOLL will probably deny that he shot Lt. CARTER or, if he does admit the shooting, will claim superior orders. His denial of the shooting can be refuted by eye-witness testimony and also his own admission that he did the shooting made to witnesses RAUSCHENBERG and BODEWING.
- (c) The case appears to be reasonably complete.

4326/US/G/132

0706

KRAUSSER, Johann

Date Submitted Decision of Committee I

^{DEC}
- 4 ~~NOV~~ 1946

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CARDS CHECKED LIST 50

4326/US/G/132

(For the Use of the Secretariat)

0707

Registered Number.

Date of receipt in Secretariat.

4326/US/G/132

25 NOV 1946

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 373 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann KRAUSSER, German national, former Burgermeister and Ortsgruppenleiter of WINKELHAID, Germany; former member of the NSDAP, SA, NSV and NSRKB

Date and place of commission of alleged crime.

On or about 21 February 1945 at WINKELHAID, Germany.

Number and description of crime in war crimes list.

Ill-treatment of Prisoner of War.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 February 1945 a United States airman, believed to be Captain John C. FITSCH, ASN unknown, parachuted down in the vicinity of WINKELHAID, Germany, British Zone. The airman suffered burns on one foot and a sprained arm, sustained in combat. He was captured and then turned over to Johann KOCH, a member of the Home Guard (Land-wache) for delivery to the Burgermeister's office in WINKELHAID. Instead of taking the flyer to Burgermeister Johann KRAUSSER, KOCH took him to his own home to await the arrival of the Gendarmerie because he felt that KRAUSSER, who had the reputation of being a brutal man, would mistreat the flyer. KRAUSSER learned of the capture and appeared at the KOCH home a half hour later and beat the surrendered, unarmed, wounded flyer so severely with his fists that he caused the flyer to bleed. KRAUSSER only stopped the beating when others present protested. KRAUSSER admits that he tried to incite the people to beat the flyer to death.

Source: War Crimes Group, USFET, (Case No. 12-2541 KRAUSSER (A)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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Page 3

PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) The accused has admitted the commission of the assault and that he endeavoured to incite the other people to beat the flyer to death. His defense will probably be that he was very excited and did not realize what he was doing. He will endeavour to minimize the severity of the beating.
- (c) The case appears to be reasonably complete.

4609/US/G/133

4615/US/G/139

0711

STROOP, Jürgen, etc.

Date Submitted Decision of Committee I

Date Submitted	Decision of Committee I
6 FEB 1947	Case 4609: 1-6 : A
	.. 4610: - 1-5 : A
	.. 4611: - 1-8 : A
	.. 4612: - 1-22 : A
	.. 4613: - 1-4 : A
	.. 4614: - 1-5 : A
	.. 4615: - 1-8 : A

CARDS CHECKED LIST 53

THE OFFICE OF THE UNITED STATES COMMISSIONER



UNITED NATIONS WAR CRIMES COMMISSION

0712

The American cases herewith (Cases 374 to 382, inclusive) should all be considered together as they all constitute part of the same crime pattern and conspiracy. So considered, it is believed that the evidence comprehends a prima facie case against each named accused.

Handwritten note:
The United States
has been advised

0713

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

4609/US/G/133

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS.

CHARGES AGAINST

WAR CRIMINALS

CASE No. 374 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- ✓ 1. Jurgen STROOP, SS Oberfuehrer. ✓
2. Hans TRUMMLER, SS Oberfuehrer.
3. Otto SOMANN, C.O., Security Police.
- ✓ 4. Georg BEST, SS Sturmbannfuehrer. ✓
- ✓ 5. Erwin GOSS, SS Obersturmfuehrer. ✓
- ✓ 6. Heinrich Matthias MICHELY, SS Rottenfuehrer. ✓

Date and place of commission of alleged crime.

On or about 18 March 1945, at or near WALLRABENSTEIN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 17 March 1945, two or three airmen parachuted out of a United States plane in the neighborhood of WALLRABENSTEIN, Germany. One of the airmen, believed to be Jimmie R. HEATHMAN, ASN 37630603, was captured the next day by SS Rottenfuehrer MICHELY, who had been sent to search for him by his superior officer SS Obersturmfuehrer GOSS. MICHELY marched the flyer to headquarters in WALLRABENSTEIN where he was searched and interrogated by GOSS. GOSS told MICHELY he should kill the flyer while taking him enroute to IDSTEIN, Germany. This was pursuant to instructions coming from STROOP and BEST. On the road to IDSTEIN the flyer was marching about 1½ meters in front of his captor, who was armed with the former's Army pistol. MICHELY ordered the flyer to turn into a wagon path and then MICHELY fired several shots in his back. He fell and then MICHELY shot him in the head. He took the victim's identification bracelet and tags and then reported to GOSS at headquarters.

Source: 7708 War Crimes Group (Case No.12-565, GOSS (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20655) Wt.P.2524 5,000 5/45 A.& B., W.Ltd. Gp.695
(30449) Wt.P.1183.17 5,000 10/45

(For the Use of the Secretariat)

0713

Registered Number.

Date of receipt in Secretariat.

4609/US/G/133

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS.
CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 374 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>✓ 1. Jurgen STROOP, SS Oberfuehrer. ✓ 2. Hans TRUMMLER, SS Oberfuehrer. 3. Otto SOMANN, C.O., Security Police. ✓ 4. Georg BEST, SS Sturmbannfuehrer. ✓ ✓ 5. Erwin GOSS, SS Obersturm-fuehrer. ✓ ✓ 6. Heinrich Matthias MICHELY, SS Rottenfuehrer. ✓</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 18 March 1945, at or near WALLRABENSTEIN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 17 March 1945, two or three airmen parachuted out of a United States plane in the neighborhood of WALLRABENSTEIN, Germany. One of the airmen, believed to be Jimmie R. HEATHMAN, ASN 37630603, was captured the next day by SS Rottenfuehrer MICHELY, who had been sent to search for him by his superior officer SS Obersturm-fuehrer GOSS. MICHELY marched the flyer to headquarters in WALLRABENSTEIN where he was searched and interrogated by GOSS. GOSS told MICHELY he should kill the flyer while taking him enroute to IDSTEIN, Germany. This was pursuant to instructions coming from STROOP and BEST. On the road to IDSTEIN the flyer was marching about 1 1/2 meters in front of his captor, who was armed with the former's Army pistol. MICHELY ordered the flyer to turn into a wagon path and then MICHELY fired several shots in his back. He fell and then MICHELY shot him in the head. He took the victim's identification bracelet and tags and then reported to GOSS at headquarters.

Source: 7708 War Crimes Group (Case No.12-565, GOSS (A)).

TRANSMITTED BY _____

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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0714

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0715

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. All other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0717

Registered Number.

Date of receipt in Secretariat.

4610/US/G/134

31 Jan 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS.
WAR CRIMINALS

CASE No. 375. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jurgen STROOP, SS Oberfuehrer.
2. Hans TRUMMLER, SS Oberfuehrer.
3. Otto SOMANN, C.O., Security Police.
4. ✓ Julius LASSAK, SS Standartenfuehrer. W
5. ✓ Leonard BRANNER, Kriminal Secretary, Gestapo. ✓

Date and place of commission of alleged crime.

On or about 3 October 1944, at or near GIESSEN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 3 October 1944 an unknown United States airman parachuted to safety near GIESSEN, Germany; he was apprehended and taken to the local police station. Shortly after arriving at the police station an air raid alarm was sounded and the American was taken to an air raid shelter. While in the air raid shelter, the airman was struck by Julius LASSAK, SS Standartenfuehrer, who then departed and telephoned the office of the GIESSEN Gestapo, informing them of the presence of the flyer. LASSAK returned to the shelter and informed the airman's captors that he was to be delivered to the local Gestapo for further interrogation. At the Gestapo office the flyer was delivered to Kriminal Secretary Interrogator BRANNER. In a few minutes BRANNER left the Gestapo headquarters accompanied by the American. Upon departing BRANNER said, "I still have a score to settle". BRANNER later placed a telephone call and upon completion of the call told the telephone operator "I called up because a United States flyer's body was lying near the Philosophen Forest". The body of the American was found in the Philosophen Forest and was identified as being the same American who had departed GIESSEN Gestapo headquarters with BRANNER. BRANNER admits he murdered the American. LASSAK admits striking the pilot and giving the order to deliver the American to the Gestapo in GIESSEN.

Source: 7708 War Crimes Group (Case No. 12-1872 (PHILOSOPHEN FOREST (P))).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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Page 2

PARTICULARS OF ALLEGED CRIME

0718

1570 PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. LASSAK and BRANNER carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0721

Registered Number.

Date of receipt in Secretariat.

4610/US/G/135

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 376.

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jurgen STROOP, SS Oberfuehrer.
2. Hans TRUMMLER, SS Oberfuehrer.
3. Otto SOMANN, C.O., Security Police.
4. ✓ Hans EICHEL, Member of SA and Polizei Direktor of OFFENBACH A/Main.
5. ✓ Josef Johann KIWITT, Hauptmann of Polizei, OFFENBACH.
6. ✓ Paul NAHRGANG, Hauptwachtmeister in Air Raid Protection Police, OFFENBACH.
7. ✓ Philipp HAMMANN, Hoherwachtmeister in Air Raid Protection Police, OFFENBACH.
8. ✓ Bernard FAY, Member of Air Raid Protection Police, OFFENBACH.

Date and place of commission of alleged crime.

On or about 22 February 1945, at or near OFFENBACH, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 22 February 1945 a United States airman, believed to be 2nd Lt. Archibald B. MONROE, Jr., Air Corps, AUS, ASN O-834852, parachuted to earth from his disabled B-24 and landed in the vicinity of BIEBER, Germany. He was captured and delivered to the Police Station at BIEBER. That same night Wilhelm GOEHRENDT, Meister (T/Sgt) of Police at BIEBER, ordered the flyer marched to the Command Post at OFFENBACH. Policemen MICHEL and SCHNEIDER delivered the flyer to the Police Duty Officer at OFFENBACH, who summoned KIWITT. KIWITT reprimanded the two policemen for not having already killed the flyer and ordered them to take the flyer out on the main street and kill him; this they refused to do. KIWITT then called his superior officer KUHLENBECK (believed dead), over the 'phone and was told by the latter that the flyer was to be shot on orders from Police Director EICHEL. KIWITT then ordered MICHEL and SCHNEIDER to take the flyer out and kill him.

MICHEL and SCHNEIDER then left the Police Station with the flyer and shortly
 (continued on page 2)
 TRANSMITTED BY Source: 7708 War Crimes Group (Case No.12-1892,OFFENBACH (P)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

thereafter KIWITT sent Lt. ALT to follow them to see that they executed the order. ALT overtook the three men and asked MICHEL, "How long do you intend to walk before you shoot the flyer?" MICHEL replied that they were taking him back to BIEBER.

An air raid alarm sounded at approximately that same time and the policemen marched the flyer to a nearby air raid shelter, where Police Director EICHEL's Command Post was also located. At the gate which led to the air raid shelter, the policemen called for a guard. Paul NAHRGANG, who was in charge of the Air Raid Protection Police, came and talked to the policemen. After a few words NAHRGANG called HAMMANN and FAY. NAHRGANG told them the flyer must be killed, on orders of EICHEL. FAY called for the policemen and the flyer who were standing at the gate, took a pistol from one of the policemen and began walking towards the rear of the courtyard. With the flyer were FAY, NAHRGANG, MICHEL, SCHNEIDER and possibly HAMMANN. While walking towards the back of the courtyard FAY fired two shots from his pistol and the flyer ran down the rear stairs of the courtyard toward the street. When the flyer came out on the street, HAMMANN, who had run out of the courtyard to the gate, was ready for the kill. The flyer was running, or staggering, down the street holding up his hands. HAMMANN pursued his victim and fired one shot from his carbine at about 20 meters. The flyer fell down and HAMMANN fired three more shots into the body. The victim died where he fell in the road.

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PARTICULARS OF EVIDENCE IN SUPPORT

0723

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. All the other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. All the other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0725

Registered Number.

Date of receipt in Secretariat.

4612/US/6/136

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 377. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- ✓ 1. Jurgen STROOP, SS Oberfuehrer.
- ✓ 2. Hans TRUMMLER, SS Oberfuehrer.
- ✓ 3. Otto SOMANN, C.O., Security Police.
- ✓ 4. Arthur FÜHR, Member of Gestapo.
- ✓ 5. Wilhelm HÖHLER, Kriminalsekretaer, Gestapo
- ✓ 6. Hans EICHEL, Member of SA and Polizei Direktor of OFFENBACH A/Main, Germany.
- ✓ 7. Josef Johann KIWITT, Hauptmann of Polizei, OFFENBACH, Germany.
- ✓ 8. Wilhelm ALBRECHT, Former Polizei Oberleutnant (1st Lt.) and Revierfuehrer of the Police Precinct of BIEBER, Germany.

(Continued on page 2)

Date and place of commission of alleged crime.

Between 9 December 1941 and 8 May 1945 at sundry places within the then German Reich.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The above named accused, between the 9th day of December 1941 and the 8th day of May 1945, at sundry places within the then German Reich, individually and collectively, as principals, accessories, leaders, organizers, instigators and accomplices, did engage in, formulate and participate in a common plan or design to commit, or cause to be committed, violations of the Laws of War and pursuant thereto did wilfully, deliberately and wrongfully encourage, aid, abet, order and participate in, or took a consenting part in the subjection of members of the armed forces of nations then at war with the then German Reich, to cruelties and mistreatment, including killings, beatings, tortures, abuses and indignities. The accused were members of organizations declared criminal by the International Military Tribunal.

Source: 7708 War Crimes Group (Case No.12-2000, STROOP (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.2524 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183 17 5,000 10/45

(For the Use of the Secretariat)

0725

Registered Number.

Date of receipt in Secretariat.

4612/US/G/US

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 377. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> ✓ 1. Jurgen STROOP, SS Oberfuehrer. ✓ 2. Hans TRUMMLER, SS Oberfuehrer. ✓ 3. Otto SOMANN, C.O., Security Police. ✓ 4. Arthur FUHR, Member of Gestapo. ✓ 5. Wilhelm HOHLER, Kriminalsekretaer, Gestapo ✓ 6. Hans EICHEL, Member of SA and Polizei Direktor of OFFENBACH A/Main, Germany. ✓ 7. Josef Johann KIWITT, Hauptmann of Polizei, OFFENBACH, Germany. ✓ 8. Wilhelm ALBRECHT, Former Polizei Oberleutnant (1st Lt.) and Revierfuehrer of the Police Precinct of BIEBER, Germany. <p style="text-align: right;">(Continued on page 2)</p>
<p>Date and place of commission of alleged crime.</p>	<p>Between 9 December 1941 and 8 May 1945 at sundry places within the then German Reich.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder. Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

The above named accused, between the 9th day of December 1941 and the 8th day of May 1945, at sundry places within the then German Reich, individually and collectively, as principals, accessories, leaders, organizers, instigators and accomplices, did engage in, formulate and participate in a common plan or design to commit, or cause to be committed, violations of the Laws of War and pursuant thereto did wilfully, deliberately and wrongfully encourage, aid, abet, order and participate in, or took a consenting part in the subjection of members of the armed forces of nations then at war with the then German Reich, to cruelties and mistreatment, including killings, beatings, tortures, abuses and indignities. The accused were members of organizations declared criminal by the International Military Tribunal.

Source: 7708 War Crimes Group (Case No.12-2000, STROOP (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0726

(Continued from page 1)

- ✓ 9. Hermann MÖLLER, Former Hauptwachtmeister (S/Sgt),
OFFENBACH Police.
- ✓ 10. Wilhelm Friedrich GOEHRENDT, Former Meister (T/Sgt),
BIEBER Police.
11. Paul NAHRGANG, Former Hauptwachtmeister in Air Raid
Protection Police, OFFENBACH a/M.
- ✓ 12. Philipp HAMMANN, Former Hoherwachtmeister in Air Raid
Protection Police, OFFENBACH a/M.
- ✓ 13. Bernard FAY, Member of Air Raid Protection Police,
OFFENBACH a/M.
- ✓ 14. Georg BEST, SS Sturmabfuhrer, former Stabsfuhrer
of Wehrwolfsschule, TIEFENTHAL, Germany.
- ✓ 15. Erwin GOSS, SS Obersturmfuhrer, former CO of Wehrwolfsschule,
WALLRABENSTEIN, Germany.
- ✓ 16. Heinrich Matthias MICHELY, SS Rottenfuhrer, former member
of Wehrwolfsschule, WALLRABENSTEIN, Germany.
- ✓ 17. Leonard BRANNER, German national, former Kriminal Secretary,
GIESSEN Gestapo, GIESSEN, Germany.
- ✓ 18. Julius LASSAK, German national, former SS Standartenfuhrer,
assigned to SS Gestapo Police, GIESSEN, Germany.
- ✓ 19. Fritz GIRKE, German national, Obersturmbannfuhrer, Chief of
Darmstadt-Bensheim Gestapo.
- ✓ 20. Heinz HELLENBROICH, German national, SS Obersturmbannfuhrer,
assistant to Fritz GIRKE.
- ✓ 21. Karl Franz STATTMANN, German national, SS Oberscharfuhrer,
assigned to Darmstadt-Bensheim Gestapo.
- ✓ 22. Michael RAAF, German national, SS Sturmscharfuhrer, assigned
to Darmstadt-Bensheim Gestapo, BENSHEIM, Germany.

PARTICULARS OF EVIDENCE IN SUPPORT

0727

NOTES ON THE CASE

0728

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) .The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER, and their responsibility was of the highest. All other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0729

Registered Number.

Date of receipt in Secretariat.

4613/US/G/137

1 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES	CHARGES AGAINST	WAR CRIMINALS
	CHARGES AGAINST GERMAN	WAR CRIMINALS

CASE No. 378 *

Name of accused, his rank and unit, or official position. (Not to be translated.)	1. Jurgen STROOP, SS Oberfuehrer 2. Hans TRUMMLER, SS Oberfuehrer ✓ 3. Otto SOMANN, C.O., Security Police 4. Arthur FUHR, Member of Gestapo ✓
Date and place of commission of alleged crime.	On or about 30 December 1944, at or near DELKENHEIM, Germany...
Number and description of crime in war crimes list. References to relevant provisions of national law.	Murder Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 29 December 1944 a United States airman, believed to be Robert W. GARRISON, ASN 33355463, parachuted out of a disabled bomber near LANGENHAIM, Germany. He was taken prisoner and placed overnight in the city jail at EPPSTEIN. The next day, 30 December, he was taken to Gestapo Headquarters, WIESBADEN, Germany, where he was interrogated and beaten. That afternoon SS Oberfuehrer TRUMMLER gave orders to take GARRISON out after dark in the official car and shoot him. That night Arthur FUHR and Richard FRAUND (believed dead) drove the flyer out on the Wiesbaden-Frankfurt road and stopped near DELKENHEIM. FRAUND and FUHR stepped out of the car with the airman and each fired one shot at him, killing him instantly. FRAUND and FUHR notified the Gerdarmerie of WALLAU FUHR reported to TRUMMLER that the order had been carried out.

Source: 7708 War Crimes Group (Case No. 12-2127 GARRISON (V))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252.4 5,000 5/45 A. & E. W. Ltd. Gp.685
 (30449) Wt.P.1183.17 5,000 10/45

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Page 2

PARTICULARS OF ALLEGED CRIME

0730

OFFICIAL USE

0731

PARTICULARS OF EVIDENCE IN SUPPORT

0731

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HEIMLER. FUHR carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0733

Registered Number.

Date of receipt in Secretariat.

4604/US/G/138

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 379 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Jurgen STROOP, SS Oberfuehrer
- 2. Hans TRUMMLER, SS Oberfuehrer ✓
- 3. Otto SOMANN, C.O., Security Police
- 4. Wilhelm HOHLER, Kriminalsekretaer, Gestapo ✓
- 5. Arthur FUHR, Member of Gestapo ✓

Date and place of commission of alleged crime.

On or about 19 October 1944, at or near WIESBADEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 19 October/1944 a United States airman, believed to be Willard F. PERRY, T/Sgt, ASN 36591162, bailed out of a disabled bomber and landed in the vicinity of MAINZ, Germany, and was captured and taken to WIESBADEN, Germany. On the instructions of TRUMMLER, FUHR and HOHLER took the flyer out, after darkness, and drove to a point about 12 kilometers outside WIESBADEN where the car was stopped and the aviator was ordered out of the car and shot. The body of the victim was left on the road. FUHR drove HOHLER to WALLAU, Germany, and the local gendarme at WALLAU was given the order to bury the flyer. After delivering the instructions for the burial, FUHR and HOHLER returned to WIESBADEN and reported to TRUMMLER that the order had been executed.

Source: 7703 War Crimes Group (Case No. 12-2182 DELLWIG (A))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) Wt.P.1153.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. HOHLER and FUHR carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

(For the Use of the Secretariat)

0737

Registered Number.

Date of receipt in Secretariat.

465/US/G/139

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 380. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Jurgen STROOP, SS Oberfuehrer.
2. Hans TRUMMLER, SS Oberfuehrer.
3. Otto SOMANN, C.O., Security Police.
- ✓ 4. Hans EICHEL, Member of SA and Polizei Direktor of OFFENBACH A/Main.
- ✓ 5. Josef Johann KIWITT, Hauptmann of Polizei, OFFENBACH.
6. Wilhelm ALBRECHT, Polizei Oberleutnant (1st Lt) and Revierfuehrer of Police Precinct, BIEBER.
- ✓ 7. Hermann MÜLLER, Hauptwachtmeister (S/Sgt) OFFENBACH Police.
8. Wilhelm Friedrich GOEHRENDT, Meister (T/Sgt), BIEBER Police.

Date and place of commission of alleged crime.

On or about 22 February 1945, at or near BIEBER, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 22 February 1945 a United States airman, believed to be William A. DUKE, 2nd Lt., Air Corps, AUS, ASN O-825602, parachuted to earth in the vicinity of BIEBER, Germany. He was captured and taken to the BIEBER Police Station, where he was turned over to ALBRECHT, GOEHRENDT, LUCK and DIETRICH. Shortly thereafter EICHEL and KIWITT arrived. KIWITT called the policemen in the office "cowards" because the flyer was still living. EICHEL ordered ALBRECHT to have the flyer killed. ALBRECHT announced to the policemen who were present that, "This man has to be shot by order of the Police Direktor EICHEL. Who will volunteer for it?" Nobody volunteered. EICHEL then called MOLLER into the next room and ordered him to shoot the flyer. The flyer was marched out of the Police Station by ALBRECHT and MOLLER; the group was joined by GOEHRENDT who was asked by ALBRECHT to keep the crowd of people back. MOLLER carried a German carbine and the others had pistols. The flyer walked a little ahead of MOLLER; GOEHRENDT followed them on the left side of the road, and ALBRECHT and COMO (the flyer's captor) were on the right side. (Continued on page 2)

TRANSMITTED BY Source: 7708 War Crimes Group (Case No.12-3188, OFFENBACH (P)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252/4 5,000 5/45 A.& E. W.Ltd. Gp.685
(30449) Wt.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

SHORT STATEMENT OF FACTS
(Continued from page 1)

A short distance out of BIEBER, Germany, MOLLER directed the flyer to walk off the road to the right into a wooded section. The balance of the group were slightly behind and waited on the road. After MOLLER and the flyer had walked into the woods a short distance, MOLLER fired one shot from his carbine into the victim, who was walking about 10 meters ahead of him. The flyer fell to the ground and MOLLER fired a second shot into his head, killing him. The victim did not attempt to escape prior to the shooting.

Later that same day KIWITT made MOLLER accompany him to the body as he wanted to make certain that the order to kill the flyer had been carried out. The body was buried three or four days later in the new cemetery at OFFENBACH, Germany.

005 PARTICULARS OF EVIDENCE IN SUPPORT

0739

NOTES ON THE CASE

0740

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused Jurgen STROOP, Hans TRUMMLER and Otto SOMANN were the Gestapo officials who passed on the orders they received from HITLER and HIMMLER. All the other accused carried out the orders with full knowledge that such orders were murder.
- (b) The probable defense of each accused will be superior orders.
- (c) The case appears to be reasonably complete.

4616/US/G/140

0741

MENRATH, Christian
and 2

Date Submitted	Decision of Committee I	CARDS CHECKED LIST 53
6 FEB 1947	1.2 : A	B

4616/US/G/140

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0742

Registered Number.

Date of receipt in Secretariat.

4616/45/5/140

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 381 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Christian MENRATH, German national, SturmFuehrer in SA
2. Otto KNOFF, German national, Kreisleitung, Administrative clerk.

Date and place of commission of alleged crime.

On or about 29 March 1945, near BERGISCH-GLADBACH, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 27 March 1945, an United States airman, believed to be George F. Brown, Jr., 2nd Lt., USAAF, ASN O-831104, parachuted from his disabled plane at or near KURTEN, Germany. BROWN immediately surrendered and was taken into custody by Stephen SCHODDER, who turned him over to Wilhelm ALDINGER, (deceased), the former Kreisleiter of ODENTHAL, Germany. On or about 29 March 1945, under orders from ALDINGER, MENRATH, KNOFF, and Alfred MEISSEN, (deceased) took the flyer by automobile to a point near BERGISCH-GLADBACH, Germany, where all four men got out of the car. KNOFF stood guard while MENRATH and MEISSEN directed the victim to a bomb crater and there, on MEISSEN's order to shoot, MENRATH fired several shots into the victim, killing him. MEISSEN then fired a few more shots into the fallen airman to make sure that he was dead.

Source: 7708 War Crimes Group (Case No. 12-765, BERGISCH-GLADBACH (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0743

[The body of the document contains several paragraphs of text that are extremely faint and illegible due to the quality of the scan. The text appears to be organized into sections, possibly separated by headings or bullet points, but the specific content cannot be discerned.]

PARTICULARS OF EVIDENCE IN SUPPORT

0744

(a) [Faint, illegible text]

(b) [Faint, illegible text]

(c) [Faint, illegible text]

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) MENRATH shot the victim on orders given by MEISSEN. KNOFF apparently aided and abetted in the commission of the murder on orders given by ALDINGER.
- (b) MENRATH will probably assert that he killed the victim on the orders given by MEISSEN and ALDINGER. He will also probably assert that the victim attempted to escape. KNOFF will probably claim ignorance of the intention to kill the flyer and that after the shooting started he tried to stop it.
- (c) The case appears to be reasonably complete.

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4617/US/G/141

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WIPPERMAN, Enoch

Date Submitted Decision of Committee I

6 FEB 1947

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CARDS CHECKED LIST 55

4617/US/G/141

(For the Use of the Secretariat)

0747

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Date of receipt in Secretariat.

4617/US/G/141

31 JAN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CHARGES AGAINST

WAR CRIMINALS

CASE NO.

382

*

CASE No.

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erich WIPPERMANN Lieutenant in the German Army

Date and place of commission of alleged crime.

On or about 16 April 1945, near HILDEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 April 1945, at or near HILDEN, Germany, three United States members of the 13th Armored Division of the United States Army, believed to be 2nd Lt. Hugh L. McINNIS, ASN 0-555568, T/4 Robert K. WHITING, ASN 39194659, and Pfc. Rex SABIN, ASN 17078810, surrendered to Lieutenant WIPPERMANN and other German soldiers. WIPPERMANN marched the three prisoners to a ditch, lined them up with their backs toward him, and fired several shots into the back of the heads of two of the victims, killing them. At the same time he ordered BACHMANN to shoot the third American prisoner. BACHMANN obeyed the order, killing the third victim. Lieutenant HAGENBUCH fired another shot into one of the victims who was still moaning.

Source: 7708 WAR CRIMES GROUP (Case No. 12-966 McINNIS (V)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29055) Wt.P.2524 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) Wt.P.1183 17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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0750

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) WIPPERMANN killed the American prisoners of war on his own initiative. The other two perpetrators, HAGENBUCH and BACHMANN, have not yet been apprehended and, therefore, are not being tried at this time.
- (b) WIPPERMANN will probably claim that he killed the Americans in self-defense.
- (c) The case appears to be reasonably complete.

5752/US/G/142

0751

ERB, Heinrich

Date Submitted Decision of Committee I

Date Submitted	Decision of Committee I		CARDS CHECKED LIST 54
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4752 / US / G / 142

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 383 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich ERB, Burgermeister - Ortsgruppenleiter

Date and place of commission of alleged crime.

On or about 1 December 1944, at or near BELTERSHAIN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.
Violation of Par. 1(d), Article II of Control Council Law No.10.

SHORT STATEMENT OF FACTS.

On or about 1 December 1944, four United States flyers were captured near BELTERSHAIN, Germany and taken to the house of ERB. ERB ordered them killed and organized a party of himself and three others. The flyers were taken about one kilometer from BELTERSHAIN on a road to GRUENBERG, Germany, U.S. Zone, and shot and killed by ERB and his party. One of the victims is believed to be 2nd Lt. Thomas K. KOHLHASS, O-835664, AC, and the other three are unknown.

Source: U.S. War Crimes Group (Case No.12-468 BELTERSHAIN (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.2524 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) WLP.1183.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0754

NOTES ON THE CASE

0755

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) ERB apparently committed the crime in accordance with orders issued by the Kreisleiter of GEISSEN, Germany.
- (b) The defense will be that he acted on superior orders.
- (c) The case appears to be reasonably complete.

4753/US/G/143

0756

SCHMIDT, Adolf
and 2

Date Submitted	Decision of Committee I	B	CARDS CHECKED LIST 54
6 MAR 1947	1, 2 : A	B	

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(For the Use of the Secretariat)

0757

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Date of receipt in Secretariat.

4753/US/G/143

8 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMANY WAR CRIMINALS

CASE No. 384 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Adolf SCHMIDT, SS Oberscharfuehrer, Kriminal Assistant
2. Erich HINKEL, SS Hauptscharfuehrer

Date and place of commission of alleged crime.

On or about 18 March 1945 near WINTERKASTEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 18 March 1945, a United States flyer, believed to be 2nd Lt. Robert L. VAN HORN, ASN, O-715064, crash landed his P-51 airplane near REICHELSEHEIM, Germany, United States Zone, and immediately surrendered to one Jakob HOFMANN, who gave orders to Peter DINGELDEIN to take the American to a doctor and have his minor injury dressed. DINGELDEIN, in company with the pilot, started off to the doctor's office. Enroute one Karl GOTZ demanded and obtained custody of the flyer. GOTZ was later joined by Dr. Kurt VOLLMERING and both proceeded with the American to LINDENFELS, Germany, United States Zone. At the Hotel Odenwald in LINDENFELS, GOTZ telephoned the Bensheim Gestapo and was informed that they would dispatch a motorcycle to pick up the prisoner. GOTZ and Dr. VOLLMERING later turned the American over to Oberscharfuehrer Adolf SCHMIDT, who placed him in the side-car of a motorcycle and with Erich HINKEL driving and SCHMIDT on the tandem seat they proceeded in the direction of WINTERKASTEN, Germany. After passing through WINTERKASTEN, they approached a small woods near a cemetery and HINKEL gave SCHMIDT the order to shoot the pilot. SCHMIDT drew his revolver and fired three shots through the head of Lt. VAN HORN, killing him instantly.

Source: U.S. War Crimes Group (Case No. 12-1217, WINTERKASTEN (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0758

PARTICULARS OF EVIDENCE IN SUPPORT

0759

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) SCHMIDT shot the victim on orders given by HINKEL.
- (b) SCHMIDT will probably interpose the defense of superior orders from HINKEL. HINKEL will deny that he gave any order to SCHMIDT to shoot the victim and will further deny having any knowledge that SCHMIDT was going to kill the victim. Both accused will probably interpose the defense of superior orders by the Obersturmbannfuhrer, of the Bensheim Gestapo.
- (c) The case appears to be reasonably complete.

4754/US/G/144

0761

SEIBOLD, Hans
and G 3

Date Submitted	Decision of Committee I	B	CARDS CHECKED LIST 54
6 MAR 1947	1-3-A	B	LIST 54

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4754/US/G/144

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 385 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Hans SEIBOLD, Kreisleiter
- 2. Albert SCHRAFF, Burgermeister and Ortsgruppenleiter
- 3. Fritz MULLER, Soharfuehrer, Allgemeine SS

Date and place of commission of alleged crime.

On or about 22 July 1944, near FRIEDRICHSHAFEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.
Violation of Paragraph 1(d), Article II, of Control Council Law No. 10

SHORT STATEMENT OF FACTS.

On or about 20 July 1944 a United States airman, believed to be 2nd Lt. Arthur M. SCOTT, bailed out of his disabled bomber near AILINGEN, Germany, French Zone. He was taken prisoner by Albert SCHRAFF, former Burgermeister of Ailingen, member of the SS, who placed him in the jail at AILINGEN. Subsequently SCHRAFF communicated with Hans SEIBOLD, Kreisleiter of FRIEDRICHSHAFEN, Stating he wanted orders from SEIBOLD for the disposition of the flyer. SEIBOLD sent a message back that the orders of Martin BORMANN should be carried out and that "there were so many possibilities". SCHRAFF showed MULLER, member of the Allgemeine SS, the order of SEIBOLD on the night of 21 July 1944 and the following night SCHRAFF and MULLER took the flyer in SCHRAFF's car to the rifle range near FRIEDRICHSHAFEN. MULLER was armed with a pistol. SCHRAFF stopped the car. MULLER ordered the flyer out and SCHRAFF drove his car a distance of 200 feet supposedly to turn around. He heard the sound of shots, turned, and found the flyer killed and MULLER standing near him.

Source: U.S. War Crimes Group (Case No. 12-931 AILINGEN (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) Wt.P.252.4 5,000 5/45 A. & E. W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused apparently committed the offense in compliance with superior orders.
- (b) MULLER will claim that although he was present at the shooting, he did not fire the shots. SEIBOLD And SCHRAFF will deny issuing any orders to kill the airman.
- (c) The case appears to be reasonably complete.

4755/US/G/145

0766

RUMPF, Karl Hermann Fritz

Date Submitted	Decision of Committee I	
6 MAR 1947	A	B
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0767

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28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 386 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Karl Hermann Fritz RUMPF, Unterscharfuehrer in the Allgemeine SS, Sturmann in the Waffen SS</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 28 September 1944, near DETTUM, Germany</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War</p>

SHORT STATEMENT OF FACTS.

At approximately 1200 hours on or about 28 September 1944, a United States flyer, believed to be Douglas E. HICKS, T/Sgt., AUS, ASN 31262527, safely parachuted to earth in the vicinity of DETTUM, Germany, British Zone, landing in a field approximately 1200 meters east of DETTUM. A few minutes later RUMPF appeared on the scene with a carbine in his hands, approached the flyer and ordered away other persons from the scene. The flyer began walking in the direction of RUMPF with his hands raised. RUMPF fired a shot at the flyer which missed, the victim then started moving away from him. The accused then shot at the flyer two or three more times, killing him. After the shooting RUMPF said "I have just fired my best shot in a long time". The victim was not armed, offered no resistance to capture and did not attempt to escape. The body was buried in the church-yard at DETTUM. On 3 May 1945 it was exhumed by the American Graves Registration Command and on 6 May reburied at the United States Military Cemetery in MARGRATEN, Holland.

Source: U.S. War Crimes Group (Case No.12-1108 DETTUM (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) The accused RUMPF will claim that the flyer was attempting to escape.
- (c) The case appears to be reasonably complete.

4756/US/G/146

0771

KUEHNE, Otto

Date Submitted

Decision of Committee I

MAR 1947

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0772

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4756/US/G/148

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 387 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Otto KUEHNE, German national</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 18 March 1945 near ROSCHE, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

At approximately 1300 hours on or about 18 March 1945, a United States airman, believed to be Ernest J. BUTLIN, ASN 1104427, parachuted to earth near ROSCHE, Germany, British Zone. He was captured by Otto KUEHNE and several other members of the local ARBEITSDIENST. KUEHNE was armed with a pistol and several of the others were armed with carbines or rifles. The airman, limping from his injuries, was marched towards the Arbeitsdienst Camp near ROSCHE, a distance of approximately 4 or 5 kilometers. On the way, they passed by a home which had been bombed and was still burning. KUEHNE accused the flyer of being responsible for setting fire to the house. A few minutes later, while being led across a field, the flyer fell down two or three times and was hit with a rifle butt by members of the Arbeitsdienst. After they proceeded a short distance from the burning house, the flyer was shot in the back of the head by KUEHNE and instantly killed. The flyer had his hands above his head at all times and made no attempt to resist or to escape.

Source: U.S. War Crimes Group (Case No. 12-1792 ROSCHE (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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<p>1. Name of accused</p> <p>2. Name of victim</p> <p>3. Name of place</p> <p>4. Name of date</p> <p>5. Name of time</p> <p>6. Name of nature of crime</p> <p>7. Name of details of crime</p> <p>8. Name of name of accused</p> <p>9. Name of name of victim</p> <p>10. Name of name of place</p> <p>11. Name of name of date</p> <p>12. Name of name of time</p> <p>13. Name of name of nature of crime</p> <p>14. Name of name of details of crime</p> <p>15. Name of name of name of accused</p> <p>16. Name of name of name of victim</p> <p>17. Name of name of name of place</p> <p>18. Name of name of name of date</p> <p>19. Name of name of name of time</p> <p>20. Name of name of name of nature of crime</p> <p>21. Name of name of name of details of crime</p>	<p>1. Name of accused</p> <p>2. Name of victim</p> <p>3. Name of place</p> <p>4. Name of date</p> <p>5. Name of time</p> <p>6. Name of nature of crime</p> <p>7. Name of details of crime</p> <p>8. Name of name of accused</p> <p>9. Name of name of victim</p> <p>10. Name of name of place</p> <p>11. Name of name of date</p> <p>12. Name of name of time</p> <p>13. Name of name of nature of crime</p> <p>14. Name of name of details of crime</p> <p>15. Name of name of name of accused</p> <p>16. Name of name of name of victim</p> <p>17. Name of name of name of place</p> <p>18. Name of name of name of date</p> <p>19. Name of name of name of time</p> <p>20. Name of name of name of nature of crime</p> <p>21. Name of name of name of details of crime</p>
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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) KUEHNE committed the offense on his own initiative.
- (b) KUEHNE will claim that the airman attempted to escape.
- (c) The case appears to be reasonably complete.

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0776

GEGGUS, Karl
and 64

Date Submitted

Decision of Committee I

6 MAR 1947

1-4 : A for
ill-treatment of POW

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CARDS CHECKED LIST List 54

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0777

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28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 388 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl GEGGUS, Gendarmeriemeister
2. Oskar MATT, Burgermeister
3. Peter ETSCH, Polizeimeister
4. Heinrich SCHMITT, Landwachtman

Date and place of commission of alleged crime.

On or about 31 July 1944 near HEDDESHEIM, Germany.

Number and description of crime in war crimes list.

Assault.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 31 July 1944 an unknown United States airman safely parachuted to earth from his disabled plane in the vicinity of HEDDESHEIM, Germany, United States Zone, and was captured by Philipp GASSNER. German soldiers arrived on the scene, put the airman in a truck and drove towards HEDDESHEIM. The truck was stopped by the accused Gendarmeriemeister GEGGUS who was accompanied by Burgermeister MATT, Polizeimeister ETSCH and Landwachtman Heinrich SCHMITT. GEGGUS and ETSCH demanded custody of the airman and pulled him off the truck. GEGGUS then struck the victim in his face from 2 to 5 times with his hands, causing the flyer's face to register pain. MATT kicked him once or twice in the buttocks. ETSCH hit the flyer in his back 3 to 5 times with the butt of his carbine while SCHMITT did the same from 1 to 4 times. The airman fell to his knees trying to shield himself with his arms. GEGGUS and ETSCH kicked the victim while he was on the ground. As a result of the beating the flyer did not bleed but his face was red and registered pain.

Source: U. S. War Crimes Group (Case No. 12-1930, Muckensturm (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All the accused committed the offense on their own initiative.
- (b) The accused will probably deny the assaults or attempt to minimize them.
- (c) The case appears to be reasonably complete.

4758/US/G/148

0781

SCHIENKIEWITZ, Erwin Wilhelm Konrad
and Co S

Date Submitted	Decision of Committee I		CARDS CHECKED LIST 54
6 MAR 1947	1-5 : A	B	

4758/US/G/148

(For the Use of the Secretariat)

0782

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4758/US/G/148

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 389 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erwin Wilhelm Konrad SCHIENKIEWITZ, SS Hauptscharfuhrer
2. Horst HORSTMANN, Obersturmbannfuhrer
3. WAHL, SS Hauptsturmfuehrer
4. William SCHNEIDER, German non-com.
5. SCHAEFFER, German non-com.

Date and place of commission of alleged crime.

On or about 17 June 1944, near MONTMARTIN EN CRAIGNES, France.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.
Violation of Paragraph 1(d), Article II, of Control Council Law No.10.

SHORT STATEMENT OF FACTS.

On or about 17 June 1944, Hqs. Co. 38th Reg., 17th Panzer Gren. Div. Goetz von Berlichingen, was in position near MONTMARTIN EN CRAIGNES, France, under the command of Obersturmbannfuhrer Horst HORSTMANN. During the morning of said day approximately 70 American prisoners of war were received by the regiment and were summarily interrogated by HORSTMANN and his adjutant, a certain SS Hauptsturmfuehrer WAHL. HORSTMANN and WAHL segregated two of the Americans, whose names and identities are unknown, and ordered that they be killed in reprisal for the garrotting of two German soldiers the night before. Accused Erwin SCHIENKIEWITZ was designated by HORSTMANN to comply with the order and attend to the details. SCHIENKIEWITZ appointed William SCHNEIDER and (FNU) SCHAEFFER, two non-coms, to perform the executions. SCHNEIDER and SCHAEFFER murdered the Americans under SCHIENKIEWITZ' supervision and disposed of the bodies by burying them in unmarked graves in woods near the bivouac area.

Source: U.S. War Crimes Group (Case No.11-18, Schienkiewitz).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) WLP.252/4 5,000 5/45 A. & E., W.Ltd. Gp.685
(30449) WLP.1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

0783

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) SCHIENKIEWITZ committed the offense on the orders from his superior officer, SS Obersturmbannfuehrer Horst HORSTMANN, who is now believed to be dead.
- (b) His defense will probably be that he only complied with an order from his superior officer.
- (c) The case appears to be reasonably complete.

4759/US/G/149

0786

KIRCHNER, Karl Adam
and 2

Date Submitted	Decision of Committee	B	CARDS CHECKED LIST 54
6 MAR 1947	1, 2 : A		

4759/US/G/149

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0787

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28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 390 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. KIRCHNER, Karl Adam, Untersturmfuhrer in the Waffen SS.
- 2. WOLF, Hugo, Unterscharfuhrer in the Waffen SS.

Date and place of commission of alleged crime.

On or about 10 June 1944, at or near ST. SULPICE SUR RISLE, France.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War
Violation of Paragraph 1(d), Article II, of Control Council Law No.10.

SHORT STATEMENT OF FACTS.

On or about 10 June 1944, a United States flyer believed to be 2nd Lt. Daniel P. LOYD was captured near RUGLES, France by unknown personnel of the 12th Panzer-Division, and was taken by his captors to the courtyard of Jules MEDO. KIRCHNER, town commander, conversed with WOLF, who insisted the flyer be killed. He was then taken to the SS Company Hq. at ST. SULPICE SUR RISLE, France. KIRCHNER ordered WOLF to shoot the prisoner. WOLF led the flyer into the garden and shot him with a burst of five or six shots from a machine pistol while KIRCHNER watched. The flyer died instantly.

Source: U.S. War Crimes Group (Case No.11-96, St. SULPICE SUR RISLE (P))

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(20655) Wt. P. 252/4 5,000 5/45 A. & B. W. Ltd. Gp. 685
(30449) Wt. P. 1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

0788

PARTICULARS OF EVIDENCE IN SUPPORT

0789

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) KIRCHNER apparently acted on his own initiative. WOLF committed the crime on his own initiative and the orders of KIRCHNER, his superior officer.
- (b) WOLF will claim that he obeyed the order of his superior officer, KIRCHNER, and was executing the sentence of a legal court order which sentenced the flyer to death.
- (c) The case appears to be reasonably complete.

4760/US/G/150

0791

HANSELMANN, Friedrich

Date Submitted	Decision of Committee I	CARDS CHECKED LIST 54
6 MAR 1947	A for illtreatment of POW.	B

4760/US/G/150

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4760/US/G/150

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 391 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Friedrich HANSELMANN, German civilian

Date and place of commission of alleged crime.

On or about 8 April 1945 near HOF, Germany.

Number and description of crime in war crimes list.

Assault.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 8 April 1945 a United States flyer, S/Sgt. Edward SUPE, parachuted out of a disabled bomber in the vicinity of HOF, Germany, United States Zone. He landed near the home of a one-armed German farmer named Friedrich HANSELMANN who attacked him with a stick approximately two and a half feet long and three quarters of an inch thick. SUPE, who was attempting to surrender to HANSELMANN, was struck three or more times receiving three wounds on the head, five to ten centimeters long and a fractured hand. He was so weak from the beating that he was assisted by HANSELMANN and two soldiers to the city of HOF, treated there and later sent by the Luftwaffe to BAMBERG, Germany, United States Zone.

Source: U.S. War Crimes Group (Case No.12-1119, HOF (P)).

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(30449) W.P.1183.17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

0793

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) HANSELMANN will probably claim that he struck the flyer in self-defense. He will probably minimize the force and severity of the blows he struck and will probably deny that the flyer was rendered unconscious thereby.
- (c) The case appears to be reasonably complete.

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0796

HARTMAN, Kurt
and 53

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6 MAR 1947	1-3 : A	5

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28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 392

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Kurt HARTMAN, German national.
2. Otto HEENE, Landwachtfuhrer.
3. Emil HOFMANN, Ortsgruppenleiter.

Date and place of commission of alleged crime.

On or about 24 December 1944, near FREIENSEEN, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 24 December 1944, in the vicinity of FREIENSEEN, Germany, United States Zone, an unknown United States airman parachuted to earth and was taken into custody by Otto HEENE. HOFMANN soon appeared on the scene. HARTMAN incited the crowd saying that the airman should be killed. Shortly thereafter, HEENE began marching the flyer down the road to LAUBACH, Germany. HOFMANN soon followed with a revolver in his hand. Shortly thereafter, HOFMANN, without justification, jumped up behind the victim, fired one shot from a revolver into his back and a second shot in the region of his neck causing the victim to fall to the ground, but he did not die immediately. HOFMANN left the scene and shortly thereafter returned with a wagon, upon which the unconscious victim was loaded. HOFMANN and HEENE, with the wagon and victim, then proceeded on the road toward LAUBACH. After driving a short distance, the wagon was stopped and HEENE fired one shot from his revolver into the victim's temple, killing him.

Source: U.S. War Crimes Group (Case No. 12-1774, FREIENSEEN (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE


(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) HOFMANN apparently committed the crime in pursuance of superior orders issued by the SS Reichsfuehrung. HEENE and HARTMANN acted on their own initiative.
- (b) HOFMANN will probably claim that the flyer attempted to escape and will also claim that he acted on superior orders. HEENE will deny that he fired the fatal shot and will also deny that he had any knowledge that HOFMANN intended to kill the flyer. HARTMAN will deny making the statements that the flyer should be killed.
- (c) The case appears to be reasonably complete.

4762 / US / G / 152

0801

BUHLER, Robert
and 54

Date Submitted	Decision of Committee I	CARDS CHECKED LIST 54
6 MAR 1947	1-4: A	

4762 / US / G / 152

(For the Use of the Secretariat)

0802

Registered Number.

Date of receipt in Secretariat.

4762/US/G/152

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 393 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Robert EUHLER, Gefreiter
2. Kurt KUHNERT, SA Scharfuehrer
3. Helmuth LIPPMANN, Standartenfuehrer
4. EBERT, male nurse at City Hospital, Wolfsburg, Germany

Date and place of commission of alleged crime.

On or about 29 June 1944 near WOLFSEBURG, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 29 June 1944, a United States airman, believed to be 2nd Lt. Sidney A. BENSON, ASN O-818558, bailed out over WOLFSEBURG, Germany, British Zone. He was captured by a German soldier and turned over to the Hitler Youth leader, LIPPMANN. While marching the flyer toward the town, LIPPMANN fired three or four shots at his prisoner. The flyer fell, and LIPPMANN left him in charge of a mob consisting chiefly of air-raid wardens. The mob, which included EUHLER and KUHNERT beat the flyer unconscious. Thereafter one EBERT, a male nurse at the city hospital, roughly put the victim on a stretcher and he was taken to the hospital after having been left in a garage. It was ordered that the victim be given the standard opiate of 1c.c. of morphine. The nurse EBERT, however, gave not one but ten c.c., a lethal dose so that the flyer died immediately thereafter.

Source: U.S. War Crimes Group (Case No.12-1866, WOLFSEBURG (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.252/4 5,000 5/45 A.& E.W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on their own initiative.
- (b) BUHLER will enter a general denial. KUHNERT will deny participating in the assault and assert his admission of the killing was an idle boast. LIPPMANN will assert the flyer attempted to escape.
- (c) The case appears to be reasonably complete.

4763/US/G/153

0806

WEISS, Bruno

Date Submitted	Decision of Committee I	CARDS CHECKED LIST 54
6 MAR 1947	A	B

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(For the Use of the Secretariat)

0807

Registered Number.

Date of receipt in Secretariat.

4763/US/G/153

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 394 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Frans WEISS, Hauptfeldwebel in German Army

Date and place of commission of alleged crime.

On or about 27 February 1945, near EBNET, near FREIBURG in BREISGAU, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 27 February 1945, a United States flyer, believed to be Sgt. Felix W. KOLASINSKI, ASN 35331002, safely parachuted to earth from a disabled plane in the vicinity of EBNET, near FREIBURG, Germany, French Zone, and was taken into custody by forester Anton PFAFF and Franz MADAJ. Immediately thereafter PFAFF began marching the surrendered flyer to a nearby German military detachment. Enroute they were approached by Hauptfeldwebel Franz WEISS and Oberfeldwebel Alfons MENZEL, who was about 15 paces behind WEISS. When approximately ten to twenty meters from the flyer, WEISS, without justification, raised his pistol and shot the airman in his head, causing him to fall face down on the ground. Then, at close range, WEISS fired a second shot into the victim's head, killing him.

Source: U.S. War Crimes Group (Case No. 12-1885 EBNET (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.252/4 5,000 5/45 A.&E. W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) WEISS committed the crime on his own initiative.
- (b) WEISS will probably assert that the flyer attempted to escape.
- (c) The case appears to be reasonably complete.

4764/US/G/154

0811

HESS, Karl
and 2

Date Submitted

Decision of Committee I

6 MAR 1947

1.2 : A for illtreatment
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CARDS CHECKED LIST 54

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(For the Use of the Secretariat)

0812

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Date of receipt in Secretariat.

4764/US/G/154

28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

WAR CRIMINALS

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 395 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl HESS, German civilian
2. Rudolf KUFER, German civilian, former burgermeister.

Date and place of commission of alleged crime.

On or about May 1944 near BLOFELD, Germany

Number and description of crime in war crimes list.

Assault

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about May 1944, two unknown American flyers landed by parachute approximately 50-150 meters apart in the vicinity of BLOFELD, Germany, U.S. Zone. Karl HESS and Burgermeister Rudolf KUFER were among the first to arrive. A crowd soon gathered. One of the flyers was standing with his hands over his head offering no resistance. HESS beat the flyer a number of times with a hoe, with such severity that the flyer fell to the ground. KUFER punched the flyer in the face until he bled from his mouth.

KUFER then walked over to the second flyer and hit him in the face twice with his fist. The flyer staggered but did not fall or bleed. Both flyers were then led to KUFER's house. The first flyer was bleeding and was unable to walk without assistance.

Source: U.S. War Crimes Group (Case No.12-2662, BLOFELD (P))

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(29855) W.L.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.L.P.11-3 17 5,000 10/45

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PARTICULARS OF EVIDENCE IN SUPPORT

0814

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Both the accused beat the victim on their own initiative.
- (b) It is doubtful whether either of the perpetrators will try to deny the charges in view of their admissions and the overwhelming weight of evidence against them.
- (c) The case appears to be reasonably complete.

4765/US/6/155

0816

Date Submitted

Decision of Committee I

16 MAR 1947

A for ill-treatment
of POW

B

CARDS CHECKED LIST 54

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28 FEB 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 396 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Michael KUHN, Feldwebel, German Wehrmacht

Date and place of commission of alleged crime.

On or about 12 July 1944, near GARMISCH, Germany.

Number and description of crime in war crimes list.

Assault

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 12 July 1944, a United States bomber crashed at the base of ~~Waffenstein~~ Mountain near GARMISCH, Germany, U.S. Zone. Several unknown flyers bailed out and landed safely in the vicinity. Two of these unknown Americans surrendered without resistance to Hauptfeldwebel Josef HUBER, and were being marched by him to the German barracks in the town, when suddenly the accused Feldwebel Michael KUHN appeared on a bicycle; dismounted; ran to one of the flyers, who was walking in front with his hands above his head, and beat him in the face with his fists. HUBER stopped the assault as soon as possible, but the airman had received several blows in his face, and was bleeding profusely from the nose and mouth. KUHN's bruised hands, which were covered with blood, were displayed and he bragged to bystanders saying that he "should have killed this murderer and gangster".

The victim is unidentified, other than that he was an American and his fate is unknown.

Source: U.S. War Crimes Group (Case No. 12-2804 KUHN (A))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) W.P.1183.17 5,000 10/45

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PARTICULARS OF ALLEGED CRIME

0818

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PARTICULARS OF EVIDENCE IN SUPPORT

0819

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) The accused KUHN will not deny striking the flyer. No defense is expected.
- (c) The case appears to be reasonably complete.

4794/US/G/156

0821

GROSCH, Karl
and 64.

Date Submitted

Decision of Committee

20 MAR 1947

1, 3 : A for ill-treatment;
2, 4 : A for murder

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14 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 397 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Karl GROSCH, German civilian
- 2. Fritz Erich HAEHNERT, Mayor
- 3. Albert HENDRICH, German civilian
- 4. Franz HOFFMANN, a German official

Date and place of commission of alleged crime.

On or about 29 July 1944 near OTTMANNSHAUSEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 29 July 1944 five United States airmen bailed out of a disabled bomber in the vicinity of OTTMANNSHAUSEN, Germany, Russian Zone. The aviators were captured and, on the instigation of HOFFMANN, were taken to OTTMANNSHAUSEN for the express purpose of being lynched. They were brought to the house of a Mrs. HOCHSTEIN, who had been killed by a stray bullet during the preceding aerial dogfight. Two or three of the flyers were brought into the house to view the body while those outside were beaten by a mob which included, besides HENDRICH and GROSCH, the remaining perpetrators. The flyers inside the house were then taken outside where all five were shot by HOFFMANN and HAEHNERT.

Source: U.S. War Crimes Group (Case No.12-1395, OTTMANNSHAUSEN (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0823

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused apparently committed the crime in pursuance of superior orders issued by Franz HOFFMANN, now believed to be dead.
- (b) GROSCH will claim that he did no shooting and is liable only for an assault and will also claim that he acted on superior orders. HAEHNERT will claim he did the shooting under protest and through fear of HOFFMANN, who gave the order. HENDRICH will claim that he did no shooting and is liable only for an assault and will claim that he acted on superior orders.
- (c) The case appears to be reasonably complete.

4795/US/G/157

0826

PESCHKE, Otto

and G 3

Date Submitted	Decision of Committee	B	CARDS CHECKED LIST 55
20 MAR 1947	1-3: A		

4795/US/G/157

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0827

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4795/US/G/157

4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 398

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Otto PESCHKE, Obergefreiter of 1st Group, Regimental Maintenance Group, 102 Panzer Regiment, 9th Panzer Division.
2. Josef (or Sepp) SCHMITZ, Officer in 1st Group, Regimental Maintenance, 102 Panzer Regiment, 9th Panzer Division.
3. Lt. JAWSCKE, Officer in 1st Group, Regimental Maintenance, 102 Panzer Regiment, 9th Panzer Division.

Date and place of commission of alleged crime.

On or about 13 September 1944 at or near FURTH, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

A United States airman, believed to be Stephen J. ANDREWS, ASN 32756036, parachuted from a disabled bomber on or about 13 September 1944 at or near FURTH, Germany, French Zone. He was taken into custody by Captain Walter Carl SCHMIDT and Wachtmeister Wilhelm KAMIS. SCHMIDT ordered KAMIS to march the airman to the Battalion Headquarters at FURTH. KAMIS delivered ANDREWS to the Unit Officers, Lts. JAWSCKE and Josef (or Sepp) SCHMITZ. JAWSCKE and SCHMITZ conferred briefly and JAWSCKE ordered Otto PESCHKE to take the prisoner out of town and shoot him. Pfc. Franz KARNER, Cpls. Franz ARTNER and Joseph GILLMAIER were ordered to accompany PESCHKE. PESCHKE and KARNER walked the airman a distance of 100 meters and PESCHKE shot him in the back. As the flyer fell to the ground, PESCHKE leaned forward and killed him with a shot in the head.

Source: U.S. War Crimes Group (Case No. 12-1993 FURTH (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.P.252/4 5,000 5/45 A. & E. W.Ltd. Gp.685
(30449) W.P.1183/17 5,000 10/45

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) SCHMITZ is responsible with JAWSCKE for the origination of the order to kill the airman upon which PESCHKE acted.
- (b) PESCHKE will plead superior orders of his commanding officers. SCHMITZ will deny having any authority to give orders and any knowledge of the murder having been committed.
- (c) The case appears to be reasonably complete.

4796/US/G/158

0831

FRANKE, Richard

Date Submitted

Decision of Committee

20 MAR 1947

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B

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0832

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4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 399 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Richard FRANKE No description</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 18 July 1944, near RIESTEDT, Kreis SANGERHAUSEN, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Assault.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 18 July 1944 an unidentified United States flyer bailed out of a disabled plane in the vicinity of RIESTEDT, Kreis SANGERHAUSEN, Germany, Russian Zone. The flyer was placed in a wagon for the purpose of being brought to town. Two Germans dragged the flyer from the wagon and then with the help of FRANKE proceeded to beat him up. All three used their fists. One of the unnamed Germans then tied the prisoner to the wagon by a chain and the wagon was then started forward. The victim fell and was dragged two meters after which he was untied and taken on foot in the direction of town. At intervals he was beaten and kicked by FRANKE and the other unnamed Germans.

Source: U.S. War Crimes Group (Case Nos. 12-1961 RIESTEDT (P) and 12-2841 SANGERHAUSEN (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused **FRANKE** committed the offense on his own initiative.
- (b) **FRANKE** will probably set up a general denial that he participated in the assault.
- (c) The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused FRANKE committed the offense on his own initiative.
- (b) FRANKE will probably set up a general denial that he participated in the assault.
- (c) The case appears to be reasonably complete.

4797/US/G/159

0836

BRÜCKNER, Hermann
and Co S

Date Submitted

Decision of Committee I

20 MAR 1947

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CARDS CHECKED LIST 55

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Date of receipt in Secretariat.

4797/US/G/159

4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 400 *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<p>1. Hermann BRÜCKNER, German civilian <u>Witnesses:</u> 2. Arno BÖRNSCHEIN, German auxiliary policeman 3. Karl KRANZLER, Police Sergeant 4. Wilhelm SCHIMMEL, in charge of auxiliary police 5. Dr. Gustav BECKER, Dentist</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 29 July 1944 near BUTTSTÄDT, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p><u>Murder</u> <u>Violation of the Laws and Customs of War.</u></p>

SHORT STATEMENT OF FACTS.

On or about 29 July 1944 a United States airman, believed to be 2nd Lt. Charles A. NORBY bailed out of his plane, landed in the vicinity of BUTTSTÄDT, Germany, Russian Zone, and was taken by unknown persons to the BUTTSTÄDT Police Station. Arno BÖRNSCHEIN, an auxiliary policeman, had been called by Police Sergeant Karl KRANZLER. Hermann BRÜCKNER, also an auxiliary policeman, had already arrived at the police station. BRÜCKNER was ordered by Wilhelm SCHIMMEL, in charge of the auxiliary police, to take the airman to the President of the police force in WEIMAR. BÖRNSCHEIN was apparently to accompany BRÜCKNER on this mission although he received no further orders and BÖRNSCHEIN states that he did not hear the orders given to BRÜCKNER. BRÜCKNER states that his only instructions were

(Continued on

Source: U.S. War Crimes Group (Case No.12-1911 NORBY (V))

Page 2)

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Registered Number.

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4797/US/G/159

4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 400 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hermann BRÜCKNER, German civilian

Witnesses:

2. Arno BÖRNSCHEIN, German auxiliary policeman

3. Karl KRANZIER, Police Sergeant

4. Wilhelm SCHIMMEL, in charge of auxiliary police

5. Dr. Gustav BECKER, Dentist

Date and place of commission of alleged crime.

On or about 29 July 1944 near BUTTSTÄDT, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 29 July 1944 a United States airman, believed to be 2nd Lt. Charles A. NORBY bailed out of his plane, landed in the vicinity of BUTTSTÄDT, Germany, Russian Zone, and was taken by unknown persons to the BUTTSTÄDT Police Station. Arno BÖRNSCHEIN, an auxiliary policeman, had been called by Police Sergeant Karl KRANZIER. Hermann BRÜCKNER, also an auxiliary policeman, had already arrived at the police station. BRÜCKNER was ordered by Wilhelm SCHIMMEL, in charge of the auxiliary police, to take the airman to the President of the police force in WEIMAR. BÖRNSCHEIN was apparently to accompany BRÜCKNER on this mission although he received no further orders and BÖRNSCHEIN states that he did not hear the orders given to BRÜCKNER. BRÜCKNER states that his only instructions were

(Continued on Page 2)

Source: U.S. War Crimes Group (Case No.12-1911 NORBY (V))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) WLP.11-3 17 5,000 10/45

SHORT STATEMENT OF FACTS (Continued)

from the Chief of Police of BUTTSTÄDT to take the airman to WEIMAR and not let him escape.

Order had been given by Kreisleiter Franz HOFFMAN of BUTTSTÄDT that allied flyers shot down in the vicinity of BUTTSTÄDT were to be turned over to the Landrat and the Kreisleiter at WEIMAR. Dr. Gustav BECKER, dentist in BUTTSTÄDT, who had arrived at the police station on other business, was ordered by a policeman he did not know to drive the prisoner in his car to WEIMAR. Dr. BECKER, the American airman, BÖRNSCHEIN and BRÜCKNER got into Dr. BECKER's car and proceeded by the most direct route toward WEIMAR over a rough road. When they had gone about 230 meters, BRÜCKNER told Dr. BECKER to turn around and take the paved highway, to which Dr. BECKER replied that someone would have to get out and assist him by seeing that he didn't go into the ditch. BRÜCKNER got out of the car and went around to the rear of the car to observe the turning around. As he got out, the airman also got out. At this place in the road on the right side was a slight incline while down the road about 20 meters on the left hand side of the road was a wheat field.

When the airman got out of the car, he started to walk rapidly forward and into the wheat field. BRÜCKNER hollared, "Come, come get back into the car" several times and caught up with the airman about two meters into the wheat field. The airman had dropped to one knee and had halted. BRÜCKNER approached him with a pistol in his right hand, and as he did so the pistol went off shooting the airman in the head. As the airman dropped, BRÜCKNER went rapidly back to BUTTSTÄDT.

Dr. BECKER and BÖRNSCHEIN, when they heard the shot, got out of the car and went up to the body where they determined the airman was dead.

111 111 PARTICULARS OF EVIDENCE IN SUPPORT

0839


(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused BRÜCKNER and BÖRNSCHEIN apparently committed the offense in obedience to superior orders given by Kreisleiter Franz HOFFMAN.
- (b) BRÜCKNER will claim that he was attempting to recapture the airman. BÖRNSCHEIN will state that he had no knowledge of any premeditated action on BRÜCKNER's part and was so stunned by the whole incident that he could do nothing but sit in the car.
- (c) The case appears to be reasonably complete.

4798/US/G/160

0841

RUDMANN, Erwin
and to 3

Date Submitted	Decision of Committee	CARDS CHECKED LIST 55
20 MAR 1947	1-3: A	

4798/US/G/160

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0842

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4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 401 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erwin RUDMANN, Sanitaets-Unteroffizier in Wehrmacht
2. Karl RUDMANN, No description
3. Michael RUDMANN, No description

Date and place of commission of alleged crime.

On or about 4 December 1944 near FREIBURG, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 5 December 1944, SPEIR, an unarmed United States flyer, bailed out of a disabled B-24 Liberator and parachuted to earth in the Freight Yard in FREIBURG, Germany, and attempted to surrender. Within two or three minutes after he landed, Erwin RUDMANN stabbed SPEIR with his bayonet and less than thirty seconds thereafter another German shot SPEIR in the head. Almost simultaneously Karl RUDMANN stoned SPEIR and Michael RUDMANN stood on SPEIR's chest with his full weight. SPEIR died immediately.

Source: U.S. War Crimes Group (Case No.12-1934 FREIBURG (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(20855) W.L.P.2524 5,000 5/45 A.& E., W.Ltd. Gp.685
(30449) W.L.P.1183 17 5,000 10/45

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0843

PARTICULARS OF ALLEGED CRIME

0843

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PARTICULARS OF EVIDENCE IN SUPPORT

0844

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense on their own initiative.
- (b) Erwin RUDMANN may raise an issue of momentary mental aberration. Karl RUDMANN may bring in a history of congenital feeble-mindedness and light contusion cerebri resulting from a head injury in 1942. Michael RUDMANN will claim that he stood on the victim's chest after the victim was already dead.
- (c) The case appears to be reasonably complete.

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4799/US/G/161

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BREMEN, Hubert

Date Submitted

Decision of Committee I

20 MAR 1947

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CARDS CHECKED LIST 55

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4799/US/G/161

4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 402 *

Name of accused, his rank and unit, or official position.

1. Hubert BREMEN, Gestapo Agent

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 7 July 1944, near BAD HARZBURG, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

An unknown United States airman was captured after a crash near BAD HARZBURG, Germany, on or about 7 July 1944. Accused took charge of the prisoner, marched him 300 meters along a dirt road to a woods and shot him. Statements of eye-witness Germans are in the files of U.S. authorities.

Source: U.S. War Crimes Group (Case No.12-1960 BAD HARZBURG (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(29655) W.L.P.252 4 5,000 5/45 A. & E. W.Ltd. Gp.685
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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0849

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused BREMEN committed the offense in obedience to superior orders.
- (b) BREMEN will claim that the flyer attempted to escape.
- (c) The case appears to be reasonably complete.

4800/US/G/162

0851

LANGELOH, Wilhelm
and 66

Date Submitted Decision of Committee I

20 MAR 1947

1: A
2-6: W



CARDS CHECKED LIST 55

4800/US/G/162

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0852

Registered Number.

Date of receipt in Secretariat.

4800/US/G/162

4 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 403

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Wilhelm LANGELOH, Kreisorganisationsleiter

Witnesses

2. PEIN, Lance Corporal

3. Jonny WOHLERS, Gendarme

4. Hans RUNGE, member of Landwacht

5. Heinrich BEDDIS, German

6. Edwin Martens WRIGHT, Chief Surgeon at Utersen hospital

Date and place of commission of alleged crime.

June

On or about 18 1944 near APPEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 18 June 1944, an unidentified United States airman landed from a disabled plane near APPEN, Germany, British Zone. He was taken prisoner by Lance Corporal PEIN and turned over to Gendarme Jonny WOHLERS. WOHLERS and a member of the Landwacht named Hans RUNGE escorted the flyer to the Gendarme offices at APPEN. WOHLERS called up the chief of Gerndarmerie at PINNEBERG, and was told to deliver the prisoner to the Wehrmacht at the airfield near UTERSEN. Next he received a telephone call from the Kreisleitung at PINNEBERG, stating that they would take charge of the prisoner. WOHLERS protested but soon after Kreisorganisationsleiter Wilhelm LANGELOH appeared, demanded the prisoner and signed a receipt for the custody. WOHLERS asked LANGELOH where he was taking the prisoner and LANGELOH replied, "To the airdrome, but I don't know if he will arrive there."
(Continued on Page 2)

Source: U.S. War Crimes Group (Case No.12-3121 APPEN (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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(30449) W.L.P.1183 17 5,000 10/45

SHORT STATEMENT OF FACTS (Continued)

LANGELOH and RUNGE started with the prisoner towards the airfield and were joined by Heinrich BEDDIS. LANGELOH suddenly pulled his pistol and shot the prisoner in the back of the neck, near the left ear. LANGELOH left the unconscious flyer in a ditch, and ordered WOHLERS to take him to the airfield hospital at UTERSEN. The flyer was received at UTERSEN hospital; treated by Chief Surgeon Edwin Martens WRIGHT and then taken to Reserve Lazarett No. 5, HAMBURG. The next morning Dr. WRIGHT received word from the hospital in HAMBURG that the prisoner had died the same day, 18 June 1944.

PARTICULARS OF EVIDENCE IN SUPPORT

0854

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) LANGELOH will admit the killing, with the claim that he acted on superior orders.
- (b) He will further claim that he was emotionally unstable and spurred on to do the deed by the urgings and exhortations of German civilians.
- (c) The case appears to be reasonably complete.

4801/US/G/163

0856

DREGER, Kurt
and 6 11

Date Submitted

Decision of Committee I

20 MAR 1947

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CARDS CHECKED LIST 55

4801/US/G/163

(For the Use of the Secretariat)

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Date of receipt in Secretariat.

4801/US/G/163

14 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 404 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1-8-210
1-20-41

1. Kurt DREGER, Hauptsturmfuehrer
2. Waldemar FELDMETTER, Deputy Kreisorganisationsleiter
3. Erich MUELLER, Obertruppfuehrer, Member of German NSKK
4. August SCHUBERT, Obertruppfuehrer, Member of German NSKK
5. Oswald CONRAD, Member of German NSKK
6. Herbert MOSENHEUER, Member of German NSKK
7. Harry HAUENSCHILD, Deputy Ortsgruppenleiter, German NSKK
8. Karl SCHROEDER, Caretaker of the Landratsamt
9. Hans Willi FINKE, Member of NSKK, Witness
10. Hermann CROME, Hauptmann der Kreisgendarmerie
11. Karl von HINUEBER, Landrat

Date and place of commission of alleged crime.

On or about May, June or July 1944 near HELMSTEDT, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Two separate crimes are involved. They follow a common pattern and involve some of the same perpetrators.

Incident 1: Sometime in May, June or July 1944, four captured, unidentified, unarmed, surrendered United States flyers were held prisoners at or near HELMSTEDT, Germany, British Zone. On orders of Landrat Karl von HINUEBER and Hauptmann der Kreisgendarmerie Hermann CROME, a detail of men under Hauptsturmfuehrer Kurt DREGER, were to take the four flyers by truck towards the MARIENTHAL airport, British Zone, and were to shoot them while en route at a spot in the MARIENTHAL woods, pointed out on a map to DREGER by von HINUEBER. In the detail were FELDMETTER, HAUENSCHILD, MUELLER, CONRAD, MOSENHEUER, and SCHUBERT. The trucks were stopped on DREGER's order and the

(Continued on Page 2)

Source: U.S. War Crimes Group (Case No. 12-3205 DREGER (A))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

SHORT STATEMENT OF FACTS (Continued)

Americans were marched down a lane in the woods. MOSENHEUR was told by DREGER to fall out of line. MOSENHAUER's gun was given to SCHUBERT; DREGER loaned his gun to CONRAD, who had no ammunition in his own. A volley of shots were fired by CONRAD, MEULLER, SCHUBERT, and HAUENSCHILD, and the flyers fell. FELDMETER then fired two shots into the body of the flyer who had been placed in front of CONRAD. The bodies of the flyers were loaded on to the trucks and delivered, together with the papers and personal property of the flyers, to the MARIENTHAL Airport, as had been ordered by von HINUEBER. DREGER then reported to von HINUEBER that the orders had been carried out.

DREGER and SCHUBERT have confessed their parts in the killing; all perpetrators have admitted presence and participation. MOSENHEUR did not fire a shot as SCHUBERT had his pistol. FELDMETER says he only shot a flyer who was not completely dead. HAUENSCHILD does not remember shooting but cannot say definitely that he did not shoot. MUELLER claims his pistol jammed. CONRAD admits firing.

Incident 2: Sometime in July 1944, DREGER was ordered by Hauptmann CROME to report to the HELMSTEDT Landratsamt with Hans Willi FINKE and Karl SCHROEDER. Landrat von HINUEBER gave DREGER a written order that two United States airmen were to be shot and their bodies delivered to the MARIENTHAL Airport. The two airmen were loaded into a truck with FINKE and SCHROEDER and DREGER got into his own car. At a signal from DREGER, the victims were stopped at the spot at which the killing in Incident 1 had occurred and DREGER gave orders for the shooting of the two flyers. FINKE refused to carry out the orders and SCHROEDER took FINKE's pistol. The flyers were marched down the lane followed by DREGER and SCHROEDER. DREGER shot one airman and SCHROEDER the other. Both airmen died instantly.

SHORT STATEMENT OF FACTS (Continued)

Americans were marched down a lane in the woods. MOSENHEUR was told by DREGER to fall out of line. MOSENHAUER's gun was given to SCHUBERT; DREGER loaned his gun to CONRAD, who had no ammunition in his own. A volley of shots were fired by CONRAD, MUELLER, SCHUBERT, and HAUENSCHILD, and the flyers fell. FELDMETER then fired two shots into the body of the flyer who had been placed in front of CONRAD. The bodies of the flyers were loaded on to the trucks and delivered, together with the papers and personal property of the flyers, to the MARIENTHAL Airport, as had been ordered by von HINUEBER. DREGER then reported to von HINUEBER that the orders had been carried out.

DREGER and SCHUBERT have confessed their parts in the killing; all perpetrators have admitted presence and participation. MOSENHEUR did not fire a shot as SCHUBERT had his pistol. FELDMETER says he only shot a flyer who was not completely dead. HAUENSCHILD does not remember shooting but cannot say definitely that he did not shoot. MUELLER claims his pistol jammed. CONRAD admits firing.

Incident 2: Sometime in July 1944, DREGER was ordered by Hauptmann GROME to report to the HELMSTEDT Landratsamt with Hans Willi FINKE and Karl SCHROEDER. Landrat von HINUEBER gave DREGER a written order that two United States airmen were to be shot and their bodies delivered to the MARIENTHAL Airport. The two airmen were loaded into a truck with FINKE and SCHROEDER and DREGER got into his own car. At a signal from DREGER, the victims were stopped at the spot at which the killing in Incident 1 had occurred and DREGER gave orders for the shooting of the two flyers. FINKE refused to carry out the orders and SCHROEDER took FINKE's pistol. The flyers were marched down the lane followed by DREGER and SCHROEDER. DREGER shot one airman and SCHROEDER the other. Both airmen died instantly.

PARTICULARS OF EVIDENCE IN SUPPORT

0859

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused will probably claim defense of superior orders.
- (b) DREGER will probably assert that he objected to carrying out the orders but feared for his own life if he did not do so. MUELLER will assert that he did not actually fire a shot as his pistol jammed. FINKE admits acting as driver; evidence shows he did refuse to shoot the flyers. He says he refused to help load the bodies but DREGER and SCHROEDER both say that FINKE did help load the bodies on the truck.
- (c) The case appears to be reasonably complete.

MISSING

REGISTERED
NOS.

164 TO 165

4826/US/G/166

0861

VON BRANCHITSCH, Walther

Date Submitted

Decision of Committee I

20 MAR 1947

A

~~RB~~

CARDS CHECKED LIST 55

4826/US/G/166

0862

21st March, 1947

Sir,

The United Nations War Crimes Commission hereby certifies that it has examined the evidence brought by the Government of the United States against Walter von BRAUNMUTSCH, General Mellesarschall, last position, Commander-in-Chief of the German Army, in support of charges of criminal responsibility for crimes against peace, as well as for war crimes (murder, ill-treatment of prisoners of war and deportation of civilians for slave labour), committed in Germany, Austria, Czechoslovakia, Poland, Denmark, Norway, Luxembourg, Holland, Belgium, France and U.S.S.R., from prior to 12th March, 1938, to 26th December, 1941, and has found there to be a prima facie case against him in respect of these charges and accordingly has placed his name upon its Lists of persons accused of war crimes who ought to be brought to trial.

I am,

Sir,

Your obedient servant,

H. H. Woods
Colonel
Secretary-General

The Representative of the Government of the
United States on the United Nations War
Crimes Commission
Aldford House,
Park Lane,
W.1.

(For the Use of the Secretariat)

0863

Registered Number.

Date of receipt in Secretariat.

4826/US/G/166

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 407*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

von Brauchitsch, Walther
Gen. Feldmarschall
Last Active Position: Commander-in-Chief of German Army

Date and place of commission of alleged crime.

From prior to 12 March 1938 to 20 December 1941
In Germany, Austria, Czechoslovakia, Poland, Denmark,
Norway, Luxembourg, Holland, Belgium, France and USSR.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

- a. Crimes against peace
- b. Murder
- c. Ill-treatment of prisoners of war
- d. Deportation of civilians for slave labor

SHORT STATEMENT OF FACTS.

From 4 February 1938 to 20 December 1941 the accused was Commander-in-Chief of the German Army, receiving the rank of Field Marshal on 19 July 1940.

TRANSMITTED BY Office of Chief of Counsel for War Crimes at Nurnberg

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

As a member of the Reich Defense Council and as Commander-in-Chief of the German Army the accused was one of the chief conspirators and bears primary responsibility for the planning, preparing, initiating and waging of the following aggressions, invasions, and aggressive actions in preparation for invasions:

12 March 1938. The invasion of Austria, defined by the International Military Tribunal as a premeditated aggressive step in the plan to wage aggressive wars against other countries.

15 March 1939. The seizure of that part of Czechoslovakia not previously ceded to Germany.

1 September 1939. Invasion of Poland.

9 April 1940. The invasion of Denmark and Norway.

10 May 1940. The invasions of Belgium, the Netherlands and Luxembourg.

6 April 1941. The invasions of Yugoslavia and Greece.

22 June 1941. The invasion of the USSR.

All the above listed invasions have been held by the International Military Tribunal to have been acts of aggressive war or steps in the planning of such aggressive wars resulting in countless crimes. The International Military Tribunal has further held that, based on the Charter of the Tribunal, the planning and waging of such aggressive wars in violation of treaties is a crime and the individuals responsible for such crimes should be punished. The Tribunal has further stated that those invasions were in violation of the following treaties and agreements:

Convention for the Pacific Settlement of International Disputes signed at The Hague 29 July 1899.

Convention for the Pacific Settlement of International Disputes signed at The Hague 18 October 1907.

Hague Convention III Relative to the Opening of Hostilities signed 18 October 1907.

Hague Convention V Respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land signed 18 October 1907.

Treaty of Peace between the Allied and Associated Powers and Germany signed at Versailles 28 June 1919, known as the Versailles Treaty.

Treaty between the United States and Germany Restoring Friendly Relations signed at Berlin 25 August 1921.

Treaty of Mutual Guarantee between Germany, Belgium, France, Great Britain and Italy at Locarno 16 October 1925.

Arbitration Treaty between Germany and Czechoslovakia at Locarno 16 October 1925.

Arbitration Convention between Germany and Belgium at Locarno 16 October 1925.

Arbitration Treaty between Germany and Poland at Locarno 16 October 1925.

Convention of Arbitration and Conciliation entered into between Germany and the Netherlands on 20 May 1926.

Convention of Arbitration and Conciliation entered into between Germany and Denmark on 2 June 1926.

Treaty between Germany and other Powers providing for Renunciation of War as an Instrument of National Policy, signed at Paris 27 August 1928, known as the Kellogg-Briand Pact.

Treaty of Arbitration and Conciliation entered into between Germany and Luxembourg on 11 September 1929.

Declaration of Non-Aggression entered into between Germany and Poland on 26 January 1934.

German Assurance given on 21 May 1935 that the Inviolability and Integrity of the Federal State of Austria would be Recognized.

Austro-German Agreement of 11 July 1936.

German Assurances given on 30 January 1937, 28 April 1939, 26 August 1939 and 6 October 1939 to Respect the Neutrality and Territorial Inviolability of the Netherlands.

German Assurances given on 30 January 1937, 13 October 1937, 28 April 1939, 26 August 1939 and 6 October 1939 to Respect the Neutrality and Territorial Integrity and Inviolability of Belgium.

Assurances given on 11 March 1938 and 26 September 1938 to Czechoslovakia.

Munich Agreement and Annexes of 29 September 1938.

Solemn Assurances of Germany given on 3 September 1939, 28 April 1939 and 6 October 1939 that they would not Violate the Independence or Sovereignty of the Kingdom of Norway.

German Assurances given on 28 April 1939 and 26 August 1939 to Respect the Neutrality and Territorial Inviolability of Luxembourg.

Treaty of Non-Aggression between Germany and Denmark signed at Berlin 31 May 1939.

Treaty of Non-Aggression entered into between Germany and USSR on 23 August 1939.

German Assurance given on 6 October 1939 to Respect the Neutrality and Territorial Integrity of Yugoslavia.

The accused, Brauchitsch, between 1938 and 1941 as Commander-in-Chief of the German Army, member of the Reich Defense Council, member of the Council of Ministers for

-3-
PARTICULARS OF EVIDENCE IN SUPPORT

All of the afore mentioned crimes are proven by great masses of confirmed and corroborated evidence in the hands of OCCWC. These include German Army orders signed by the accused, administrative decrees and proclamations signed by the accused, minutes of speeches made by the accused and conferences attended by him, statements of witnesses, official government reports from all the occupied countries and sworn records of judicial proceedings.

PARTICULARS OF ALLEGED CRIME CONT'D

the Defense of the Reich, and as Field Marshal used his position and personal influence to promote the military preparations for the wars above set forth; to participate in the political planning and preparations for all those wars of aggression and wars in violation of treaties and agreements, to execute and thereby to assume responsibility for the execution of the plans of the conspirators for the above wars of aggression; to authorize, direct and participate in the war crimes set out below.

The accused is charged with being in the common plan to commit the above crimes against peace and is accused of being a criminal participant in all those crimes.

The accused is further charged with having formulated and been a part of a common plan to commit war crimes in all the territory occupied by Germany between 15 March 1938 and 20 December 1941.

He personally is responsible as Commander-in-Chief of the Army for all war crimes committed by members of the army specifically ordered pursuant to the common plan to commit war crimes or through the failure of the leaders of the army to prohibit or notice such war crimes. These crimes constituted violations of international conventions, of the international penal laws and of the general principles of criminal law of all the occupied countries and were part of a systematic course of conduct by the accused and other criminal co-actors.

the following charges are only a small part of the total charges against the accused and are listed as being indicative of the total charges:

1. By virtue of his position as Commander-in-Chief of the Army, the accused had immediately after the invasion of Poland, the executive power for that area and is responsible for illegal decrees setting up German courts and German law, providing for death penalties for small offenses, for confiscation of property, and for countless crimes resulting from those decrees.

2. As possessor of the executive power in the Low Countries and in France prior to June 1941 and as bearer of the responsibility for the military administrations in those areas during that period, the accused is responsible for the murder and ill-treatment, the deportation to slave labor, the conscription for illegal purposes of civilians in these areas, the killing of hostages, and the imposition of collective penalties, all in violation of law.

3. In the USSR, the accused is responsible for the adoption and execution by the German army of a systematic policy of murder and ill-treatment of the civilian populations including the murder, by Einsatz Groups under military command, of hundreds of thousands of civilians pursuant to an agreement by the German Army and the RSHA. He also ordered and encouraged atrocities against Jews.

4. In Greece and Yugoslavia the accused is responsible for the murdering of thousands of civilians and the devastation of their villages without military necessity. For example, in Greece in October 1941, all the male population between 16 and 60 years of age from 7 villages were shot; in all, 416 persons; also, in Yugoslavia at Kragnevatz in October 1941, 2300 hostages were shot by the military.

5. The accused is responsible for the murder and ill treatment of prisoners of war and for violations of the rules of warfare by the members of the German army.

a) For example, the accused prepared the Commissar Order ordering the execution of all political functionaries fighting with the USSR Army. b) In 1941 the accused is responsible for the distribution to the army in front of Leningrad of the order to raze Leningrad and refuse capitulation. c) The accused is responsible for the mistreatment and subsequent death of hundreds of thousands of prisoners as a result of the inhumane treatment of these prisoners by the army. By order of the German army prisoners were used on the construction of fortifications and other dangerous and legally prohibited work, such as clearing of mines, loading of munition trains, etc.

The above mentioned instances are only a small part of the total number of crimes for which the accused can and will be charged.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- A. The accused as Commander-in-Chief of the German Army bears full responsibility for all the crimes committed by that army, particularly since many of them were committed by his express orders or as a result of general orders previously issued by him.
- B. No defense can be foreseen at this time.
- C. The case is complete for all the charges herein mentioned.

The accused was one of the foremost conspirators in the common plan of aggression for the systematic exploitation of Europe. His crimes have no specific geographical locations but extend throughout Europe. Every country of Europe could bring some charges against him. He should be tried in a common case with his subordinates, the other high ranking field marshals of the German Army, such as: Rundstedt, Kuechler, Manstein, Leeb and others. It is contemplated that they will be so tried. His crimes should be considered in connection with and as being responsible for, the crimes of all those other high-ranking generals of the German Army accused of criminal acts prior to 28 December 1941.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

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- B. No defense can be foreseen at this time.
- C. The case is complete for all the charges herein mentioned.

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4836/US/G/167

0867

DRESSLER, Karl

and G 4

Date Submitted

Decision of Committee I

27 MAR 1947

1-3: A
4: W

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CARDS CHECKED LIST 56

4836/US/G/167

(For the Use of the Secretariat)

0868

Registered Number.

Date of receipt in Secretariat.

4836/US/G/167

20 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 408 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Karl DRESSLER, SS Hauptscharfuhrer</p> <p>2. WOERSDOERFER, SS Hauptsturmfuehrer</p> <p>3. HEITKAMP, SS Oberscharfuhrer</p> <p>Witness:</p> <p>4. FIGEL, SS Oberscharfuhrer</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 20 March 1945 near QUIRNBACH, Germany</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War</p>

SHORT STATEMENT OF FACTS.

On or about 20 March 1945, a United States airman, believed to be 2nd Lt. Jack RIVES, O-832696, made a forced landing with a damaged plane in the vicinity of HELFERSHIRSCHEN, Germany, French Zone. He escaped from the plane unhurt and was captured shortly thereafter and brought by SS Oberscharfuhrer FIGEL to Gestapo Headquarters at QUIRNBACH, Germany, French Zone. There he was questioned by SS Hauptsturmfuehrer and Gestapo Kriminal Kommissar WOERSDOERFER and by SS Oberscharfuhrer HEITKAMP in the presence of SS Hauptscharfuhrer DRESSLER. According to DRESSLER, WOERSDOERFER ordered DRESSLER to take the airman out and shoot him and sent HEITKAMP along to insure that DRESSLER would execute the order. DRESSLER and HEITKAMP took the airman into the woods about two kilometers from QUIRNBACH, and there DRESSLER, in the presence and under the direction of HEITKAMP, fired several rounds of a machine pistol into the back of the airman, killing him instantly.

Source: U.S. War Crimes Group (Case No. 12-413, QUIRNBACH (P))

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0869

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to superior orders.
- (b) The accused DRESSLER will claim superior orders and that he acted under compulsion because of fear of his own life and harm to his family.
- (c) The case appears to be reasonably complete.

4837/US/G/168

0872

SCHOLZ, Siegfried
and Co

Date Submitted	Decision of Committee I		
27 MAR 1947	1: A 2, 3: W	RUC	CARDS CHECKED LIST 08

4837/US/G/168

(For the Use of the Secretariat)

0873

Registered Number.

Date of receipt in Secretariat.

4837/US/G/168

20 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 409 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Siegfried SCHOLZ, Hauptmann in the Wehrmacht</p> <p>Witness:</p> <p>2. Nikolaus HAUER, Wehrmacht member</p> <p>3. Johann GASSNER, German civilian</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 22 September 1944 near PALLING, Germany</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War</p>

SHORT STATEMENT OF FACTS.

On 22 September 1944, a United States B-24 bomber left its base at SPINNAZOLA, Italy, with other planes on a mission to bomb a Fockewulf aircraft factory in MUNICH, Germany. The ten members of the crew included Sergeant Rubin F. HARKEY, ASN 34772208, as engineer. Shortly after dropping their bombs on the target area at 1230 hours and while the planes were rallying for the return trip to their base, this B-24 suffered a direct hit by flak in its No.3 motor and rapidly lost altitude. About fifteen minutes later all members of the crew were ordered to bail out. All landed safely by parachute but widely separated. Eight members of the crew, including Sgt. HARKEY, landed in the vicinity of PALLING, Germany, U.S. Zone. HARKEY landed about a mile west of the town just beyond a road junction where the PALLING-TROSTBERG road branches to the left of STEIN. On emerging from the woods to the road he met a civilian, Johann GASSNER, who told him his comrades were being assembled in PALLING. Whereupon he started down the road with GASSNER walking east toward the village. They had walked but a short distance when they saw two military vehicles, a car and a truck, approaching them from the village.

(continued on page 2)

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-1203 PALLING (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

HARKEY then crossed the road from right to left, ran up a shallow embankment and into a small woods north of the road. The car occupied by Hauptmann Siegfried SCHOLZ and his driver, Nikolaus HAUER, came to a stop. The two Wehrmacht soldiers jumped out and pursued the flyer. HAUER yelled "Halt!" several times and SCHOLZ carried a 9 mm FN pistol in his hand. HARKEY had reached the edge of the woods some 40 to 50 meters from the road but promptly complied with the order to halt. He then turned clockwise to face the soldiers, raising his hands shoulder high as he did so. At that moment without further warning and at a distance of 20 to 30 meters SCHOLZ fired and hit the flyer. The bullet pierced HARKEY's left hand and penetrated his left side below the heart. He died about five minutes later. Hauptmann SCHOLZ was a professional soldier and an officer in the Wehrmacht. Under orders he had taken charge of a small detachment of soldiers rounding up the enemy flyers in the neighborhood of PALLING. The most reliable evidence indicates that the shooting took place between 1500 and 1600 hours in the broad daylight. None of the surviving crew members witnessed the shooting. The seven flyers first assembled at PALLING first saw the body of HARKEY in a truck outside a school building in PALLING, Germany, following their interrogation. A guard ordered four of them to carry the body to a small building in a cemetery across the street. Depositions of these flyers indicate HARKEY's face was hardly recognizable since it appeared badly bruised, mutilated, puffed and bloody as if from a beating. A bullet hole appeared in the bloody clothing on the left side.

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHOLZ committed the offense on his own initiative.
- (b) SCHOLZ will probably claim that he shot the flyer in self-defense.
- (c) The case appears to be reasonably complete.

4838/US/G/169

0877

BLESSMANN, Hugo
and Co S

Date Submitted

Decision of Committee I

27 MAR 1947

1-5: A

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4838/US/G/169

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0878

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4838 / US / G / 169

20 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 410 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hugo BLESSMANN, Criminal Police Clerk
2. Franz Johann SCHMITZ, Polizeimeister
3. Wilhelm KARLSOHN, German civilian
4. Gottfried SEGSCHNEIDER, Kompaniefuehrer, Member of SA
5. Adam MARX, Ortswalter der NSV

Date and place of commission of alleged crime.

In or about January 1945 near BRUHL, Germany

Number and description of crime in war crimes list.

Ill-treatment of prisoner of war

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

Sometime in January 1945, a United States airman, believed to be Richard JOHNSTON, bailed out of a plane near BRUHL, Germany, British Zone. He was turned over to a Reserve Policeman at a Flak Station, escorted to the Rathaus and delivered to SCHMITZ. Enroute, the airman was attacked and beaten by SEGSCHNEIDER and MARX. At the Rathaus, the airman was searched, handcuffed and beaten. Present in the room with the airman was SCHMITZ and others. BLESSMANN and KARLSOHN beat the airman. The airman was bleeding from the nose and mouth. After being beaten, he was taken by BLESSMANN to a room in the cellar of the Rathaus where he was locked up overnight. Next morning he was moved to a room upstairs where he remained about three days.

TRANSMITTED BY U.S. War Crimes Group (Case No.12-1761, BRUHL (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused apparently committed the offense on their own initiative.
- (b) BLESSMANN will deny striking the airman. KARLSOHN will claim that he only struck the airman once. SEGSCHNEIDER may claim he does not know whether he actually hit the airman or not. MARX will deny beating the airman. SCHMITZ will deny being present when the airman was beaten and will deny ordering him handcuffed.
- (c) The case appears to be reasonably complete.

4839/US/G/170

0882

OTTO, Karl
and 63

Date Submitted

Decision of Committee I

27 MAR 1947

1-3: A

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CARDS CHECKED LIST. 56

4839/US/G/170

(For the Use of the Secretariat)

0883

Registered Number.

Date of receipt in Secretariat.

4839 / US / G / 170

20 MAR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 411 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl OTTO, Oberstleutnant

2. Heinz ENDRESS, German

3. Clemens FUNDER, German

Date and place of commission of alleged crime.

1. On or about 22 March 1945 near NECKARSULM, Germany.

2. On or about 24 March 1945 near DURRENZIMMERN, Germany.

Number and description of crime in war crimes list.

Murder

Ill-treatment of prisoner of war

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 March 1945, six United States air crew members, two unknown and the other four believed to be Capt. S.K. ANDERSON, Lt. MARTINICH, Sgt. D.C. GRIFFITH, and Sgt. Roscoe HARVEY were in custody of a German guard in NECKARSULM, Germany. Four of the prisoners were shot by Heinz ENDRESS, Clemens FUNDER, and an unknown German guard. Three of the airmen died immediately and one shortly afterward. The bodies were buried in a mass grave near NECKARSULM. The two airmen who escaped injury at this time are believed to be Capt. S.K. ANDERSON and Sgt. Roscoe HARVEY. The two surviving airmen were taken to a Wehrmacht barracks commanded by Oberstleutnant Karl OTTO. In the presence of Karl OTTO, an unknown German guard made arrangements to take the two remaining prisoners to the railroad station at or about 0500, on or about 22 March 1945. On the way to the railroad station, the two remaining airmen were again fired upon by ENDRESS and FUNDER. One of the airmen, believed to be Sgt. Roscoe HARVEY, was wounded in the

(Continued on page 2)

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-1182-2 GRIFFITH (V))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0884

abdomen and thigh, and the other airman, believed to be Capt. S.K. ANDERSON, escaped.

The wounded airman, believed to be Sgt. Roscoe HARVEY, was taken back to the Wehrmacht barracks where Karl OTTO ordered that he was not to be seen by a doctor. In spite of Karl OTTO's orders, a German doctor examined the wounded prisoner, found an abdominal wound and a thigh wound, and ordered the airman sent to a hospital. Under these orders, the wounded airman was started on his way to a hospital; however, the truck was stopped and the wounded airman returned to the barracks on orders from Karl OTTO. Karl OTTO reprimanded the doctor for attempting to aid the wounded airman. In the presence of Karl OTTO, ENDRESS said, "I will take the prisoner to the basement and shoot him". Karl OTTO replied that he did not want the prisoner to be shot in the barracks.

At or about 1800 in the evening of 22 March 1945, Karl OTTO ordered the wounded airman sent to the hospital. Karl OTTO personally selected a driver for the truck and forbade a medical soldier to go along. In addition, Karl OTTO ordered an unknown German soldier, who was trying to get transportation to the vicinity of the hospital, to dismount from the truck. The unknown German driver was informed by Karl OTTO that the truck carrying the wounded airman would be stopped enroute by a German Military Policeman. On the way to the hospital, the truck was stopped by an unknown German Military Policeman who shot the wounded airman three times in his chest. The German Military Policeman stated that he was acting on orders from Karl OTTO. The airman, believed to be Sgt. Roscoe HARVEY, was dead when he reached the hospital at or about 2130, on or about 22 March 1945. He was buried in the cemetery of HEILBRONN. The driver of the truck refused to give his name to the hospital authorities stating that he did not want to be involved in the incident.

On or about 23 March 1945, the airman who had escaped on or about 22 March 1945, believed to be Capt. S.K. ANDERSON, was picked up by German police and placed in the City Jail at FRACKENHEIM. On or about 24 March 1945, a party composed of Karl OTTO, Heinz ENDRESS and others, left NECKARSULM in a car furnished by Karl OTTO to pick up the airman. At or near a place about 2.5 kilometers from DURRENZIMMERN the car stopped on orders from Karl OTTO. Karl OTTO dismounted by the road and the remainder of the party took the airman into the woods where he was shot and killed. The dead airman was buried at or near the spot where he was killed.

PARTICULARS OF EVIDENCE IN SUPPORT

0885

NOTES ON THE CASE

0886

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on his own initiative.
- (b) The accused will probably deny having participated in the crimes in any way.
- (c) The case appears to be reasonably complete.

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5001/US/G/171

0887

SCHMID, Max

265

Date Submitted

Decision of Committee I

- 1 MAY 1947

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D

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0888

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24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 412. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Max SCHMID, German Doctor

Date and place of commission of alleged crime.

- a. In or about May 1944, near MARQUISE (Pas-de-Calais), France;
- b. In or about May and June 1944, near MARQUISE (Pas-de-Calais), France;
- c. On or about 5 or 6 June 1944, near MARQUISE, (Pas-de-Calais), France.

Number and description of crime in war crimes list.

- a. Maltreatment and mutilation of the dead.
- b. Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

a. In or about the latter part of May 1944, a captured, unknown, wounded United States airman was taken to a German dispensary commanded by the accused Dr. Max SCHMID, then a medical captain in the German Air Force in the town of MARQUISE, France. The accused, SCHMID, thereupon gave three injections to the unknown, injured United States airman causing his death within three minutes. These injections consisted of 10 cubic cm. gelatine merk, 5 cubic cm. clauden and 1/25 cubic mg. strophantia. SCHMID admits never having given these injections to anyone before and further admits that any one of these injections given individually could kill a man, especially an injection of strophantia. SCHMID further admits that the direct cause of the airman's death was the stopping of the blood circulation, which he states could be brought about by a strophantia injection.

b. The accused, SCHMID, with the aid of a male nurse, Emile PRUSS, then proceeded
(continued on page 2)

TRANSMITTED BY U. S. War Crimes Group (Case No. 11-514 MARQUISE (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

to sever the head from the body of this dead, unknown United States airman by means of a saw. The next day the body minus the head was removed from the dispensary at 0900 hours by two soldiers of the Kommandantur, who had placed the body in an unsealed casket and transported it by pushcart to be buried in a local cemetery.

c. On the morning of the same day that this beheaded body was removed from the dispensary, witness Andre WACOGNE, who worked around the dispensary, was approached by the accused, SCHMID, and was requested to "light the boiler in the shower room in order to boil one of the flyer's head." (WACOGNE did not observe any corpse in the dispensary on this morning as it had already been removed at 0900 hours.) Because of the absence of wood, WACOGNE could not light the fire. After lunch he noticed a jam can boiling something on an electric stove. Witnesses Marthe Marcel VASSEUR and Louise NAVET also state that they observed the head of a pilot boiling on the stove in the dispensary. SCHMID, although sober at the time, had remarked to witness NAVET, "You will have to find parsley, Loulou, we shall eat it for supper." Thereafter WACOGNE observed SCHMID and PRUSS cleaning the skin from the skull in the shower room. As United States planes flew over the house, SCHMID pointed to the skull, laughing, and said: "American". The accused later placed the skull in hydrogen peroxide in order to bleach it. He thereafter sent it to the German hospital at HARDIGHEN, France, for further treatment. The skull was returned to SCHMID in about a week's time and was placed on his desk. SCHMID, referring to the skull on his desk, remarked to witness NAVET, "See, that is the head you saw boiling the other day". On or about 20 August 1944, SCHMID gave the skull to a German soldier named BAUMGARTNER to deliver to SCHMID's wife in Germany as a souvenir.

d. Thereafter, on or about the 5th of June 1944, another unknown United States airman was brought to the dispensary. Testimony of witness Marcel VASSEUR described how she had seen a dead United States flyer stretched out in the dispensary operated by SCHMID on 6 June 1944. (It will be noted that this was sometime after the crime described in Paragraph (a) above.) VASSEUR did not observe any visible marks of violence on the body of this dead pilot, who was naked except for a pair of shorts. A few days prior to 6 June 1944 SCHMID had said to VASSEUR, "From now on no American will leave the dispensary alive, because Americans are too cruel." (This apparently was about the time of the murder described in (a) above.) Andre WACOGNE also states that he too had seen the body of this United States flyer on 6 June 1944 and that he too had not noticed any visible marks of violence on the body of this dead pilot. SCHMID had stated to WACOGNE on several occasions, "If an American is brought to the dispensary I will not take care of him, but will kill him with an injection". Further, the witness Louise NAVET states that she had entered the shower room of the dispensary on 6 June 1944 and was informed that a corpse was in the room. She observed the corpse, which was completely naked except for a pair of trunks and she too was able to observe that the body did not bear any trace of blows or wounds. SCHMID had informed her that the flyer had landed in a mine field and was wounded in the back, which wounds caused his death. However, NAVET had the grave-diggers, BROUILLARD and BUTEZ turn the body over just before they put the body in the coffin and she observed that there were no wounds on the back. SCHMID then told NAVET, "From now on all Allied airmen will have the same fate." He further stated, "How can you feel sorry for a barbarian who killed so many of yours?" One of the male German nurses present was a Pvt. Josef FRAMER, who stated to NAVET the day the body was found in the dispensary, "This man was in perfect health and a few minutes later he was dead." He added, "Why don't you take the phial in the drawer to prove the culpability of the doctor?"

PARTICULARS OF EVIDENCE IN SUPPORT

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHMID committed the offense on his own initiative.
- (b) SCHMID's defense will probably be that the injections were given to the wounded pilot with the intention of saving the pilot's life. He will probably counter with the fact that there is but one flyer involved in this case and that the existence of a second flyer is not substantiated.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHMID committed the offense on his own initiative.
- (b) SCHMID's defense will probably be that the injections were given to the wounded pilot with the intention of saving the pilot's life. He will probably counter with the fact that there is but one flyer involved in this case and that the existence of a second flyer is not substantiated.
- (c) The case appears to be reasonably complete.

5002 / US / G / 172

0892

BAUMGAERTNER, Karl

Date Submitted

Decision of Committee I

- 1 MAY 1947

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24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 413 *

Name of accused, his rank and unit, or official position.

Karl BAUMGAERTNER, Gendamerie-Meister

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 21 July 1944, near BAUERBACH, Germany.

Number and description of crime in war crimes list.

Ill-treatment of prisoner of war

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 July 1944, four flyers bailed out of a disabled bomber in the vicinity of BAUERBACH, Germany, U.S. Zone. One was killed by the effects of the fall; the three survivors were captured, and at least two of them were taken to the Rathaus in BAUERBACH for interrogation. One of the latter, 2nd Lt. Orville E. FLORA, Jr., ASN C-765788, was interrogated by Karl BAUMGAERTNER. Upon FLORA's refusal to divulge military information, BAUMGAERTNER struck the flyer about the head and shoulders with his fist and continued to beat him a half-hour. The flyer was knocked down twice, sustaining contusions, bruises and lacerations of the head and shoulders. S/Sgt. Frank PACYLOWSKY, ASN 12157034, refused to divulge military information and was beaten in the same fashion by BAUMGAERTNER and two other unidentified German civilians.

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-25 FLORA (V))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0895

PARTICULARS OF EVIDENCE IN SUPPORT

0895

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused BAUMGAERTNER committed the offense on his own initiative.
- (b) BAUMGAERTNER will admit he struck one flyer a light blow on the left shoulder with his right hand but will deny inflicting a beating on either flyer at the Rathaus.
- (c) The case appears to be reasonably complete.

5003/US/G/173

0897

STERN, Josef
and 2

Date Submitted

Decision of Committee I

- 1 MAY 1947

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24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 411. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Josef STERN, Obergebreiter
2. Karl STERN, German civilian

Date and place of commission of alleged crime.

On or about 11 July 1945 near LUDENHAUSEN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 11 July 1945, a United States air crew member, believed to be 1st Lt. James E. DALE, safely parachuted to earth from his disabled plane and landed in the vicinity of LUDENHAUSEN, Germany. Karl STERN took his car and accompanied by his brother, Josef STERN, both armed with rifles, left Karl STERN's home in LUDENHAUSEN and drove immediately to the place where the airman landed. When they reached the scene, both Karl STERN and Josef STERN got out of the automobile with rifles in their hands. The airman, after landing and while in the act of releasing himself from his parachute, saw Karl STERN aiming at him and stood facing Karl STERN with his hands over his head in token of surrender. Karl STERN fired two shots at DALE one of them hitting him in the head and he fell to the ground. After he was on the ground, Josef STERN, standing near his brother Karl STERN, fired one shot at DALE hitting him in the back. DALE died of these wounds.

TRANSMITTED BY U.S. War Crimes Group (Case No.12-80 DALE (V))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0900

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused ~~STERN~~^{Karl} committed the offense on his own initiative.
- (b) The accused Josef STERN will claim that the airman did not surrender but was escaping and that he fired a shot into the air in order to ward off action by an approaching crowd. Accused will also contend that his brother Karl STERN shot and killed DALL. He will further claim that he was forced to go to the scene by Karl STERN and that they carried only one rifle with them.
- (c) The case appears to be reasonably complete.

5004/US/G/174

0902

ZIERHUT, Matthias
and to 3

Date Submitted

Decision of Committee I

1 MAY 1947

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CARDS CH. 23 LIST 58

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5004/US/G/174

24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 415. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Mattias ZIERHUT, Obersturmbannfuhrer, Burgermeister.....
2. Johann GILCH, Oberscharfuhrer, Burgermeister.....

Witness:

3. HANNEMAN, Feldwebel.....

Date and place of commission of alleged crime.

On or about 15 April 1945 near MUHLDORF, Germany.....

Number and description of crime in war crimes list.

Ill-treatment of a prisoner of war.....

References to relevant provisions of national law.

Violation of the Laws and Customs of War.....

SHORT STATEMENT OF FACTS.

On or about 15 April 1945, a United States airman, Captain Everett S. LINDLEY, crash landed near MUHLDORF, Germany, United States Zone and was captured. ZIERHUT and GILCH of the German Volksturm, were ordered to take him by car to a nearby village near MUHLDORF. The airman was beaten about the head with fists by an unknown German civilian. Later the airman was taken in a car by ZIERHUT and GILCH in the direction of MUHLDORF. After a ride of about five minutes duration, the car was halted and the airman ordered out. GILCH fired a pistol shot at him, which missed. ZIERHUT and GILCH pursued the airman who jumped a nearby ditch, faced his captors and indicated he was not attempting to escape. ZIERHUT and GILCH then started firing and one pistol shot took effect, striking the airman in the left shoulder. The airman turned and ran, his captors following in hot pursuit and firing indiscriminately. The chase ended near the bank of a small river, where the airman grappled with his captors and wrested ZIERHUT's pistol from him. Once

(continued on page 2)

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-581 LINDLEY (V)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0904

- 2 -

in the possession of the pistol, the airman covered his captors who ran to the barnyard nearby where a mixed crowd of approximately 10 soldiers and civilians had assembled and were observing the incident. The airman walked towards the crowd and halted in the middle of a small bridge not far from the barnyard. His attention was directed to the gestures of Josef KETTNER, a farmer, who beckoned to the airman to come to him and yelled "nix shoot". After much parlanche the airman approached the crowd, surrendered the captured pistol to Wehrmacht Sgt. Josef Maximillian KETTNER (son of the above mentioned KETTNER), and had his wounds dressed by him.

The following day the airman was interrogated by Feldwebel (fau) HANNEMAN, relative to the incident with the SA men and the Wehrmacht Sgt. previously mentioned, and HANNEMAN stated the SA men were "out to get" the Wehrmacht Sgt. for interfering with their plans to dispose of LIDLEY, and the Sgt. would be hanged.

PARTICULARS OF ALLEGED CRIME

0904

- 2 -

in the possession of the pistol, the airman covered his captors who ran to the barnyard nearby where a mixed crowd of approximately 10 soldiers and civilians had assembled and were observing the incident. The airman walked towards the crowd and halted in the middle of a small bridge not far from the barnyard. His attention was directed to the gestures of Josef KETTNER, a farmer, who beckoned to the airman to come to him and yelled "nix shoot". After much parlanche the airman approached the crowd, surrendered the captured pistol to Wehrmacht Sgt. Josef Maximillian KETTNER (son of the above mentioned KETTNER), and had his wounds dressed by him.

The following day the airman was interrogated by Feldwebel (fnu) HANNEMAN, relative to the incident with the SA men and the Wehrmacht Sgt. previously mentioned, and HANNEMAN stated the SA men were "out to get" the Wehrmacht Sgt. for interfering with their plans to dispose of LINDLEY, and the Sgt. would be hanged.

PARTICULARS OF EVIDENCE IN SUPPORT

0905

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) Both of the accused committed the offense on their own initiative.
- (b) ZIERHUT will no doubt testify that he stopped his car, got out to load his pistol; that the airman stepped out and started to run away; and that he called for him to halt several times before shooting. GILCH will deny he did any shooting because he had no ammunition.
- (c) The case appears to be reasonably complete.

5005/US/G/175

0907

WEIMANN, Herbert
and 63

Date Submitted

Decision of Committee I

- 1 MAY 1947

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5005 / US / G / 175

24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 416 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Herbert WEIMANN, Member of SS, Criminal Inspector, Criminal Police.
2. Paul GOEBEL, Member of S.S.
3. Otto LAARSEN, Member of S.S.

Date and place of commission of alleged crime.

In or about October or November 1944 near SALZBURG, Austria.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS:

In October or November 1944, an Allied prisoner of war, believed to be Alex MAIKOWSKY, allegedly an American, was transferred to the prisoner of war camp MOOSBURG, near MUNICH, Germany and with other prisoners of war was engaged in clearing work in the city of MUNICH. During an air raid the deceased escaped. Subsequently the criminal police of SALZBURG staged a raid on the inns in SALZBURG and the deceased was picked up. Although an order was given that he be returned to the prisoner of war camp, the accused WEIMANN intervened and prohibited his transfer. WEIMANN ordered that he be delivered to the police jail at SALZBURG where he was to remain under special guard at the disposal of WEIMANN. The next morning at 0515 hours, the deceased was taken by accused GOEBEL, LAARSEN and WEIMANN to a point on the autobahn near the town of SALZBURG where he was shot and killed by GOEBEL, LAARSEN and WEIMANN.

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-1237 MAIKOWSKY (V))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused WEIMANN committed the offense on his own initiative.
- (b) WEIMANN will probably take the position that he and the accused Paul GOEBEL and Otto LAARSEN, shot to halt the escaping prisoner and that death was accidental.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused WEIMANN committed the offense on his own initiative.
- (b) WEIMANN will probably take the position that he and the accused Paul GOEBEL and Otto LAARSEN, shot to halt the escaping prisoner and that death was accidental.
- (c) The case appears to be reasonably complete.

5006/US/G/176

0912

MONTSCHER, Franz
and to 4

Date Submitted

Decision of Committee I

1 MAY 1947

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CARDS CHECKED LIST 58

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0913

(For the Use of the Secretariat)

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5006/US/G/176

24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 417 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Franz MONTSCHER, German Civilian
- 2. Hans SCHEM, German Civilian
- 3. Johann ENGELNIEDERHÄUSER, German Civilian
- 4. BLUMHAGEN, German Civilian

Date and place of commission of alleged crime.

On or about 9 April 1945 near MUNICH, Germany.

Number and description of crime in war crimes list.

- a. Murder
- b. Ill-treatment of prisoner of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 9 April 1945 a United States air crew member, believed to be S/Sgt. Morris Peter THOMPSON, parachuted to earth from his disabled plane and landed in the vicinity of the Munich East Railroad Yard, MUNICH, Germany. Present at this time were members of the German Labor Service (RAD). A mob composed of about 200 members of the RAD, civilians, members of the Wehrmacht, and some members of the Luftwaffe quickly gathered. For about 15 minutes the airman was beaten with rifle butts, steel helmets and fists; he was stabbed a number of times; and he was kicked many times. Among those who participated in the beating, kicking and stabbing of the airman were ENGELNIEDERHÄUSER, MONTSCHER, and SCHEM. After the airman was probably near death from the beating, kicking and stabbing, one BLUMHAGEN fired a shot through his head with a rifle.

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-2581 - STEPIAKOWSKI (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense on their own initiative.
- (b) ENGELNIEDERHAMMER will probably deny participation in the murder. MONTSCHER will deny beating the airman. SCHEMM will probably plead that he struck only a few light blows and then stopped on command of an officer. BLUMHAGEN will deny participation in the murder.
- (c) The case appears to be reasonably complete.

5007/US/G/177

0917

WAGNER, Heinrich
and 6 24

Date Submitted

Decision of Committee I

Date Submitted	Decision of Committee I	CARDS CHECKED	LIT 58
1 MAY 1947	1-11, 13-24 : A 12 : left out (identical with 3)	B	

5007/US/G/177

(For the Use of the Secretariat)

0918

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Date of receipt in Secretariat.

5007/US/G/177

24 APR 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 418*

Table with 2 columns: Name of accused, his rank and unit, or official position. (Not to be translated.) and list of names and titles (1. Heinrich R. WAGNER, Gauleiter of Gau Baden, etc.)

Table with 2 columns: Date and place of commission of alleged crime. and On or about 9 August 1944, near WEISENBACH, GERNSBACH, and OBERROT, Germany.

Table with 2 columns: Number and description of crime in war crimes list. and a. Murder, b. Ill-treatment of prisoners of war. References to relevant provisions of national law. and Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

The above named accused, between the 9th day of December 1941 and the 8th day of May 1945, at sundry places within the then German Reich, individually and collectively, as principals, accessories, leaders, organizers, instigators and accomplices, did engage in, formulate and participate in a common plan or design to commit, or cause to be committed, violations of the Laws and Usages of War, and pursuant thereto did deliberately and wrongfully encourage, aid, abet, order and participate in, or took a consenting part in the subjection of members of the Armed Forces of the United States of America, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich, to cruelties and mistreatment, including killings, beatings, tortures, abuses and indignities.

(Continued on Page 2)

TRANSMITTED BY U. S. War Crimes Group (Case Nos. 12-3218, 12-2036, 12-3219, WEISENBACH (P), GERNSBACH (P), OBERROT (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

- 2 -
PARTICULARS OF ALLEGED CRIME

0919

12. DIEFFENBACHER, Kreisleiter
- ✓ 13. Franz DECK, German Civilian
- ✓ 14. Hermann KRIEG, German Civilian
- ✓ 15. Alois GERSTNER, German Civilian
- ✓ 16. Rudolf MERKEL, German Civilian
- ✓ 17. Isidor KLUMPP, German Civilian
- ✓ 18. Leo REIF, German Civilian
- ✓ 19. Fritz CLEMM, German Civilian
- ✓ 20. Fritz KERN, Obersturmfuhrer
- ✓ 21. Xaver GOTZ, German Civilian
- ✓ 22. POMPEUSE, Obersturmfuhrer
- ✓ 23. Matthaus GOTZMANN, Obersturmfuhrer
- ✓ 24. Wilhelm KARCHER, Obersturmfuhrer

SHORT STATEMENT OF FACTS (12-3218, WEISENBACH (P), 12-2036, GERNSBACH (P) and 12-3219, OBERTSROT (P)) CONTINUED

a. Heinrich R. WAGNER was gauleiter of Gau Baden and through him the Martin BORMANN order that captured Allied airmen should not be treated as prisoners of war but that the people should be aroused to "spontaneous action" to kill such flyers, was given to each of the Kreisleiters, Hans ROTHACKER of Kreis BUHEHL and Heinrich DIEFFENBACHER of Kreis RASTATT, who then transmitted it to the Ortsgruppenleiters Adolf EIERMANN, Franz WEILAND, Maurus HAITZLER, Hans JUNGINGER, Julius RATZKE, and Heinrich STICHLING, and Kurt OVERLACK, Kreisamtsleiter, all of the GERNSBACH, WEISENBACH, OBERTSROT, HILPERTSAU, Germany area, who in turn passed the order on to the people in public meetings. Dr. Hans MERKLE, an SS Sturmfuhrer, appeared at such public meetings and actively incited the people to kill any Allied airmen captured by them, and particularly explaining the HIMMLER order which prohibited the police from interfering to protect a flyer. A "Rollkommando" (Pursuit Troop) had also been organized by Kreisleiter DIEFFENBACHER for the special purpose of killing flyers where the people did not act, and also where necessary, to overcome police protection. Such were the conditions and organization under the direction of the above named members of the Leadership Corps of the German Reich in the area above mentioned on or about 9 August 1944 when three United States airmen were forced to parachute from a disabled bomber and land in the vicinity of the German towns above named. Each of the three airmen was beaten by a group of German civilians until practically dead, and then finished off with a shot in the head or neck. The method of operation was the same in each case. An Ortsgruppenleiter appeared on the scene and proceeded to incite mob violence by abusive language and by starting an assault on the airman. Members of the Rollkommando did the actual killing in two of the cases.

b. Another flyer, believed to be Sgt. Robert A. McDONOUGH, ASN 11120761, on the same day, i.e., on or about 9 August 1944, came down a hill called "SCHOELLKOPF", a short distance west of WEISENBACH. At first he was not mistreated, but, being wounded, was assisted by the civilians who arrived. But the accused Adolf EIERMANN, Ortsgruppenleiter, arrived and began to work up a mob. With him was also Ortsgruppenleiter WEILAND. EIERMANN shouted, "Here are the men who murder women and children". "Throw the dog down, the dog can walk". WEILAND

(Continued on Rider)

R I D E R

SHORT STATEMENT OF FACTS CONTINUED FROM PAGE 2

and Franz DECK cursed the flyer. EIERMANN again said, "He must not leave this place alive, and everybody who has no business here is to disappear". Under this threat the others, including women and children, left the scene. Left with the flyer were the accused EIERMANN, Franz WEILAND, Hermann KRLEG, Alois GERSTNER, Rudolf MERKEL, Franz DECK, and Isidor KLUMPP. The policeman Johann BOSCH was on the road at the foot of the hill afraid to interfere. The flyer was beaten by these accused with clubs and stones; he managed to stumble and roll down the hill, followed by the assassins, until he was on the road near the policeman, where Alois GERSTNER shot him through the head with a pistol. The murderers covered the body with weeds and went back to WEISENBACH.

c. Also on or about 9 August 1944, the third victim, believed to be Sgt. Kenneth L. PALMER, ASN 13073655, landed near OBERTSROT, a neighboring village to WEISENBACH. As the parachute descended, Kreisamtsleiter Kurt OVERLACK saw it and called Ortsgruppenleiter STICHLING by telephone, who in turn called the "Rollkommando" (Pursuit Troop), composed of Obersturmfuehrer POMPEUSE, Mattheus GOTZMANN, Wilhelm KARCHER, and Fritz KERN, and ordered them into action. In the meantime, OVERLACK sent his employee Leo REIF to the landing place armed with a pistol. Among the first to reach the airman was the local policeman David WEINGAERTNER, who attempted to take him prisoner, but Leo REIF arrived and immediately started an assault upon the flyer. The two Ortsgruppenleiters Hans JUNGINGER and Julius RATZKE joined in the assault, each cursing the flyer and striking him. Fritz CLEMM spit in the flyer's face. To a German soldier who protested RATZKE said, "-----we must beat him to death". It was the unmistakable intent of RATZKE, JUNGINGER, REIF, and CLEMM to beat the flyer to death on the spot, but Sebastian GRUBER arrived and went to the assistance of the policeman. The two were able to rescue the flyer from the mob at this point. WEINGAERTNER then took the prisoner away, but the Rollkommando had now gotten into action. On the way to join this group, Fritz KERN went by OVERLACK's factory where another employee, the accused Xaver GOTZ, provided him with a "spanner wrench" with the words, "Kill him". The Rollkommando met WEINGAERTNER and the flyer, just outside OBERTSROT. POMPEUSE assaulted the policeman, while GOTZMANN, KARCHER, and KERN began beating the flyer; KERN with the wrench that GOTZ had given him, and the others with clubs. They pushed the airman off the road into a turnip field and proceeded to beat him to death. After the airman was probably already dead, POMPEUSE shot him.

PARTICULARS OF EVIDENCE IN SUPPORT

0921

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offenses in obedience to superior orders.
- (b) Franz DECK will plead not guilty, and will deny any guilty participation in any of the crimes. Adolf EIERMANN will probably plead not guilty. He will contend that he took no part in the beatings or killings. GÖTZMANN will probably contend that he was only present at the scene of the murders because of the orders of Ortsgruppenleiter STICHLING and Sturmführer POMPEUSE. HAITZLER will contend that he was not present and had no part in any of the killings. KARCHER will attempt to minimize his participation. KLUMPP can only plead superior orders. KRIEG will rely on superior orders. ROTHACKER may be expected to plead not guilty to all counts in this case. STICHLING will attempt to deny that he had any actual part in the killings and that his publication of the BORMANN orders was forced upon him. WEILLAND will deny all guilt and contend that he was the innocent victim of circumstances.
- (c) The case appears to be reasonably complete.

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- (c) The case appears to be reasonably complete.

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- (c) The case appears to be reasonably complete.

5157/US/G/178

0923

RUESTER, Gustav Karl Wilhelm

Date Submitted	Decision of Committee I		CARDS CHECKED LIST, 58
22 MAY 1947	A	B	

5157/US/G/178

(For the Use of the Secretariat)

0924

Registered Number.

Date of receipt in Secretariat.

5157/US/G/178

12 MAY 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 421 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Gustav Karl Wilhelm RUESTER, Unterbahnhofinspektor</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 5 June 1944, near MONS, Belgium</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 5 June 1944, an unidentified Allied airman parachuted from a disabled plane in the vicinity of MONS, Belgium and landed in the town of MONS on the roof of a house opposite the barracks of the Light Cavalry (Chass sur a Chevel). His parachute became entangled in the chimney and he clung to a drain-pipe. REUSTER approached the house, saw the airman, drew his pistol and very calmly fired one round at him. The airman dropped to the ground and lay motionless. Members of the Gestapo and German soldiers threw him into a truck and drove him to a German military hospital located in the school of St. Ferdinand in JEMAPPES, Belgium. There he was brutally removed from the truck, admitted to the hospital, X-rayed and before an operation could be performed he died.

TRANSMITTED BY U. S. War Crimes Group (Case No. 6-155 MONS (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0926

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused RUESTER committed the offense on his own initiative.
- (b) RUESTER will deny that he fired at the airman. He may claim that the airman was not a prisoner of war and was not in the act of surrendering himself. He may claim this airman was simply in a position of great disadvantage resulting from the hazards of warfare.
- (c) The case appears to be reasonably complete.

5158/US/G/179

0928

NUSSBAUM, Johann Georg
and 2

Date Submitted	Decision of Committee I	CARDS CHECKED LIST 88
22 MAY 1947	1.2 : A	

5158/US/G/179

(For the Use of the Secretariat)

0929

Registered Number.

Date of receipt in Secretariat.

5158/US/G/179

12 MAY 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 422 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann Georg NUSSBAUM

2. Karl MUELLER

Date and place of commission of alleged crime.

On or about 22 April 1945, near BLECHHAMMER, near PULLENRIED, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 April 1945, about 180 United States prisoners of war in custody of a German guard detachment stopped for the night in a barn at BLECHHAMMER, near PULLENRIED, Germany, U.S. Zone. When the prisoners were assembled to move the next morning, 22 April 1945, two were missing. Three guards were left to look for the missing prisoners, with orders not to hurt anybody. About half an hour later a group of about 80 Hitler Youth under command of Karl MUELLER camped at the same barn. When it was learned that two American prisoners of war were probably hiding in the barn, a search was ordered by MUELLER, and the youths, probing with forks and bayonets in the hay, found the two prisoners. The prisoners were unarmed and offered no resistance. MUELLER, NUSSBAUM, and two or three others marched the two Americans 400 or 500 meters away from the barn, where they were shot and killed by MUELLER and NUSSBAUM.

TRANSMITTED BY U. S. War Crimes Group (Case No. 12-1839 BLECHHAMMER (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused NUSSEBAUM committed the offense in obedience to superior orders issued by Karl MUELLER.
- (b) NUSSEBAUM will claim superior orders.
- (c) The case appears to be reasonably complete.

5159/US/G/180

0933

BAUM, Georg Adalbert
and Co 4

Date Submitted

Decision of Committee I

22 MAY 1947

1-4: A

AP

CARDS CHECKED LIST 89

5159/US/G/180

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0934

Registered Number.

Date of receipt in Secretariat.

5159/US/G/180

12 MAY 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 423 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Georg Adalbert BAUM, Member of NSDAP
- 2. Ludwig LOEBER, " " "
- 3. Otto ALBRECHT, No description
- 4. KRAUSE, Member of SS

Date and place of commission of alleged crime.

On or about 19 October 1944 near EPPSTEIN/Taunus, Germany.

Number and description of crime in war crimes list.

Assault

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 19 October 1944, a United States airman of unknown identity bailed out of a disabled plane at or near EPPSTEIN/Taunus, Germany, US Zone. He was surrounded by a mob, which beat and abused him. LOEBER was the ringleader. He struck the airman in the face and kicked him, and also used a club, while BAUM was active in striking at the victim's face with his hand. A number of SS men participated in the assault. ALBRECHT participated in the assault. The flyer was bleeding freely after the assault, and his features were unrecognizable. He was taken in a car to WIESBADEN, Germany, U.S. Zone, by SS man KRAUSE, who on his return said, "I have given him the finishing stroke, tomorrow he will ^{not} live any longer".

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-2068 EPPSTEIN (P))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0936

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense on their own initiative.
- (b) BAUM and LOEHER will attempt to minimize the severity of the assault and assert they were carried away by temporary hysteria. ALBRECHT and KRAUSE will probably deny participation.
- (c) The case appears to be reasonably complete.

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- (c) The case appears to be reasonably complete.

**REGISTERED
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181

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190

**REGISTERED
NOS.**

181

TO

190

5198/US/G/181

0938

BUERGIN, Ernst
and 2

Date Submitted

Decision of Committee I

22 MAY 1947

1.2 : A

77

CARDS CHECKED LIST 50

5198/US/G/181

(For the Use of the Secretariat)

0939

Registered Number.

Date of receipt in Secretariat.

5198/US/G/181

21 MAY 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST I. G. FARBE

WAR CRIMINALS

WAR CRIMINALS

CASE No. 437. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. BUERGIN, Ernst Born 31 July 1885 at Whylen Baden; Member of the Vorstand I.G. Farben Industries; Chief Works Combine Central Germany; Wehrwirtschafts Fuehrer; Adviser to Krauch office, Goering Four Year Plan

2. WURSTER, Karl Born 2 December 1900 at Stuttgart; Member of the Vorstand I.G. Farben Industries; Chief Works Combine Upper Rhine; Leader of the Plants at Ludwigs-hafen-Oppau; Wehrwirtschafts Fuehrer; Holder of Knight's Cross of the War Merit Cross

Date and place of commission of alleged crime.

Generally crime has no specific geographical location.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Participation in planning, preparing, initiating and waging wars of aggression and invasion; slave labor; plunder and spoliation in occupied countries; common plan or conspiracy to commit aforementioned crimes.

Allied Control Council Law No.10, dated 20 December 1945.

SHORT STATEMENT OF FACTS.

Crimes included planning, preparing, initiating and waging wars of aggression and invasion of other countries, as a result of which incalculable destruction wrought throughout the world, millions of people were killed and many millions more suffered and are still suffering; deportations to slave labor of members of the civilian population of the invaded countries and the enslavement, mistreatment, terrorism, torture and murder of millions of persons, including German nationals as well as foreign nationals; plunder and spoliation of public and private property in the invaded countries pursuant to deliberate plans and policies, intended not only to strengthen Germany in launching its invasions and waging its aggressive wars and secure the permanent economic domination by Germany of the Continent of Europe, but also to expand the private empire of the I.G. Farben concern; and other grave crimes.

Source: Office of Chief of Counsel for War Crimes, APO 696A, U.S. Army (Case No.6).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) By virtue of their positions as members of the Vorstand that established policies of the Company.
- (b) -
- (c) The case appears to be complete.

5359/US/G/182

0943

RUEGER, Otto
63

Date Submitted Decision of Committee I

12 JUN 1947

1-3: A

OK

CARDS CHECKED LIST 40

5359/US/G/182

(For the Use of the Secretariat)

0914

Registered Number.

Date of receipt in Secretariat.

5359 / US / G / 182

4 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 424. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Otto RUEGER, Amtswalter in German Labor Front
2. Wilhelm SCHROEDER, Meister of Police
3. August TIDOW, German civilian

Date and place of commission of alleged crime.

On or about 28 May 1944, near BREMEN, Germany.

Number and description of crime in war crimes list.

Ill-treatment of prisoners of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 28 May 1944, a four motored United States plane, after circling over BREMEN, Germany, crashed in the vicinity thereof. Six members of the crew parachuted from the disabled plane and upon landing surrendered to German civilians. Otto RUEGER struck one of the airmen on the right side of the face with a hatchet. Wilhelm SCHROEDER beat the airman with his fists and ordered his dog to attack and bite airman SCHELLENGER on the legs. August TIDOW slapped one of the flyers four times in the face with his open hand. Others participated in assaults on the airmen.

Source: U. S. War Crimes Group (Case No.12-57, ALKIRE V (W)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

0344

Registered Number.

Date of receipt in Secretariat.

5359 / US / G / 182

4 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 424 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

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2. Wilhelm SCHROEDER, Meister of Police
3. August TIDOW, German civilian

Date and place of commission of alleged crime.

On or about 28 May 1944, near BREMEN, Germany.

Number and description of crime in war crimes list.

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References to relevant provisions of national law.

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Source: U.S. War Crimes Group (Case No.12-57, ALKIRE V (W)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

1100

Page 2

0945

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0946

NOTES ON THE CASE

0917

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense on their own initiative.
- (b) RUEGER and TIDOW will deny participation in the assaults. SCHROEDER will attempt to minimize his participation.
- (c) The case appears to be reasonably complete.

5360/US/G/183

0948

LOSER, Johann Friedrich Wilhelm

Date Submitted Decision of Committee I

12 JUN 1947

A

JF

CARDS CHECKED LIST 60

1

5360/US/G/183

(For the Use of the Secretariat)

0949

Registered Number.

Date of receipt in Secretariat.

5360/US/G/183

4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

Case No. 425 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Johann Friedrich Wilhelm LOSER Landrat</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 22 October 1944 near HANAU, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Ill-treatment of prisoners of war.</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

In or about October 1944, four captured United States Army paratroopers, Pfc. Ralph CRUSE, Pfc. Ernest PUNTURO, Pvt. Orlan MANNING, and Pvt. Carl REMBERG, escaped from a train and were recaptured near BUDESHEIM, Germany, United States Zone. They escaped, were recaptured and taken to Police Barracks at HANAU, Germany, where they were beaten. LOSER, who was then Landrat of HANAU, beat REMBERG with a pair of aluminum knuckles and CRUSE with a riding whip until CRUSE fell on the floor from weakness. LOSER then struck PUNTURO across the head repeatedly where he had previously been wounded, knocking him down and kicking him into unconsciousness and the whole time calling him a Jew. MANNING was beaten by LOSER and forced by him to jump into an icy stream and look for rifles. All four of the airmen were locked up on order of LOSER and received no medical treatment nor water or food for a period of twenty-four hours.

Source: U.S. WAR CRIMES GROUP (Case No. 12-1607, BUDESHEIM (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

3900

Page 2

0950

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0951

1200

0952

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused LOSER committed the offense on his own initiative.
- (b) LOSER will probably attempt to minimize the seriousness of the beating.
- (c) The case appears to be reasonably complete.

5361/US/G/184

0953

ELLERS, Josef

Date Submitted

Decision of Committee I

12 JUN 1947

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54

CARDS CHECKED LIST 60

5361/US/G/184

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0954

Registered Number.

Date of receipt in Secretariat.

5361 / US / G / 184

4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 426. *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Josef ELLERS - SS Policeman, Ploeger Company, Carsten Battalion.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 18 September 1944 near KEPPELN, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 18 September 1944, eight glider planes transporting members of 320th Glider Field Artillery, 82nd Div., United States Army, landed near LUISINDORF, Germany, 21 miles from their original destination, GROESBEEK, Holland. The party commandeered a farmhouse in adjacent KEPPELN, Germany. The evening of the same day the paratroopers were captured by members of the local and SS Police, the latter comprising the Ploeger Co. commanded by Lt. Heinz PLOEGER. They were lined up in rows of threes and searched. During conduct of search, Josef ELLERS, one of the SS Police of Ploeger Co., suddenly stepped back and, without provocation, fired his rifle into chest of 1st Sgt. Marion H. LAMM. The United States POWs were then marched to schoolhouse in KEPPELN. Sgt. LAMM, severely wounded, was assisted on the way by four of his comrades but died on reaching the schoolhouse. Josef ELLERS in his two signed statements confesses to killing of Sgt. LAMM.

Source: U.S. War Crimes Group (Case No.12-2162, LAMM(V)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1200

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused ELLERS committed the offense on his own initiative.
- (b) ELLERS will probably attempt to stand by his two statements that the shooting was accidental due to his having been pushed by some unknown person while he was standing with his finger on the trigger of his rifle.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused ELLERS committed the offense on his own initiative.
- (b) ELLERS will probably attempt to stand by his two statements that the shooting was accidental due to his having been pushed by some unknown person while he was standing with his finger on the trigger of his rifle.
- (c) The case appears to be reasonably complete.

5362/US/G/185

0958

E

CAUMANN, Erich

Date Submitted

Decision of Committee I

12 JUN 1947

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CARDS CHECKED LIST 60

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0359

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 427 *

Name of accused, his rank and unit, or official position.

1. Erich CAUMANN, German Commandant

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 15 June 1944 near LA VILLABEAU, near BRAINS, France.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 15 June 1944 the plane in which Lt. William D. ALLEN, S/Sgts. David F. GIBSON and John S. SUTTON, United States airmen, were flying was set afire by anti-aircraft fire over NANTES, France. They bailed out and landed near the village of LA VILLABEAU which is about two kilometers north of BRAINS, France. They went to a French house where they were advised by French civilians to hide in the woods until dark. While the three airmen were lying in the woods about 50 yards from the edge, GIBSON heard what sounded like two cars. He awakened his two comrades. The searching party consisting of Erich CAUMANN, three or four French police and some civilians, walked near the airmen three or four times. Erich CAUMANN stepped up to about three feet from the airmen and shot ALLEN in the chest, killing him. He also shot SUTTON in both legs, which resulted in crippling him. At the time of the shooting ALLEN had his hands raised and SUTTON was in the act of raising his hands. None of the airmen were armed.

Source: U.S. WAR CRIMES GROUP (Case No. 11-52 ALLEN (V))

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0961

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused CAUMANN committed the offense on his own initiative.
- (b) CAUMANN will plead self defense and superior orders.
- (c) The case appears to be reasonably complete.

5363/US/G/186

0963

SCHWABEN, Johann
64

Date Submitted

Decision of Committee I

12 JUN 1947

1-3:A
4:W

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CARDS CHECKED LIST 60

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0964

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Date of receipt in Secretariat.

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 428 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Johann SCHWABEN Wehrmacht Hauptmann, Commanding Officer of 1st Company, 1st, 2nd or Schwaben Battalion.</p> <p>2. THIELE 2nd Lt., same company.</p> <p>3. Grenadier STEINERT same company.</p> <p><u>WITNESS</u></p> <p>4. Hugo BRENSCHEIDT same company.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 17 April 1945 near BILLINGSBACH, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 17 April 1945 two United States officers were engaged in a fire fight with elements of the 1st Company, 1st, 2nd or Schwaben Battalion near BILLINGSBACH, Germany, United States Zone. One of the officers, Major BENNETT, was killed in the fight and the other, Captain CUMMINS, was wounded and captured. The German company commander, 2nd Lt. THIELE, sent Captain CUMMINS to Captain SCHWABEN, German Battalion commander, for disposition. After questioning the American, Capt. SCHWABEN gave an order to Hugo BRENSCHEIDT, a messenger, to take him back to the company and shoot him so it would look like he was shot in combat. This order was transmitted to Lt. THIELE who ordered Grenadier STEINERT to shoot Captain CUMMINS. Captain CUMMINS was shot and his body placed next to the body of Major BENNETT.

Source: U.S. WAR CRIMES GROUP; (Case No. 12-494-1, CUMMINS (V)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0966

NOTES ON THE CASE

0967

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHWABEN committed the offense in obedience to superior orders.
- (b) The accused will probably defend on the grounds of superior orders and military necessity because of the combat situation at the time.
- (c) The case appears to be reasonably complete.

5364/US/G/187

0968

ISENMANN, Otto Friedrich
and 2

Date Submitted

Decision of Committee I

12 JUN 1947

1, 2 : A for
complicity in murder *JM*

CARDS CHECKED LIST 60

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0968

ISENMANN, Otto Friedrich
and 2

Date Submitted

Decision of Committee I

12 JUN 1947

1, 2 : A for
complicity in murder

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5-364/US/G/187

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0969

Registered Number.

Date of receipt in Secretariat.

5364 / US / G / 187

4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 429 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Otto Friederich ISENMANN, Captain and Chief of Gendarmerie.
2. Karl Josef REBEL, Lieutenant of Gendarmerie.

Date and place of commission of alleged crime.

On or about 15 August 1944 near WOLFISHEM, France.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

An unknown United States airman bailed out of a bomber on 14 August 1944 and came down in KOLBSHEIM, Alsace, France, and surrendered to and was hidden by French Patriots. He was seen by collaborationists and reported by them to the German Gendarmerie. Prior to this time secret orders had been passed down to all Precinct Chiefs of the German Gendarmerie in the Alsace that the captured Allied flyers were to be killed by murder details. According to ISENMANN, the order was worded to the effect that the practice of turning captured Allied flyers over to the Wehrmacht was revoked and the capture of flyers was to be reported to either the Gestapo or the EDS Headquarters in STRASBOURG. This report was to be made by telephoning a secret number and the nature of the message was to be indicated by the code word "OMNIBUS". The agency receiving the call would send out a murder detail dressed as civilians to meet the Gendarmerie guard and the flyer at some point along a designated road, seize the airman and carry him to an appropriate place to murder him. When the presence of the flyer was reported the Lieutenant in charge, Karl Josef REBEL, and Captain Otto ISENMANN,

(Continued on page 2)

Source: U.S. WAR CRIMES GROUP (Case No. 11-584 HANGENBIETEN (P))

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- 2 -
PARTICULARS OF ALLEGED CRIME

SHORT STATEMENT OF FACTS (Continued)

Chief of the STRASBOURG Precinct, took a detail out and arrested the flyer in the house of Monsieur HENN. Although the flyer made no move to escape or defend himself, Lt. REBEL struck him in the face. ISENMANN then called the Gestapo office in STRASBOURG and received the answer. "It will be attended to". ISENMANN had previously told REBEL of the secret order and to expect the murder detail. The murder detail arrived at the Police Station in WOLFISHEIM about two o'clock in the morning of 15 August 1944, consisting of about four or five men. The leader introduced himself to ISENMANN and told him that he was ordered to remove the flyer and kill him. ISENMANN replied, "Do what you will". The detail departed with the flyer. The body of the flyer was found the next morning on the outskirts of WOLFISHEIM, partly buried. This fact was reported to Ernst MEIER, Commander of the Security Police, who told ISENMANN that he had done a good job and arranged the removal of the body of the airman from WOLFISHEIM to the NATZWEILER Concentration Camp, where it was found to have one gunshot wound through the left thigh and one through the left temple, after which the body was presumably cremated.

PARTICULARS OF EVIDENCE IN SUPPORT

0971

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused ISENMANN and REBEL committed the offense in obedience to superior orders.
- (b) ISENMANN will claim superior orders. REBEL will probably interpose the defense that he did not know of the orders and had nothing to do with the murder of the flyer and will deny the allegations of ISENMANN.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused **ISENMANN** and **REBEL** committed the offense in obedience to superior orders.
- (b) **ISENMANN** will claim superior orders. **REBEL** will probably interpose the defense that he did not know of the orders and had nothing to do with the murder of the flyer and will deny the allegations of **ISENMANN**.
- (c) The case appears to be reasonably complete.

5365/US/G/188

0973

MACK, Karl
and 2

Date Submitted Decision of Committee I

12 JUN 1947

1, 2: A

[Signature]

CARDS CHECKED LIST 60

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0974

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Date of receipt in Secretariat.

5365 / US / G / 188

4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 430. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Karl MACK, German civilian
2. Friedrich HARTMANN, German civilian

Date and place of commission of alleged crime.

On or about 25 April 1944 near MICHELFELD, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 25 April 1944 a United States airman, believed to be 1st Lt. William J. SIMMONS, ASN O-744781 bailed out of his disabled plane at an approximate altitude of 400 meters, parachuted to the earth and, when his parachute, which had not fully opened, caught fire, he landed forcibly on the ground in the vicinity of MICHELFELD, Germany, United States Zone, and was probably severely injured upon landing. Karl MACK, a German civilian, ran to the spot where the airman lay and beat him severely on the head with a club. Friedrich HARTMANN beat SIMMONS on the head with a pole. When reproached by Johann WURST, Karl MACK said, "You are a bunch of cowards". MACK told another, "This fellow won't do anything more because I gave him what was coming to him". The airman was then taken to the hospital, where he died the same day. Hospital record indicates cause of death as "fractured skull".

Source: U.S. War Crimes Group (Case No.12-1666, MICHELFELD (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0976

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on their own initiative.
- (b) Karl MACK will probably claim the death of the flyer was the result of his parachute jump from the plane and not the direct result of any blows inflicted upon the victim. He may attempt to claim mental disorder dating back to 1931.
- (c) The case appears to be reasonably complete.

- 4 -
NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on their own initiative.
- (b) Karl MACK will probably claim the death of the flyer was the result of his parachute jump from the plane and not the direct result of any blows inflicted upon the victim. He may attempt to claim mental disorder dating back to 1931.
- (c) The case appears to be reasonably complete.

5366/US/G/189

0978

SCHICKAU, Erwin Karl Heinrich

63

Date Submitted

Decision of Committee I

12 JUN 1947

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CARDS CHECKED LIST 60

5366/US/G/189

(For the Use of the Secretariat)

0979

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 431. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erwin Karl Heinrich SCHLICKAU, Member Nazi Party

2. Olaf HOFER, German civilian

Witness

3. Wilhelm TIEDEMAN, German civilian

Date and place of commission of alleged crime.

On or about 6 November 1944 near BERGDORF, Germany

Number and description of crime in war crimes list.

Ill-treatment of prisoner of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On 6 November 1944 a United States airman, S/Sgt. Joseph C. WARD, ASN 32344755, parachuted from his disabled plane and landed in the vicinity of BERGDORF, Germany, injuring one of his legs. He surrendered himself to German civilians, one Wilhelm TIEDEMAN, and the other unknown. Erwin Karl Heinrich SCHLICKAU arrived and shouted, "Kill the dog," and hit him in the face with his fists until the airman's nose was broken, eye injured, and he could not stand any longer. He also struck the airman several times in the back of the head with his fist, pushed him and banged his head against the wall of a house. Olaf HOFER, arrived on his bicycle, dismounted and struck the flyer several times in the face with his fists.

Source: U.S. War Crimes Group (Case No.12-2400 BERGDORF (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

0981

1. On or about the date of the offense, the defendant was in possession of a certain amount of money, to-wit: \$100.00.

2. The defendant was seen by the witness on the date of the offense, and the witness observed the defendant in possession of the same amount of money.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHLICKAU committed the offense on his own initiative.
- (b) SCHLICKAU will contend that he only struck the flyer so "that the people would allow me to get him away from them."
- (c) The case appears to be reasonably complete.

5367/US/G/190

0983

SCHMAUDER, Fritz

Date Submitted

Decision of Committee I

12 JUN 1947

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5367/US/G/190

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Registered Number.

Date of receipt in Secretariat.

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 432. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Fritz SCHMAUDER, Wehrmacht Obergefreiter

Date and place of commission of alleged crime.

On or about 6 September 1943 near HUELBEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 6 September 1943 an unknown United States airman parachuted from a damaged plane in the vicinity of DETTINGEN, Germany, French Zone. He landed in a valley approximately one kilometer from HUELBEN, Germany, French Zone. SCHMAUDER, who was at that time a soldier on furlough, saw the airmen descending and went by bicycle in the direction he presumed they would land. He climbed one of the trees in a forest along a mountain side and from there saw smoke from a burning plane in the valley below. After he came down from the tree and proceeded a short distance, he heard a shot approximately 30 to 40 meters ahead of him. He returned to HUELBEN, borrowed a rifle and proceeded again to the spot from which he heard the shot. There he found an unconscious but still living United States airman lying face against the ground. SCHMAUDER stood behind the airman and fired one shot which hit him in the neck, killing him instantly.

Source: U.S. War Crimes Group (Case No.12-2157 SCHMAUDER (A)).

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused SCHMAUDER committed the offense on his own initiative.
- (b) There is nothing in the record to indicate what SCHMAUDER's defense will be.
- (c) The case appears to be reasonably complete.

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0988

WINTER, ORO
and Co 4

Date Submitted

Decision of Committee I

12 JUN 1947

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CARDS CHECKED LIST 60

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 433 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- | | |
|-------------------|-------------------------|
| 1. Otto WINTER | Member of the Landwacht |
| 2. Erwin KLOPP | No description |
| 3. Otto MUELLER | " " |
| 4. Albert MUELLER | " " |

Date and place of commission of alleged crime.

In or about the summer of 1944 near RUHEN, Germany.

Number and description of crime in war crimes list.

Ill-treatment of a prisoner of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In or about the summer of 1944 an unknown United States airman, whose plane had crashed, was captured in or about the town of RUHEN, Germany, British Zone. Among his captors were WINTER, KLOPP, Otto MUELLER, Albert MUELLER, and another. These five Germans set upon the defenseless captured airman and began to beat him severely about the head, back and legs with a cane or wooden stick about three feet long and two inches thick; they also beat him with their fists and the ropes from the parachute. This continued for about 20-30 minutes until the airman fell to the ground. He was pulled up by his ears by the above mentioned perpetrators who shouted "Up dog", "Beat the dog hard", and other derogatory remarks. As he was pulled up, he was beaten again. Finally, the airman in a weakened and bloody condition and being unable to walk was taken to the local police on a bicycle.

Source UNITED STATES WAR CRIMES GROUP (Case No. 12-1022 WINTER, Otto)

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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0990

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

0991

NOTES ON THE CASE

0392

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense on their own initiative.
- (b) Accused will deny any complicity in these alleged assaults upon the airman.
- (c) The case appears to be reasonably complete.

5369/US/G/192

0993

MINX, Heing Trang Herbert
and Co

Date Submitted	Decision of Committee I		CARDS CHECKED LIST 60
12 JUN 1947	1: A 2-6: W	JH	

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0994

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Date of receipt in Secretariat.

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMANY WAR CRIMINALS

CASE No. 434 *

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> <p>1 - A 2 - B</p>	<p>1. Heinz Franz Herbert MINX SS. Obersturmfuehrer</p> <p><u>Witnesses</u></p> <p>2. Wilhelm NEUTZE German policeman</p> <p>3. Ewald HARMS S.S. Officer</p> <p>4. Hans HOLLER " "</p> <p>5. Wilhelm HOLZHAUSEN " "</p> <p>6. Heinrich LOBACH " "</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 24 August 1944 near MuenstEDT, Germany.</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 24 August 1944, at approximately 1200 hours, two unknown air crew members, believed to be Americans, safely parachuted to earth from their disabled plane and landed in the vicinity of SCHMEDENSTEDT, Germany, British Zone. Both airmen were immediately taken prisoners of war by Wilhelm NEUTZE, a German policeman, and Ewald HARMS, Hans HOLLER, Wilhelm HOLZHAUSEN, Heinrich LOBACH, and Heinz Franz Herbert MINX, SS officers. HARMS, HOLLER, LOBACH, and MINX placed the two airmen in an automobile and drove from SCHMEDENSTEDT to a point on the east side of the road between SCHMEDENSTEDT and MuenstEDT where both airmen were killed by being shot through their chests by accused MINX. The bodies of the two airmen were left lying in a ditch but were later buried by civilians in an unmarked grave. They were disinterred 28 April 1945 and reburied in the 9th Army cemetery, MARGRATEN, Holland.

Source: UNITED STATES WAR CRIMES GROUP (Case No.12-1949 MuenstEDT (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

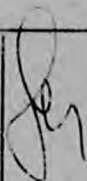
(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused MINX committed the offense on his own initiative.
- (b) MINX will deny any participation in the shooting of the two airmen and will claim they were shot while attempting to escape. He will likewise claim that he had left the death scene when the shots were fired and that all shots were fired by HARMS, HOLLER, and ISBACH.
- (c) The case appears to be reasonably complete.

5370/US/G/193

0998

BOEHM, Karl
and 64

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 435. *

<p>Name of accused, his rank and unit, or official position. (Not to be translated.)</p>	<ol style="list-style-type: none"> 1. Karl BOEHM Wehrmacht Lieutenant and Commanding Officer of the 1st Panzer Reconnaissance Company of the 7th Panzer Reconnaissance Replacement and Training Battalion. 2. Rudiger Von MASSOW Wehrmacht Lieutenant, 1st Panzer Reconnaissance Company of the 7th Panzer Reconnaissance Replacement and Training Battalion. 3. KOBUS Ortsgruppenleiter and Burgermeister of Freilassing. 4. STREDELE Kreisleiter of Kreis Berchtesgaden.
<p>Date and place of commission of alleged crime.</p>	<p>On or about 16 April 1945 near FREILASSING, near BERCHTESGADEN, Germany.</p>
<p>Number and description of crime in war crimes list. References to relevant provisions of national law.</p>	<p>Murder Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 16 April 1945, a United States airman, believed to be Captain Chester E. COGGESHALL, made a forced landing with a damaged plane in the vicinity of SILLERSDORF, Germany, a small village about five kilometers from FREILASSING, Kreis BERCHTESGADEN, Germany. He was wounded, but not seriously. He was captured by the local Gendarmerie and German soldiers, put on a stretcher, and taken in an armored car to FREILASSING. There he was brought to the schoolhouse which at that time was being used as Company Headquarters of the 1st Panzer Reconnaissance Company of the 7th Panzer Reconnaissance Replacement and Training Battalion. German soldiers, belonging to the 1st Panzer Reconnaissance Company attempted to remove the airman to the dispensary but were prevented from doing so by KOBUS, Ortsgruppenleiter and Burgermeister of FREILASSING.

Lt. BOEHM, Company Commander of the 1st Panzer Reconnaissance Company, arrived at the scene at this moment. Lt. Von MASSOW, who was a member of this unit arrived shortly thereafter. BOEHM, von MASSOW, and KOBUS conferred in private. KOBUS told BOEHM and

(Continued on Page 2)

Source: U.S. War Crimes Group (Case No.12-1155-2, FREILASSING (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

von MASSOW that he had been ordered by STREDELE, Kreisleiter of Kreis

BERCHTESGADEN, to "finish the pilot". BOEHM replied, "These orders of the Kreisleiter are known to us". BOEHM ordered von MASSOW to place the wounded airman back on the vehicle and to drive to a meadow near a woods on the outskirts of town. KOBUS rode at once in that direction on his bicycle. Von MASSOW, accompanied by two recruits and a driver, followed with the airman in the armored car. After they entered the woods, KOBUS fired two shots into the head of the airman, killing him instantly.

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Accused BOEHM, Von MASSOW and KOBUS apparently committed the offense in obedience to superior orders.
- (b) There is nothing in the file to indicate what the defense of BOEHM, KOBUS and STREDELE will be. Von MASSOW will probably claim superior orders.
- (c) The case appears to be reasonably complete.

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JAEGER, Heinrich
and to b

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 436. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Heinrich JAEGER German civilian
- 2. Robert KUENNEMANN " "
- 3. Herman Gustav SCHMIDT " "

Witnesses

- 4. Kurt JAEGER, German civilian
- 5. Willi BAUMGART " "
- 6. Wilhelm GLINDERMANN " "

Date and place of commission of alleged crime.

In or about the summer of 1944 in the vicinity of WALLE, Germany.

Number and description of crime in war crimes list.

Ill-treatment of prisoner of war.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In or about the summer of 1944 an unknown United States airman bailed out of his disabled and burning plane and landed at or near the town of WALLE, Germany, British Zone. The airman was severely burned about the hands and head. He surrendered to Kurt JAEGER, a resident of WALLE. Shortly thereafter Willi BAUMGART and Wilhelm GLINDERMANN arrived on the scene and the three Germans together with the airman started toward the house of the Burgermeister in WALLE. As they were walking along the road, a crowd gathered and several Germans in the crowd set upon the airman and began to beat him mercilessly. KUENNEMANN beat the airman severely about his burned face with his fists, kicked him and took one of the airman's boots and used it as a club to beat him over the head. Heinrich JAEGER beat the airman with his fists many times. SCHMIDT beat the airman about the face until he collapsed. SCHMIDT then kicked him several times in the groin, rendering him unconscious.

Source: U.S. War Crimes Group (Case No. 12-2971 WALLE (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused JAEGER, KUENNEMANN, and SCHMIDT committed the offense on their own initiative.
- (b) JAEGER, KUENNEMANN, and SCHMIDT will deny any participation in the assaults.
- (c) The case appears to be reasonably complete.

5372 / US / G / 195

1008

GROSS, Johann
and 2

Date Submitted Decision of Committee I

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 438*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Johann GROSS Oberscharfuhrer; Kriminal Assistant of Gestapo.
- 2. Paul Walter ERTEL Gestapo member.

Date and place of commission of alleged crime.

In or about January or February 1945 near ALTWIED, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In or about the month of January or February, 1945 an unknown and surrendered United States airman who had bailed out of his airplane was brought to the Rengsdorf Police Station and placed in jail. The next morning GROSS and ERTEL walked the airman along the foot path leading in the direction of ALTWIED, Germany. The airman had an injured foot which had been bandaged and he was carrying one of his shoes in his hand. After proceeding for a short distance, the American was shot in the back by the perpetrators Johann GROSS and Paul Walter ERTEL. After killing the airman, the perpetrators GROSS and ERTEL returned to their Headquarters in ALTWIED, Germany, and reported that they had shot the airman during their interrogation of him which took place while they were walking along the foot path.

Source: US War Crimes Group; (Case No.12-1109, ALTWIED (P))

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused GROSS and ERTEL committed the offense on their own initiative.
- (b) GROSS and ERTEL will use the defense that the prisoner attempted to escape and that he was killed in this attempt.
- (c) The case appears to be reasonably complete.

5373/US/G/196

1013

LUETHJE, Wilhelm

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 439.*

<p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p>	<p>1. Wilhelm LUETHJE - Gendarmerie official.</p>
<p>Date and place of commission of alleged crime.</p>	<p>On or about 25 September 1944 near CRAMME, Germany</p>
<p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p>	<p>Murder</p> <p>Violation of the Laws and Customs of War.</p>

SHORT STATEMENT OF FACTS.

On or about 25 September 1944, at or about noontime, a United States air crew member, believed to be Homer W. GOFF, ASN O-717779, safely parachuted to earth from his disabled plane and landed in the vicinity of CRAMME, Germany. REUPKE, an agricultural worker, arrived on the scene and helped the airman from his parachute. Later DORNETTE, an auxiliary policeman, arrived on the scene, searched the airman and found him unarmed. DORNETTE took the airman to CRAMME, Germany, and made a report by telephone to LUETHJE, a Gendarmerie official. LUETHJE arrived in CRAMME, Germany, about fifteen minutes after receiving the telephone call from DORNETTE. About this time BODE, the Ortsgruppenleiter of CRAMME, Germany, and two German soldiers from an antiaircraft unit arrived at DORNETTE's house where the airman was being detained. The airman was not turned over to the German soldiers but was taken by LUETHJE and BODE to BODE's house and locked in the coal cellar, where he was left unguarded while LUETHJE and BODE searched the vicinity for other airmen. LUETHJE and BODE returned to BODE's house about 1500 hours. The airman was still in

(Continued on Page 2)

TRANSMITTED BY Source: U.S. War Crimes Group (Case No. 12-1168 (GOFF (V))).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

the coal cellar where they had locked him about two hours previously. At no time does it appear that the airman made any attempt to escape, although it does appear that the door to the cellar in which he was held was weak and might have been forced. LUETHJE made a telephone call to an unknown person announcing his intention of taking the airman to WOLFENBUTTEL, Germany. WOLFENBUTTEL is about thirteen kilometers by the main road or about nine kilometers by a forest path from CRAMME. At this time there was horse drawn transportation available to LUETHJE, but he chose to walk the now barefooted airman by the forest path to WOLFENBUTTEL. LUETHJE walked the airman about five hundred meters into the forest, shot him through the head at very close range and returned with the story that the airman had attempted to escape and was shot at a range of about thirty meters.

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused LUETHJE committed the offense on his own initiative.
- (b) LUETHJE will claim that the airman was trying to escape and that he was shot, while running away, at a distance of about thirty meters.
- (c) The case appears to be reasonably complete.

5374/US/G/197

1018

DIETRICH, Fritz

68

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 440.*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. ✓ Fritz DIETRICH Police President
- 2. ✓ Fritz DINTINGER SS Unterscharfuehrer
- 3. ✓ Albert ELI SS Rottenfuehrer
- 4. ✓ Karl HUNSICKER SS Untersturmfuehrer
- 5. ✓ Johann KLEIN Polizei Hauptmann
- 6. ✓ Willy STEMMLER SS Standartenfuehrer
- 7. ✓ Richard WANDEL Polizei Major
- 8. ✓ Dr. Otto ZEITZER German civilian

Date and place of commission of alleged crime.

- 1. On or about 31 July 1944, near SAARBRUECKEN, Germany
- 2. On or about 25 August 1944, near SAARBRUECKEN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

Statement of Facts Number 1:

On or about 31 July 1944 a B-24 United States bomber crashed in the vicinity of SAARBRUECKEN, Germany, French Zone, and crew members 1st Lt. Emil BERRY, 2nd Lt. John B. GOOD and S/Sgt. Lewis PULSIPHER landed safely by parachute. GOOD was taken into custody in MALSTATT, Germany, a suburb of SAARBRUECKEN; BERRY was taken into custody in nearby BURBACH; and PULSIPHER was taken into custody in WEMETSWEILER, in the vicinity of NEUNKIRCHEN, Germany, French Zone. In a meeting previous to 31 July 1944, one KOELLE had impressed on his subordinates that, by virtue of orders from Police President Dr. Fritz DIETRICH of SAARBRUECKEN, all enemy aviators were not to be relinquished to the Wehrmacht, but that in the future they were to be reported to police headquarters in SAARBRUECKEN, whence orders relative to their disposition would be issued.

When apprised of the airmen being in custody, DIETRICH ordered SS Standartenfuehrer

TRANSMITTED BY Sources: U.S. War Crimes Group Case Nos. 12-1545 NEUNKIRCHEN(P) and 12-2272 WYATT (V)

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIMESTATEMENT OF FACTS (Cont'd)

Willy STEMLER to have GOOD and BERRY shot. In compliance, STEMLER called SS Untersturmfuehrer Karl HUNSICKER and ordered him to shoot the airmen. HUNSICKER in turn called upon SS Unterscharfuehrer Fritz DINTINGER and SS Rottenfuehrer Albert ELI to participate in the murders.

HUNSICKER, DINTINGER and ELI drove first to the police station in MALSTATT where they received airman GOOD from Police Captain MUELLER. The party then proceeded to the woods of The Seven Oaks in suburban SAARBRUECKEN where HUNSICKER shot and killed the airman.

HUNSICKER, DINTINGER and ELI then drove to the police station in BURBACH where BERRY was turned over to HUNSICKER. With BERRY in custody the group departed for the Schwarzer Weg, a lonely section of woods in the SAARBRUECKEN area where HUNSICKER and DINTINGER shot and killed the airman.

At SS Standarte 85 STEMLER informed HUNSICKER, DINTINGER and ELI that another enemy flyer was in custody in NEUNKIRCHEN and that he too must be shot. In obedience, HUNSICKER, DINTINGER and ELI promptly drove to police headquarters in NEUNKIRCHEN where airman PULSIPHER was placed in HUNSICKER's custody by WANDEL in compliance with orders from SAARBRUECKEN.

With PULSIPHER in custody HUNSICKER, DINTINGER and ELI drove in the direction of SAARBRUECKEN, but stopped at a woods near BILDSTOCK in the vicinity of the Emsbrunnen Mine where HUNSICKER ordered PULSIPHER from the car and told him to walk ahead into the woods. HUNSICKER and ELI fired several shots into the body of the airman and left, believing him dead.

The same day, when informed that PULSIPHER was still alive, Oberleutnant SCHOEPPER of the NEUNKIRCHEN police apprised WANDEL of the situation. WANDEL ordered SCHOEPPER to call SAARBRUECKEN for instructions and WANDEL spoke personally to Police Captain KLEIN. In consequence of these conversations DIETRICH and STEMLER dispatched KLEIN and a certain Dr. Otto ZEITZER to the scene with instructions to ZEITZER that the airman be killed by overdoses of morphine. The amount, number and effect of the injections were discussed at some length. ZEITZER offered no protest to STEMLER's method of action. DIETRICH ordered KLEIN to accompany ZEITZER on this mission.

When KLEIN and ZEITZER arrived at the mine, PULSIPHER was still alive and conscious. ZEITZER administered a shot to the flyer and said that everything would be over in half an hour. Ten minutes later ZEITZER said to KLEIN, "We can't leave. The airman is still completely conscious". In that the injection had been stronger than usual, ZEITZER presented an appearance of impatience and annoyance because it produced unfavorable results. He explained to KLEIN that he had given the flyer a double dose and that he was surprised there was no change in the airman's position. Thereupon a second injection was administered, but no other treatment was attempted. When death did not come, PULSIPHER was transported to SAARBRUECKEN where ZEITZER reported to STEMLER that the airman was still alive. STEMLER then ordered JEANROND to kill the flyer. JEANROND refused. At that moment HUNSICKER entered and STEMLER berated him for doing a bad job. HUNSICKER cooled STEMLER by telling him that he would take care of the matter once and for all and said that he had a man downstairs who would finish the job, and with that, HUNSICKER and JEANROND left.

HUNSICKER and JEANROND entered HUNSICKER's car while ELI and a certain Ludwig ZIMMERMAN entered the personnel carrier in which PULSIPHER was lying. The group drove to the firing range of the SS Standarte 85 in Ludwigspark. Then HUNSICKER ordered ELI to administer a "mercy" shot to PULSIPHER and ELI complied by firing one shot into the airman's head, killing him.

The bodies of all three airmen were buried in the Waldfriedhof Cemetery in BURBACH from which they were disinterred by the Graves Registration Command and reburied at the United States Military Cemetery in St. AVOLD, France.

Statement of Facts Number 2:

On or about 25 August 1944 four United States airmen, believed to be T/Sgt. Charles E. WYATT, Jr., 38299233, Sgt. Willard R. FETTERHOFF, 36595057, Sgt. Ted ZEMONEK, 35767441 and Pvt. Jack A. MAXWELL, 14056809 parachuted to earth from

(Continued on Page 3)

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PARTICULARS OF EVIDENCE IN SUPPORT

STATEMENT OF FACTS (Cont'd)

their disabled plane and were captured in the vicinity of SAARBRUECKEN, Germany, French Zone. The flyers were taken into custody at the Fifth Police Revier in SAARBRUECKEN/BURBACH, Germany.

Dr. Fritz DIETRICH, Police President of SAARBRUECKEN learned of the flyers being in custody while in an air raid shelter with STEMLER. DIETRICH ordered STEMLER to pick up the flyers and shoot them. When STEMLER objected to this method of action, DIETRICH urged, "Look around and see if you can find somebody to do this for you, but take off now," and added that in this matter he did not need a summary court sentence, but that his personal order was sufficient.

In compliance with the orders of DIETRICH and under the direction of STEMLER the flyers, together with one Friedrich GROSS, a German guard, climbed into the rear of a police truck driven by Fritz DUCHENE for transport to an undisclosed destination. Erich MOHR sat in front with DUCHENE. STEMLER and Karl HUNSICKER entered HUNSICKER's sedan and with the truck following proceeded in the direction of CLARENTHAL, Germany, French Zone. HUNSICKER stopped his car and the truck at a deserted spot approximately two kilometers beyond CLARENTHAL on the road to GROSSROSSELEN, Germany, French Zone. STEMLER ordered the airmen to march abreast along a trail leading into the woods and STEMLER and HUNSICKER fired about 15 shots at the airmen, killing them.

The bodies were buried in the WALDFRIEDHOF Cemetery in BURBACH from which, on 21 July 1945, they were disinterred by American authorities.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense in obedience to superior orders.
- (b) Case No.12-1545

DIETRICH will probably deny knowledge or implication in any way. WANDEL will claim superior orders. KLEIN will claim superior orders. HUNSICKER, DINTINGER and ELLI will probably either deny participation or attempt to minimize their part in the killings. STEMLER will plead superior orders and attempt to minimize his participation in the killings. ZEITZER will claim that he gave the shots to allay pain and not to kill.

Case No.12-2272

DIETRICH will plead ignorance of the murders and will deny that he issued the order to STEMLER leading to the killing of the four flyers. STEMLER will plead superior orders. HUNSICKER will deny participation in the killings.

- (c) The case appears to be reasonably complete.

5375/US/G/198

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STOLZ, Otto Hermann

Date Submitted

Decision of Committee I

12 JUN 1947

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4 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

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| UNITED STATES | CHARGES AGAINST | GERMAN | WAR CRIMINALS |
| | | | |
| CASE No. 441. * | | | |

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|---|---|
| Name of accused, his rank and unit, or official position.

(Not to be translated.) | 1. Otto Hermann STOLZ German civilian |
| Date and place of commission of alleged crime. | On or about 26 August 1944 near RUSSELHEIM, Germany. |
| Number and description of crime in war crimes list.

References to relevant provisions of national law. | Murder

Violation of the Laws and Customs of War. |

SHORT STATEMENT OF FACTS.

On 24 August 1944, eight United States airmen, believed to be 2nd Lt. Norman J. ROGERS, 2nd Lt. John N. SEKUL, F/O Halgus THUFENKJIAN, Sgt. Thomas D. WILLIAM, Sgt. Elmore L. AUSTIN, Sgt. William A. DUMONT, Sgt. William N. ADAMS, and Sgt. Sidney E. BROWN, were severely beaten by a mob of several hundred German civilians as they were being led through the streets of RUSSELHEIM, Germany, United States Zone, under military guard. All of the above were beaten to death either on the street, or in the cemetery, with the exception of ADAMS and BROWN, who, although suffering severe injury from beating by the mob and having been left for dead, later escaped and returned to U.S. Army control. Otto STOLZ beat the Americans with a heavy club and later assisted in the loading of all the dead or wounded airmen into a wagon and hauled them to a local cemetery. At the cemetery some of the Americans showed signs of life; STOLZ climbed into the wagon and beat the Americans about the head until they were dead.

Source: U.S. War Crimes Group (Case No. 12-3245 HAPPEL (P)).

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PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused STOLZ committed the offense on his own initiative.
- (b) STOLZ will probably defend on the ground that he did not murder any of the Americans, only that he tried to prevent their escape.
- (c) The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused STOLZ committed the offense on his own initiative.
- (b) STOLZ will probably defend on the ground that he did not murder any of the Americans, only that he tried to prevent their escape.
- (c) The case appears to be reasonably complete.

5627/US/G/199

1028

JAEHNE, Friedrich

Date Submitted

Decision of Committee I

26 JUN 1947

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CARDS CHECKED LIST 61

5627/US/G/199

(For the Use of the Secretariat)

1029

Registered Number.

Date of receipt in Secretariat.

5627/US/G/199

20 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 442 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. JAEHNE, Friedrich

Born: 24 October 1879, Frankfurt/Main

Member, Vorstand of I.G. Farbenindustrie

Chairman, Engineering Committee

Wehrwirtschaftsfuehrer

Date and place of commission of alleged crime.

Generally crimes had no specific geographical location

1939-45, and prior to that date

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Participation in planning, preparing, initiating and waging wars of aggression and invasions; slave labor; plunder and spoliation in occupied countries; common plan or conspiracy to commit aforementioned crimes.

Allied Control Council Law No.10, 20 December 1946.

SHORT STATEMENT OF FACTS.

Crimes included planning, preparing, initiating and waging wars of aggression and invasions of other countries, as a result of which incalculable destruction was wrought throughout the world, millions of people were killed and many millions more suffered and are still suffering; deportation to slave labor of members of the civilian population of the invaded countries and the enslavement, mistreatment, terrorization, torture and murder of millions of persons, including German nationals as well as foreign nationals; plunder and spoliation of public and private property in the invaded countries pursuant to deliberate plans and policies, intended not only to strengthen Germany in launching its invasions and waging its aggressive wars and secure the permanent economic domination by Germany of the continent of Europe, but also to expand the private empire of the I.G. Farben concern; and other grave crimes.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army No. VI

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

1031

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

5628/US/G/200

1033

von der HEYDE, Erich

| Date Submitted | Decision of Committee I | CARDS CHECKED LIST 61 |
|----------------|-------------------------|-----------------------|
| 26 JUN 1947 | A | <i>by</i> |

5628/US/G/200

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5628/US/G/200

20 JUN 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 443*

Name of accused, his rank and unit, or official position.

1. HEIDE, Erich von der

Born: 1 May 1900, Hongkong (China)

(Not to be translated.)

Prokurist, Wirtschaftspolitische Abteilung, WIFO of I.G. Farbenindustrie.

Deputy to Schneider, Hauptabwehrbeauftragter (Chief Counter-Intelligence Representative of I.G. Farben's Counter-Intelligence Branch.

Date and place of commission of alleged crime.

Generally crimes had no specific geographical location

1939-45, and prior to that date

Number and description of crime in war crimes list.

Participation in planning, preparing, initiating and waging wars of aggression and invasions; slave labor; plunder and spoliation in occupied countries; common plan or conspiracy to commit aforementioned crimes.

References to relevant provisions of national law.

Allied Control Council Law No. 10, 20 December 1945.

SHORT STATEMENT OF FACTS.

Crimes included planning, preparing, initiating and waging wars of aggression and invasions of other countries, as a result of which incalculable destruction was wrought throughout the world, millions of people were killed and many millions more suffered and are still suffering; deportation to slave labor of members of the civilian population of the invaded countries and the enslavement, mistreatment, terrorization, torture and murder of millions of persons, including German nationals as well as foreign nationals; plunder and spoliation of public and private property in the invaded countries pursuant to deliberate plans and policies, intended not only to strengthen Germany in launching its invasions and waging its aggressive wars and secure the permanent economic domination by Germany of the continent of Europe, but also to expand the private empire of the I.G. Farben concern; and other grave crimes.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696-A, U.S. Army No. VI

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1035

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

1036

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision : (b) the probable defence : (c) whether the case appears to be reasonably complete.)

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**REGISTERED
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Date Submitted Decision of Committee I

17 JUL 1947

1: A
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CARDS CHECKED LIST 61

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1039

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Date of receipt in Secretariat.

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10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 445 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Ludwig Johann Michael ENGELHARD, German civilian.

2. Wilhelm SCHMITZ, German civilian.

Date and place of commission of alleged crime.

On or about 27 May 1944 near MONTZEN, Belgium

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 27 May 1944 an unknown United States airman bailed out of his disabled plane and landed on a road between HOMBURG and MONTZEN, Belgium. He immediately picked up his parachute and left the road, going over a hedgerow which paralleled the road. The suspect, ENGELHARD, who was the Station Chief in the Customs Station "G" in HOMBURG-SUED, near MONTZEN, observed the airman as he was parachuting, and immediately set out in the direction where the flyer was landing. On the way he met Wilhelm SCHMITZ, another customs man, and together they proceeded in a mail automobile towards the spot where the airman had landed. Within 25 to 30 meters of the landing spot, they stopped the truck, dismounted and advanced up the road until they were about 4 to 5 meters from the airman, who by this time had left the road and was behind the hedgerow lying on his parachute on the ground. ENGELHARD then called and gestured to the flyer to raise his hands and as the flyer got up with his hands raised, ENGELHARD, without any reason, shot and killed the airman.

Source: U.S. War Crimes Group (Case No. 6-55 HOMBURG (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused ENGELHARD committed the offense on his own initiative.
- (b) ENGELHARD will probably interpose the defense that the airman was trying to escape.
- (c) The case appears to be reasonably complete.

5822/US/G/202

1043

| Date Submitted | Decision of Committee I | | CARDS CHECKED LIST 61 |
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| 17 JUL 1947 | 1: W
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10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

WAR CRIMINALS

CASE No. 446 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Engelbert SUNTZ
- 2. Lt. Hans KUNIS

Date and place of commission of alleged crime.

On or about 14 June 1944 near OMERVILLE, France.

Number and description of crime in war crimes list.

Complicity in murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 14 June 1944 Lt. Hans KUNIS was in charge of four unknown United States prisoners of war. Lt. Hans KUNIS ordered SUNTZ and an unknown German soldier to execute them. They were marched along a road near OMERVILLE in single file. The unknown guard fired a single burst from his machine gun and three Americans fell. The other American ran and SUNTZ grabbed the gun and fired at the fleeing American but SUNTZ did not know whether or not the shots were effective. He made a search but could not find the American in the vicinity. The unknown guard later fired a carbine shot into one of the three fallen Americans who showed some signs of life.

Source: U.S. War Crimes Group (Case No. 11-562, KOCH (A))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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Registered Number.

Date of receipt in Secretariat.

5822/us/G/202.

10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN
CHARGES AGAINST

WAR CRIMINALS
WAR CRIMINALS

CASE No. 446 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Engelbert SUNTZ
- 2. Lt. Hans KUNIS

Date and place of commission of alleged crime.

On or about 14 June 1944 near OMERVILLE, France.

Number and description of crime in war crimes list.

Complicity in murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 14 June 1944 Lt. Hans KUNIS was in charge of four unknown United States prisoners of war. Lt. Hans KUNIS ordered SUNTZ and an unknown German soldier to execute them. They were marched along a road near OMERVILLE in single file. The unknown guard fired a single burst from his machine gun and three Americans fell. The other American ran and SUNTZ grabbed the gun and fired at the fleeing American but SUNTZ did not know whether or not the shots were effective. He made a search but could not find the American in the vicinity. The unknown guard later fired a carbine shot into one of the three fallen Americans who showed some signs of life.

Source: U.S. War Crimes Group (Case No. 11-562, KOCH (A))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision : (b) the probable defence : (c) whether the case appears to be reasonably complete.)

- (a) SUNTZ committed the offense in obedience to superior orders.
- (b) SUNTZ will probably plead a general denial. It is possible also that he may plead superior orders.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision : (b) the probable defence : (c) whether the case appears to be reasonably complete.)

- (a) SUNTZ committed the offense in obedience to superior orders.
- (b) SUNTZ will probably plead a general denial. It is possible also that he may plead superior orders.
- (c) The case appears to be reasonably complete.

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- (a) SUNTZ committed the offense in obedience to superior orders.
- (b) SUNTZ will probably plead a general denial. It is possible also that he may plead superior orders.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) SUNTZ committed the offense in obedience to superior orders.
- (b) SUNTZ will probably plead a general denial. It is possible also that he may plead superior orders.
- (c) The case appears to be reasonably complete.

5823/us/G/203

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10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 447 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann BILLEN, German Policeman.

Date and place of commission of alleged crime.

On or about 23 December 1944 near DAUN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 23 December 1944, four United States airmen, believed to be Erick C. SWENSON, Pasquale J. CARINO, Charles F. CELESTE, and Melvin M. MURPHY, parachuted to earth safely in the vicinity of DAUN, Germany. They were brought into the town of DAUN and were beaten with picks, spades and other objects, and were finally shot to death by members of the organization TODT, members of the Wehrmacht, and a member of the police. A policeman named Johann BILLEN used a spade to beat the airmen over their heads and other parts of their bodies. When the bodies were removed for reburial by American authorities, an examination of the bodies showed at least two heads had been split open as by a spade. The bodies were reburied in Hamm, Luxembourg.

Source: U.S. War Crimes Group (Case No. 12-447 DAUN)

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

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10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 447*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann BILLEN, German Policeman.

Date and place of commission of alleged crime.

On or about 23 December 1944 near DAUN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 23 December 1944, four United States airmen, believed to be Erick C. SWENSON, Pasquale J. CARINO, Charles F. CELESTE, and Melvin M. MURPHY, parachuted to earth safely in the vicinity of DAUN, Germany. They were brought into the town of DAUN and were beaten with picks, spades and other objects, and were finally shot to death by members of the organization TODT, members of the Wehrmacht, and a member of the police. A policeman named Johann BILLEN used a spade to beat the airmen over their heads and other parts of their bodies. When the bodies were removed for reburial by American authorities, an examination of the bodies showed at least two/heads had been split open as by a spade. The bodies were reburied in Hamm, Luxembourg.

Source: U.S. War Crimes Group (Case No. 12-447 DAUN)

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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Dr. W. M. ...

PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused BILLEN committed the offense on his own initiative.
- (b) BILLEN will contend that the witnesses are mistaken in their identification of him as the policeman who took part in the crime.
- (c) The case appears to be reasonably complete.

5824/US/G/204.

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Date Submitted

Decision of Committee I

17 JUL 1947

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CARDS CHECKED LIST 61

5824/US/G/204.

(For the Use of the Secretariat)

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Date of receipt in Secretariat.

5824/US/G/204.

10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN

WAR CRIMINALS

CASE No. 448 *

Name of accused, his rank and unit, or official position.

1. Karl THOMA, Former Policeman

(Not to be translated.)

Date and place of commission of alleged crime.

In or about the months of March and April 1944, near WIESBADEN, Germany.

Number and description of crime in war crimes list.

Assault.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

During the months of March and April 1944, Second Lieutenants Georg Calvin PADGETT and Harmon SMITH were severely beaten by THOMA while in the city jail at WIESBADEN, Germany.

Source: U.S. War Crimes Group (Case No.12-788, WIESBADEN CITY JAIL (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The accused THOMA committed the offense on his own initiative.
- (b) The accused will probably contend that the prisoners were insubordinate, not cooperative and not adapted to the prison life.
- (c) The case appears to be reasonably complete.

5825/US/G/205

1058

| Date Submitted | Decision of Committee I | | |
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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 449 *

Name of accused, his rank and unit, or official position.

1. Wilhelm KANSCHAT Hauptmann

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 28 September 1944 near WOLFENBUTTEL, Germany.

Number and description of crime in war crimes list.

Murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 28 September 1944 a United States Sergeant, believed to be Sheppard KERMAN, parachuted to the eaves of a residence at 28 Krumme Strasse, WOLFENBUTTEL, Germany. Uninjured and unarmed, KERMAN was cut from his parachute and pulled through the window into a second story room of the house. Capt. KANSCHAT ordered the crowd to leave the room, excepting himself, the victim, and two soldiers. Upon KANSCHAT's orders to kill the airman, one of the soldiers took a loaded pistol, stepped forward and fired one shot into KERMAN's head, killing him instantly.

Source: U.S. WAR CRIMES GROUP (Case No. 12-1104-1, KERMAN (V))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. Accused committed the offense on his own initiative.
- b. Accused will deny committing the offense
- c. The case appears to be reasonably complete.

5826/US/G/206.

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Date Submitted

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CARDS CHECKED LIST 61

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CARDS CHECKED LIST 61

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Date of receipt in Secretariat.

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10 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 450.*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Walter Heinrich Ernst RIESEBERG, SS Obersturmfuehrer.
2. Kurt Friedrich Wilhelm DILBA, Untersturmfuehrer.

Date and place of commission of alleged crime.

On or about 16 August 1944 near STAPELBERG, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 August 1944, two United States airmen, believed to be Harrel W. FULLER and Frank MISHAGA, safely parachuted to earth from their disabled plane about 2 1/2 kilometers S.E. of STAPELBERG, Germany. They were captured by civilians and later turned over to three SS men, RIESEBERG, DILBA and another, who placed the prisoners in their automobile and proceeded into the woods. In about fifteen minutes, two shots were heard. Later the two bodies were found 200 meters inside the woods. Each had been shot once in the center of the back of the head.

Source: U.S. War Crimes Group (Case No.12-1881 STAPELBERG).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused RIESEBERG and DILBA apparently committed the offense on their own initiative.
- (b) RIESEBERG will contend that he only drove the automobile containing the two airmen. DILBA will contend that he was not a passenger of the automobile, nor was he at the situs of the event.
- (c) The case appears to be reasonably complete.

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Date Submitted Decision of Committee I

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 451 *

Name of accused, his rank and unit, or official position.

1. Paul SCHULT, Captain, Municipal Police.

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 9 March 1945 near DARMSTADT, Germany.

Number and description of crime in war crimes list.

Assault

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 9 March 1945, Sgt. John A. STAR, U.S. Army, bailed out of his disabled plane, was captured and taken to the Municipal Police Office. SCHULT reprimanded the police for having brought the airman in alive and ordered them not to bring in any more enemy airmen. SCHULT then ordered the airman to take chewing gum from his mouth and to take off his flying suit. The airman, not understanding German, did not respond to the order, whereupon SCHULT kicked him in the stomach, struck him in the face with his fist and dragged him into an office. Later the airman was murdered by two members of the Gestapo Darmstadt. The place of burial is unknown.

Source: U.S. War Crimes Group (Case No. 12-2202 STAR (V))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused Paul SCHULT committed the offense on his own initiative.
- (b) SCHULT's probable defense will be that he never at any time struck, kicked or mistreated the prisoner.
- (c) The case appears to be reasonably complete.

5828/US/G/208

1073

| Date Submitted | Decision of Committee I | | |
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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN
CHARGES AGAINST

WAR CRIMINALS
WAR CRIMINALS

CASE No. 452.*

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|--|--|
| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <p>1. Georg MAYER Soldier in German Army
 2. Wilhelm WANDERS German civilian
 3. Kate MARKMANN " "
 4. Heinrich BACKER " "
 5. Theodore DAIMANN " "
 6. Otto HELMWING " "
 7. Erich LAMPE German Captain</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 18 March 1945, near BRACKEL, Germany.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Murder

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 18 March 1945, a United States airman, believed to be Major Robert M. BLACKBORN, ASN O-727390, parachuted from his disabled aircraft and landed near an abandoned coal mine in the vicinity of BRACKEL, Germany, British Zone. He was captured by unidentified members of a local flak unit who took him into custody and delivered him to Erich LAMPE, German Captain in charge of the local flak unit. LAMPE gave instructions to unknown German sergeants to announce to the civilian crowd that the pilot would be turned over to them and for the civilians to beat him to death. Kate MARKMANN slapped the pilot in his face. He was then beaten by Heinrich BACKER, Theodore DAIMANN, Otto HELMWING, and Wilhelm WANDERS, who used clubs, stones, and garden tools. BLACKBORN suffered mortal injuries and when near death, Georg MAYER, a German soldier, fired a shot into his body, producing death.

Source: U.S. War Crimes Group (Case No. 12-2218 LAMPE (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1076

PARTICULARS OF EVIDENCE IN SUPPORT

1076

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused committed the offense in obedience to orders issued by Erich LAMPE.
- (b) Accused will probably either deny beating the airman or attempt to minimize the severity of the beating. MAYER will defend on the ground that the flyer was attempting to escape and that he shot to prevent his escape.
- (c) The case appears to be reasonably complete.

5917/US/G/209

1078

JANSSEN, Friedrich

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R.2

CARDS CHECKED LIST 62

5917/US/G/209

(For the Use of the Secretariat)

1079

Registered Number.

Date of receipt in Secretariat.

5917/USG/209

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 455 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Friedrich JANSSEN A leading official of Krupp and member of its Executive Board, particularly concerned with, and active head and supervisor of its administrative, personnel, financial and sales departments, and with the Berlin office of the firm; wehrwirtschaftsfuehrer; Oberscharfuehrer in the SS; member of the NSDAP.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army.

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Friedrich JANSSEN held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, willfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Friedrich JANSSEN participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

- a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;
- b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone;
- c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment of property in the occupied countries to Germany through Krupp;
- d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5918/US/G/210

1083

KUPKE, Hans

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R. 2.

CARDS CHECKED LIST 62

5918/US/G/210

(For the Use of the Secretariat)

1084

Registered Number.

Date of receipt in Secretariat.

5918 US/G/210

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 454 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Hans KUPKE, A leading official of Fried. Krupp, A.G., and Fried. Krupp, private firm, Essen, active head of its experimental ranges at Essen and of the foreign-workers-camps department (Oberlagerfuhrungsleiter); an official of the Army Ordnance Office (Heereswaffenamt); member of NSDAP.

Date and place of commission of alleged crime.

1938 to May 1945 - In Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No. 10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 6964, U.S. Army

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1085

Hans Kupke held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war.

These acts were committed knowingly, willfully, and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

1086

Hans Kupke participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly, foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone;

c. In his position in the Army Ordnance Office and as Chief of Krupp artillery testing grounds he participated in and contributed to the preparation of aggressive wars.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

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5919/US/G/211

1088

VON BULOW, Friedrich

Date Submitted

Decision of Committee

25 III 1917

A (See Minutes
No. 108)

A.2

CARDS CHECKED LIST 62

5919/US/G/211

(For the Use of the Secretariat)

1089

Registered Number.

Date of receipt in Secretariat.

5919/US/G/211

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 455 *

| | |
|--|---|
| <p>Name of accused, his rank and unit, or official position.
<i>(Not to be translated.)</i></p> | <p>1. Friedrich von BUELOW - A leading employee and official of Krupp, concerned particularly with confidential matters, intelligence, public relations and police matters; Krupp representative in Brazil; active head of Krupp branch office in Berlin; Chief of Intelligence (Hauptabwehrbeauftragte) at Krupp; Essen; Chief of the Works Police (Werkschutz), Krupp, Essen; member of several committees of the Regional Group North West Iron Producing Industry, and other official and private economic organizations.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes,
TRANSMITTED BY APO 696A, U.S. Army

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1092

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some involuntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5920/US/G/212

1093

IHN, Max Otto

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R.2.

CARDS CHECKED LIST 62

5920/US/G/212

(For the Use of the Secretariat)

1094

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5920/US/G/212

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 456 *

| | |
|--|---|
| <p>Name of accused, his rank and unit, or official position.
(Not to be translated.)</p> | <p>1. Max Otto IHL, A leading official of Krupp and deputy member of its Executive Board, concerned particularly with, and head of its administration, personnel, and intelligence departments; deputy plant leader (Stellvertretender Betriebsfuehrer), Gusstahlfabrik, Essen; member of Advisory Council of Regional Group NW, Iron Producing Industry; member of numerous committees of Labor Ministry, Reichsvereinigung Eisen (official body for governance of iron and steel industry); of Reich Group Industry (Reichsgruppe Industrie of the Northwest Group of the Association of German Iron and Steel industrialists (Nordwestliche Gruppe des Vereins Deutscher Eisen und Stahlindustrieller), Duesseldorf; Councillor of the City of Essen; member of the NSDAP.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No. 10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Max Otto IHN held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans, and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, willfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

1096

Max Otto HIN participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly, foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigung Eisen and other economic organizations;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigung Eisen and other economic organizations.

PARTICULARS OF EVIDENCE IN SUPPORT

1096

Max Otto HIN participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly, foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigung Eisen and other economic organizations;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigung Eisen and other economic organizations.

NOTES ON THE CASE

1037

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5921/US/G/213

1098
1099

LEHMANN, Werner

Date Submitted

Decision of Committee I

25 JUL 1947

A (see minutes
NO. 108).

R.2.

CARDS CHECKED LIST 62

5921/US/G/213

(For the Use of the Secretariat)

1099

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5921/US/G/213

17 III 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 457*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Werner Wilhelm Heinrich LEHMANN - (commonly called "Heinrich Lehmann") - A leading employee and official of Krupp, concerned particularly with administrative, personnel and labor recruiting matters; previously an official of the Junker Motor Construction A.G. and the Frankfurter Maschinenbau A.G.; member of the NSDAP.

Date and place of commission of alleged crime.

March 1940 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

War Crimes and Crimes against Humanity, under Article II of Control Council Law No. 10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 896A, U. S. Army

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Warner Wilhelm Heinington LEIBMAN held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

* War Crimes and Crimes against Humanity - offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of prisoners of war. * Misuse and ill-treatment of concentration camp inmates, and the misuse and ill-treatment of these acts were committed knowingly, willfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Werner Wilhelm Heinrich LEHMANN participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the unlawful recruitment, deportation to slave labor; atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5922 / US / G / 214

1103

MUELLER, Erich

Date Submitted

Decision of Committee I

25 JUL 1947 A

(See Minutes
No. 108)

R. 2.

CARDS CHECKED LIST 62

5922 / US / G / 214

1104

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

5922/US/G/214

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 458 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erich MUELLER - (Variously known as "Professor-" and "Kanonon Mueller", honorary designations of the Third Reich). A leading official of Krupp and member of its Executive Board, particularly concerned with the departments for war material design, manufacture, and testing; mobilization officer (MOB-Beauftragte) at Krupp; Wehrwirtschaftsfuehrer; armaments advisor to Hitler; advisor to Reichs War Ministry; Chairman of the Armament Committee and of the Weapons Development Committee of the Reichs Ministry for Armaments and War Production; member of the NSDAP.

Date and place of commission of alleged crime.

1935 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No. 10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1105

Erich MUELLER held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others, in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, willfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Erich MUELLER participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment; deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp.

d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

e. In his positions in the Ministry of Armament and War Production he participated in and contributed to the waging of aggressive wars, to the forcible recruitment and distribution of slave labor, and to the plunder and spoliation of occupied countries.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5923 / US / G / 215
1108

von BOHLEN und HALBACH, A. F. A. K.

| Date Submitted | Decision of Committee I | R. 2. | CARDS CHECKED LIST 69 |
|----------------|--------------------------|-------|-----------------------|
| 25 JUL 1947 | A (See Minutes No. 108). | | |

5923 / US / G / 215

(For the Use of the Secretariat)

1109

Registered Number.

Date of receipt in Secretariat.

5923/US/G/215

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 459 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

ALFRIED FELIX ALWYN KRUPP VON BOHLEN UND HALBACH -
Sole owner and proprietor and active head of Fried.
Krupp from December 1943; previously active head
and a leading official of Fried. Krupp AG:
Wehrwirtschaftsfuehrer (military economy leader);
Chairman-Deputy Chairman, prior to January 1945 -
of the Governing Board of the Adolf Hitler Spende
(organization for collection of funds from industry
for organizations and projects of the Nationalsozialis-
tische Deutsche Arbeiterpartei (commonly called
"NSDAP") - (contin'd on separate sheet)

Date and place of commission of alleged crime.

1935 to May 1945 - in Germany and the countries
occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

Crimes against Peace, War Crimes and Crimes against
Humanity, under Article II of Control Council Law No.10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A U.S. Army.

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1110

ALFRIED FELIX ALWYN KRUPP VON BOHLEN UND HALBACH held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories, and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in those occupied countries.

These acts were committed knowingly, willfully and unlawfully.

ALFRIED FELIX ALWYN KRUPP VON BOHIEN UND HALBACH - (Cont'd)

Deputy Chairman of the Reichsvereinigung Eisen; and member of the Praesidium of the Reichsvereinigung Kohle, both official bodies for the governance, respectively, of the iron and steel and of the coal industries; Deputy Chairman of the Economic Group Iron Producing Industry (Wirtschaftsgruppe Eisenschaffende Industrie,) and of the Regional Group Northwest of the Iron Producing Industry (Bezirksgruppe NW Eisenschaffende Industrie), both official bodies for the governance of the iron and steel industries; member of the Supervisory Board (Aufsichtsrat) of the Rhine-Westphalian Coal Syndicate (Rheinische-Westfaelisches Kohlen syndikat, Essen, largest and most powerful coal syndicate in Germany; member of the Advisory Council (Beirat); of the Armaments Export Association of the Reich Group Industry (Ausfuhrgemeinschaft-Kriegsgeraet der Reichsgruppe Industrie); member of the Advisory Council, (Verwaltungsrat) of the Berg-und Huettenwerke Ost G.m.b.H., a government sponsored company for the exploitation of Russian mining and smelting industries; member of the Armament Commission (Ruestungsrat) of the Ministry of Armament and War Production; member of the Executive Board (Vorstand), Supervisory Board (Aufsichtsrat), and other governing bodies of Krupp subsidiaries, other private enterprises, associations and groups; member of the NSDAP; member of the Schutzstaffeln der Nazionalsozialistischen Deutschen Arbeiter Partei (commonly known as the "SS"); member and high ranking officer, Standartenfuhrer (Colonel), in the National Socialist Flying Corps (Nazionalsozialistischer Fliegerkorps, commonly known as the "NSFK").

PARTICULARS OF EVIDENCE IN SUPPORT

ALFRIED FELIX ALWYN KRUPP VON BOHLEN UND HALBACH participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

- a. Plans and acts over a period of many years in violation of the Versailles and other treaties; the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging in invasions, wars of aggression and wars in violation of treaties:
- b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses, against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigungen Eisen und Kohle, Berghuette Ost, and other economic organizations.
- c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigungen Eisen und Kohle, Berghuette Ost, and other economic organizations.
- d. In his position as Wehrwirtschaftsfuehrer (military economy leader), he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.
- e. In his positions in the Ministry of Armament and War Production he participated in and contributed to the waging of aggressive wars, to the forcible recruitment and distribution of slave labor, and to the plunder and spoliation of occupied countries.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.) :

a. A high degree of responsibility in view of his high positions and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some involuntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown

c. The case appears to be reasonably complete.

5924/US/G/216

1114

LOESER, Ewald

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R.2.

CARDS CHECKED LIST 62

5924/US/G/216

(For the Use of the Secretariat)

1115

Registered Number.

Date of receipt in Secretariat.

5924/US/G/216

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 460 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.
(Not to be translated.)</p> <p>Council of WGE</p> | <p>1. Ewald LOESER - A leading official of Fried. Krupp AG and member of its Executive Board, concerned particularly with and active head of personnel, administrative, financial and sales departments; Wehrwirtschaftsfuehrer; member and official of the Executive Board and Supervisory Board of numerous Krupp and other private and official enterprises, associations and groups; member of the Advisory Council of the WGE; member of the Inner Circle (Kleiner Kreis), a group within the Advisory and having a dominating influence on WGE; member of the Advisory Council of Regional Group NW; Major (Biergemeister) of Rossberg; Reich trustee for Pfillips Radio, Eindhoven in 1944.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to November 1944 in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army.
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Ewald LOESER held a high position in the industrial, economic, civil and financial life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace, the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, wilfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Ewald LOESER participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

- a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation and waging of invasions, wars of aggression and wars in violation of treaties;
- b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone; and of many more thousands affected by the WGE, Kleiner Kreis and other economic organizations.
- c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse, and shipment to Germany of property in the occupied countries through Krupp, and the RWG, and Kleiner Kreis.
- d. In his position as Wehrwirtschaftsfuehrer (military economic leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

NOTES ON THE CASE

1118

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high positions and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5925- / US / G / 217

1119

VON BOHLEN und HALBACH, Gustav Knuff

Date Submitted

Decision of Committee I

25 JUL 1947 A (See Minutes
No. 108).

R.2

CARDS CHECKED LIST 62

5925- / US / G / 217

(For the Use of the Secretariat)

1120

Registered Number.

Date of receipt in Secretariat.

5925/US/G/217

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 461 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.
<i>(Not to be translated.)</i></p> | <p>1. Gustav KRUPP v. Bohlen und Halbach - A leading official of Fried. Krupp AG, Essen, and chairman of the Supervisory Board of Krupp, Essen; AG fuer Unternehmungen der Eisen und Stahlindustrie, Berlin; Berndorfmetallwarenfabrik, Arthur Krupp AG, Berndorf; Fried. Krupp Germaniawerft, Kiel; Fr. Krupp Grusonwerk, Magdeburg; member of the supervisory Board of numerous Krupp and other private and official enterprises, associations and groups; Wehrwirtschaftsfuehrer; President of the Board of the Adolf Hitlerspende der Deutschen Wirtschaft; Wearer of the Golden Badge of Honor of the Nazi Party and of the Reich Eagle Shield.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article I¹ of Control Council Law No.10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel, APO 696A, U.S. Army
for War Crimes

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

Gustav KRUPP held a high position in the industrial, economic, and financial life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, wilfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Gustav KRUPP participated individually and as an official of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression, and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone.

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp.

d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. A high degree of responsibility in view of his high positions and actual executive control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.
- b. Unknown.
- c. The case appears to be reasonably complete.

5-926/US/G/218
1124

KRUPP, Bertha

| Date Submitted | Decision of Committee I | | CARDS CHECKED LIST 62 |
|----------------|-------------------------|------|-----------------------|
| 25 JUL 1947 | A (See Minutes No. 108) | R.2. | |

5-926/US/G/218

(For the Use of the Secretariat)

Registered Number.

Date of receipt in Secretariat.

5926/US/G/218

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 462 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Berthe KRUPP v. Bohlen und Halbach - Owner of Krupp firm 1902-1943.

Date and place of commission of alleged crime.

January 1933 to 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U. S. Army
TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Berthe KRUPP held a high position in the industrial, economic and financial life of Germany. She took a part in the execution of the criminal activities of the Krupp firm, the Third Reich, and others in that she was an accessory to, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with the following crimes:

a. Crimes against Peace -- the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) Offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations, from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) Offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, wilfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Berthe KRUEP participated as controlling owner of the Krupp firm, and as a member of organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armaments and weapons for aggressive purposes, and otherwise in the preparation, initiation and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons; particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp.

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. A high degree of responsibility in view of her actual control through her ownership of Krupp.
- b. Unknown.
- c. The case appears to be reasonably complete.

5927/US/G/219
1129

MUELLER, Fritz

| Date Submitted | Decision of Committee I | | |
|----------------|-------------------------|------|-----------------------|
| 25 JUL 1947 | A (See Minutes No. 108) | R.Z. | CARDS CHECKED LIST 62 |

5927/US/G/219

(For the Use of the Secretariat)

1130

Registered Number.

Date of receipt in Secretariat.

5927/US/G/219

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMANY WAR CRIMINALS

CASE No. 463 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

L. Fritz MUELLER, a leading official of Fried. Krupp, AG, and Fried. Krupp, private firm, Essen, and member of its Executive Board, active head of its synthetic fuels department and of its raw material and mining department; Wehrwirtschaftsfuehrer; deputy member of Praesidium (governing body) of Reichs Association Coal (Reichsvereinigungen Kohle hereinafter called "RWK"); deputy chairman of the Chemistry Committee of Reich Association Coal; member of management committee (Geschäftsausschuss of the Rhine-Westphalian Coal Syndicate (Rheinisch-Westfaelisches Kohlen-Syndikat), Essen, the largest and most powerful coal syndicate in Germany; manager of and member of the Executive Board and Supervisory Board of numerous other industrial, mining, and research enterprises, associations and groups.

Date and place of commission of alleged crime.

January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No. 10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, CGO 496A, U. S. Army

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

These acts were committed knowingly, willfully, and unlawfully.

and in the forcible acquisition of interests in these occupied countries, plants, removal of raw materials and other assets from occupied countries, against property involving the plunder, spoliation, and unlawful taking over of interests, and the misuse and ill-treatment of prisoners of war; 2) offenses involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates; 3) offenses against humanity - 1) offenses against persons, involving the misuse, deportation to slave labor, and ill-treatment of civilians; 2) offenses against property, involving the plunder, spoliation, and unlawful taking over of interests; 3) offenses against the peace, involving the preparation, initiation and waging of wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

a. Crimes against Peace - the preparation, initiation and waging of wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons, involving the misuse, deportation to slave labor, and ill-treatment of civilians; 2) offenses against property, involving the plunder, spoliation, and unlawful taking over of interests; 3) offenses against the peace, involving the preparation, initiation and waging of wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

connected with:

volving the commission of, and was a member of organizations and groups taking a consenting part in, was connected with plans and enterprises in- and others in that he was a principal in, accessory to, ordered, abetted, and execution of the criminal activities of the Kupp plan, the Final Solution and governmental life of Germany. He participated in the formulation, economic, political, and governmental life of Germany. He participated in the formulation, economic, political, and governmental life of Germany. He participated in the formulation, economic, political, and governmental life of Germany.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF ALLEGED CRIME

Fritz HUELLER held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances:

b. War Crimes and Crimes against Humanity - 1) offenses against persons, involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, willfully, and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Fritz MUELLER participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly, foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigung Kohle and other economic organizations.

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigung Kohle and other economic organizations.

d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some involuntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5928/US/G/220

1134

EBERHARDT, Karl

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R. 2

CARDS CHECKED LIST 62

5928/US/G/220

(For the Use of the Secretariat)

1135

Registered Number.

Date of receipt in Secretariat.

5928/US/G/220

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST

CASE No. 464 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

KARL EBERHARDT
A leading official of Krupp and deputy member of its Executive Board, concerned particularly with and active head of its armament and machine sales department; member of Advisory Council of Sartaana Eisen and Metallwerke G.m.b.H., Essen; member of the NSDAP.

Date and place of commission of alleged crime.

January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

Crimes against peace, war crimes and crimes against Humanity, under Article II of Control Council Law No.10.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army.

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1136

KARL EBERHARDT held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity-- 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, willfully, and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

KARL EBERHARDT participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly, foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative; or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

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NOS.**

221

TO

230

5929/US/G/221

1139

KORSCHAN, Heinrich L

Date Submitted

Decision of Committee I

25 JUL 1947 A (Minutes No. 108)
- see R. 2

CARDS CHECKED LIST 62

5929/US/G/221

(For the Use of the Secretariat)

1140

Registered Number.

Date of receipt in Secretariat.

5929/US/G/221

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 465 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Heinrich L. KORSCHAN - A leading official of Fried. Krupp, A.G., and Fried. Krupp, private firm, Essen; deputy member of its Executive Board; concerned particularly with and active head of its steel plants; military administrator (Oberkriegsverwaltungsrat) in charge of iron-producing units in occupied Riga and Fellin; trustee on behalf of Krupp enterprises in Eastern and Southeastern Europe; manager of Krupp, Berthe Werk, Breslau; member of NSDAP.

Date and place of commission of alleged crime.

January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.

Number and description of crime in war crimes list.

Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1141

Heinrich L. KORSCHAN held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances;

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, wilfully and unlawfully.

PARTICULARS OF EVIDENCE IN SUPPORT

Heinrich L. KORSCHAN participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp;

d. In his position in governmental organizations, he participated in and contributed to the waging of aggressive wars, to the forcible recruitment and distribution of slave labor, and to the plunder and spoliation of occupied countries.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

5930/US/G/222

1144

HOUDREMONT, Edward

Date Submitted

Decision of Committee I

25 JUL 1947

A (See Minutes
No. 108)

R.2.

CARDS CHECKED LIST 62

5930/US/G/222

(For the Use of the Secretariat)

1145

Registered Number.

Date of receipt in Secretariat.

5930/US/G/222

17 JUL 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 466 *

| | |
|--|---|
| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <p>1. Eduard HOUDREMONT - A leading official of Fried. Krupp, A.G., and Fried. Krupp, private firm, Essen; member of its Executive Board; active head of its metallurgical, steel and machine works departments; plant leader (Betriebsfuehrer) at Gusstahlfabrik, Essen; Wehrwirtschaftsfuehrer; Special Commissioner for Metal Substitutes (Sonderbeauftragter für Metallunstellung) in Reich Ministry of Armament and War Production; Krupp representative in German War Economy Office (Reichswirtschaftsstab) of the Ministry of Armament and War Production; member of NSDAP.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>January 1933 to May 1945 - in Germany and the countries occupied or controlled by the Third Reich.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Crimes against Peace, War Crimes and Crimes against Humanity, under Article II of Control Council Law No.10.</p> |

SHORT STATEMENT OF FACTS.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army.

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1146

Eduard HOUDREMONT held a high position in the industrial, economic, political and governmental life of Germany. He participated in the formulation and execution of the criminal activities of the Krupp firm, the Third Reich, and others in that he was a principal in, accessory to, ordered, abetted, took a consenting part in, was connected with plans and enterprises involving the commission of, and was a member of organizations and groups connected with:

a. Crimes against Peace - the preparation, initiation and waging of invasions of other countries, wars of aggression and wars in violation of international laws, treaties, agreements and assurances.

b. War Crimes and Crimes against Humanity - 1) offenses against persons involving the misuse, deportation to slave labor, and ill-treatment of civilian populations from occupied territories and of concentration camp inmates, and the misuse and ill-treatment of prisoners of war; 2) offenses against property involving the plunder, spoliation, unlawful taking over of plants, removal of raw materials and other assets from occupied countries, and in the forcible acquisition of interests in these occupied countries.

These acts were committed knowingly, wilfully and unlawfully.

II. PARTICULARS OF EVIDENCE IN SUPPORT

Eduard HOUDREMONT participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigungen Eisen und Kohle and other economic organizations;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigungen Eisen und Kohle and other economic organizations.

d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

e. In his positions in the Ministry of Armament and War Production he participated in and contributed to the waging of aggressive wars, to the forcible recruitment and distribution of slave labor, and to the plunder and spoliation of occupied countries.

II PARTICULARS OF EVIDENCE IN SUPPORT

Eduard HOUDREMONT participated individually and as an official and active manager of Krupp, and as a member and official of numerous organizations and groups in the crimes alleged, including the following:

a. Plans and acts over a period of many years in violation of the Versailles and other treaties, the design and manufacture of armament and weapons for aggressive purposes, and otherwise in the preparation, initiation, and waging of invasions, wars of aggression and wars in violation of treaties;

b. Unlawful recruitment, deportation to slave labor, atrocities, ill-treatment and other offenses against persons, particularly foreign workers from the occupied countries, prisoners of war and concentration camp inmates, and such offenses against approximately 80,000 persons employed by Krupp alone, and of many more thousands affected by the Reichsvereinigungen Eisen und Kohle and other economic organizations;

c. Plunder and spoliation of occupied countries, particularly the unlawful seizure, misuse and shipment to Germany of property in the occupied countries through Krupp and the Reichsvereinigungen Eisen und Kohle and other economic organizations.

d. In his position as Wehrwirtschaftsfuehrer (military economy leader) he combined the attributes of authority in the political, civil, military, industrial and economic life of Germany. The title was bestowed on leading personalities who excelled in the economic preparations for war, notably in the armament industries.

e. In his positions in the Ministry of Armament and War Production he participated in and contributed to the waging of aggressive wars, to the forcible recruitment and distribution of slave labor, and to the plunder and spoliation of occupied countries.

NOTES ON THE CASE

1148

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. A high degree of responsibility in view of his high position and actual executive and managerial control of Krupp. Some offenses were committed on the offender's own initiative and some in voluntarily carrying out a system approved by the Nazi leadership and the Third Reich.

b. Unknown.

c. The case appears to be reasonably complete.

6398/US/G/223

1149

2

WANDREY, Erich

Date Submitted

Decision of Committee I

11 SEP 1947 S

by Cards checked Unit 64

6398/US/G/223

(For the Use of the Secretariat)

1150

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Date of receipt in Secretariat.

6398 / US / G / 223

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN

WAR CRIMINALS

CASE No. 467 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Erich WANDREY, Sgt., 13th SS Police Regiment

(Proposed for "S")

Date and place of commission of alleged crime.

On or about 14 October 1944, near BLEIBURG, Austria

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 14 October 1944, in the vicinity of BLEIBURG, Austria, three United States airmen parachuted to earth from their disabled plane and were captured by members of the 13th SS Police Regiment. The airmen were held in custody in the headquarters of the SS Regiment until dark. The airmen were then taken out by WANDREY and two others and shot to death. The bodies were buried in a single grave outside the cemetery of BLEIBURG.

Source: U.S. War Crimes Group (Case No. 5-92 BLEIBURG (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position. e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) WANDREY will probably either deny shooting or rely on superior order defense
- (c) The case appears to be reasonably complete.

6399 / US / G / 224

1154

THALER, Fritz

Date Submitted

Decision of Committee 1

11 SEP 1947 S

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Cards checked List 64

6399 / US / G / 224

(For the Use of the Secretariat)

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Registered Number.

Date of receipt in Secretariat.

6399 / US / G / 224

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 468 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Fritz THALER, SS Untersturmfuehrer

Date and place of commission of alleged crime.

On or about 23 August 1944, near FREIN, Austria.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

On or about 23 August 1944, two United States airmen safely parachuted in the vicinity of FREIN A.D. MUERZ, Styria, Austria. WACHAUER took the first into custody, refused to release him to the Wehrmacht and delivered him into the hands of THALER, IRNER and BOCKHORN. After being questioned by THALER, the flyer was driven toward MUERZSTEG. En route the car was stopped and the airmen, with THALER's permission alighted from the car. THALER shot the airman who was standing about five meters from the car. The wound was not fatal and the airman was loaded into the vehicle and fired upon by THALER at close range. The second flyer was taken into custody by WOLFGANG, BOCKHORN, THALER and IRNER. He was later delivered to a factory building and between 2200 and 2230 hours THALER shot this flyer. Autopsy report and eye witness accounts indicate the flyer was dragged behind the car from the factory to the cemetery.

Source: U.S. War Crimes Group (Case No. 5-150 FOKORNY (A))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1156

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) THALER will assert that both airmen were killed while attempting escape.
- (c) The case appears to be reasonably complete.

6400 / US / G / 225

1159

KOEHNKE, Bernhard

Date Submitted Decision of Committee I

11 SEP 1947 S

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6400 / US / G / 225

(For the Use of the Secretariat)

1160

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Date of receipt in Secretariat.

3 SEP 1947

6400/US/G/225

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 469 *

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|--|---|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Bernhard KOEHLER, Feldwebel</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 15 June 1944, near LA VILLABEAU, France</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder by shooting of an American airman, who was in the act of surrendering.</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 15 June 1944, three United States aircrew members, believed to be 2nd Lt. Wm. D. ALLEN, S/Sgt David F. GIBSON and S/Sgt John S. SUTTON, safely parachuted to earth from their disabled plane and landed in the vicinity of LA VILLABEAU, near BRANIS, France. The three airmen went to the home of a French civilian and they were advised by the Frenchman to hide in nearby woods until dark. The airmen went a short distance into the woods and hid under bushes. A searching party consisting of Erich GUNTERS, Bernhard KOEHLER, and French policemen and civilians arrived in the area. KOEHLER approached within the clump of bushes where the airmen were hiding, saw one of them and began shouting. ALLEN and SUTTON attempted to raise their hands over their heads, but while doing so KOEHLER began firing at them. ALLEN was shot through the chest and died immediately; SUTTON was shot through both legs.

Source: U. S. War Crimes Group (Case No. 11-52 ALLEN (V))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1161

324

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) Accused will probably plead self-defense and superior orders; he will likewise claim that the American airmen jumped towards him.
- (c) The case appears to be reasonably complete.

6401/US/G/226

1164

GROSS, Kurt

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Date Submitted

Decision of Committee I

11 SEP 1947

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my Cards checked List 64

6401/US/G/226

(For the Use of the Secretariat)

1165

Registered Number.

Date of receipt in Secretariat.

6401/US/G/226

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 470 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.
(Not to be translated.)</p> | <p>1. Kurt GROSS SS Sturmbannfuhrer
 2. Adolf MATTES SS Obersturmfuhrer
 3. Eduard MACK SS Untersturmfuhrer
 4. George SPLETZER Hauptscharfuhrer, Waffen SS
 5. Thomas ASCHNER SS Rottenfuhrer</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 20 July 1944, near RADOLFZELL, Germany</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Murder

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 20 July 1944, a United States bomber was disabled over FRIEDRICHSHAFEN, Germany. Two of the crew members landed and were captured near WANGEN, Germany. Dr. Kurt GROSS, Acting Commandant of the SS school at RADOLFZELL, Germany, sent a written order to his Adjutant, Eduard MACK, as follows, "to be picked up by Obersturmfuhrer MATTES; to be shot while escaping!" MACK passed this order on to MATTES who picked up SPLETZER, drove to OENNINGEN, Germany, and obtained possession of the two airmen. The truck was driven by ASCHNER with MATTES sitting in the cab. The truck was equipped with seats running perpendicular to the long axis of the truck. SPLETZER and PAMINGER were seated just behind the cab facing to the rear of the truck, and the two airmen were seated just in front of the tail gate facing to the rear of the truck. On the way back to the SS barracks, the two airmen were shot and killed by SPLETZER and PAMINGER and either fell out of the truck or were pushed out. The bodies were brought to RADOLFZELL and later buried secretly in the cemetery for criminals at RADOLFZELL. GROSS ordered a sign "Air Gangsters" placed over the graves. No investigation was made of the incident by GROSS. GROSS was later heard to say that MATTES was a good man because he killed the two airmen.

TRANSMITTED BY U.S. War Crimes Group (Case No. 12-43, FRIEDRICHSHAFEN (a)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) Each accused will probably either deny participation or assert that the prisoners were attempting to escape at the time they were killed.
- (c) The case appears to be reasonably complete.

6402/US/G/227

1169

STURM, Georg
and 2

Date Submitted Decision of Committee I

11 SEP 1947 S

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6402/US/G/227

(For the Use of the Secretariat)

1170

Registered Number.

Date of receipt in Secretariat.

6402/US/G/227

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN

WAR CRIMINALS

CASE No. 471 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Georg STURM, German national
2. Heinrich FLAUAUS, German national

Date and place of commission of alleged crime.

On or about 29 August 1944, near GROSS GERAU, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

On or about 29 August 1944, two United States airmen were taken into custody by Heinrich BONN, Burgermeister of TREBUR, Germany, U.S. Zone, who together with Georg STURM, Johann SCHMALTZ, Thomas HOEHNLEIN and Heinrich SCHEENGER transported the airmen to GROSS GERAU, Germany, where they were placed in the hands of local police officials. The GROSS GERAU police paraded the airmen through the town and acquiesced when the airmen were beaten and mistreated by the irate townspeople. The airmen were then taken to the courtyard of the city hall where they were bludgeoned to death by Georg STURM and Heinrich FLAUAUS. An iron bar was used to commit the murders. On the return to TREBUR, STURM remarked to BONN that in killing the airmen he avenged his brother's death.

Source: U. S. War Crimes Group (Case No. 12-793-2 GROSS GERAU (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1171 ●

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1173

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) The accused Sturm may plead insanity. In preliminary interrogation accused feigned loss of memory and attributed his amnesia to a head injury sustained in combat in April 1945. Accused may also allege that the airmen were dead before being bludgeoned.
- (c) The case appears to be reasonably complete.

6403/US/G/228

1174

ALTEHA, Friedrich Wilhelm

| Date Submitted | Decision of Committee I |
|----------------|-------------------------------|
| 11 SEP 1947 | S
by Cards checked List 64 |

6403/US/G/228

(For the Use of the Secretariat)

1175

Registered Number.

Date of receipt in Secretariat.

6403 / US / G / 228

5 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

CHARGES AGAINST UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS CASE No. 472 *

Name of accused, his rank and unit, or official position. (Not to be translated.) 1. Friedrich Wilhelm ALTENA SS Sturmbahnfuhrer Date and place of commission of alleged crime. On or about 9 August 1944 near SAULGAU, Germany. Number and description of crime in war crimes list. Murder References to relevant provisions of national law. Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

9 August 1944 a United States pilot who had parachuted near SAULGAU, was taken prisoner by witness ERMLER. Shortly thereafter ALTENA, HOELZLE and FUHRMANN arrived in a car. ALTENA ordered all present to leave, drew a pistol from his pocket and trained it on the flyer who stood about ten yards away and who was lifting his hands in a gesture of surrender. ALTENA fired one shot at the flyer, causing him to lurch forward a few steps toward ALTENA. Between 3 and 4 shots more the flyer fell to the ground groaning with pain. ALTENA appealed to the crowd to bear witness that the flyer had attacked him with a dagger. Witness Maria BULLINGER attempted to render aid, she was told by ALTENA not to soil her hands. The pilot died in the SAULGAU hospital that afternoon as a result of abdominal wounds.

Source: U.S. War Crimes Group (Case No.12-1068 SAULGAU (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1176



PARTICULARS OF EVIDENCE IN SUPPORT

1177

NOTES ON THE CASE

1178

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) ALTENA claims self-defense.
- (c) The case appears to be reasonably complete.

6404/US/G/229

1179

KLUETTGEN, Ludwig

Date Submitted

Decision of Committee I

11 SEP 1947 S

my Cards checked List 64

6404/US/G/229

(For the Use of the Secretariat)

1180

Registered Number.

Date of receipt in Secretariat.

6404/US/G/229

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 473 *

Name of accused, his rank and unit, or official position.

1. Ludwig KLUETTGEN, Member of SA

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 17 September 1944, near KRANENBURG, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 17 September 1944, two United States prisoners of war were marched into the town of KRANENBURG, Germany, by a German customs official. Ludwig KLUETTGEN, an SA man, ordered the customs official aside and shot the two prisoners in the head, killing them.

Source: U.S. War Crimes Group (Case No. 12-1502 KRANENBURG (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position. e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) Accused says he did this because he could not take them with him.
- (c) The case appears to be reasonably complete.

6405 / US / G / 230

1184

BRUNS, Carl
65

| Date Submitted | Decision of Committee I | | |
|----------------|-------------------------|-----------|-----------------------|
| 11 SEP 1947 | S | <i>my</i> | Cards checked list 64 |

6405 / US / G / 230

(For the Use of the Secretariat)

1185

Registered Number.

Date of receipt in Secretariat.

6405/US/G/230

3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 474 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.
(Not to be translated.)</p> | <p>1. Carl BRUNS No description
 2. Karl DIERKING " "
 3. Fritz HUNKE " "
 4. Friedrich MEYER German civilian
 5. Heinrich SCHEDES " "</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 26 November 1944, near LAUENAU, Germany</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Assault.

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 26 November 1944, two United States airmen, 2nd Lt. Richard G. LIPINSKI and 2nd Lt. Fred W. WILLIS, bailed out of their disabled plane and landed about one thousand yards apart in the vicinity of LAUENAU, Germany. Both airmen surrendered. Lt. LIPINSKI was assaulted by BRUNS and DIERKING. DIERKING struck him with his fists, kicked him and attempted to choke him with parachute cords. BRUNS struck the airman on the back of the head with a metal weapon causing a deep cut which bled profusely. Lt. WILLIS was assaulted by HUNKE, MEYER and SCHEDES. HUNKE struck the airman with a rifle butt causing the stock of the rifle to break. MEYER struck the airman on top of the head with a pistol. SCHEDES struck the airman with his fist.

Source: U.S. War Crimes Group (Case No.12-1534, LAUENAU)

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

811

PARTICULARS OF EVIDENCE IN SUPPORT

1187

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense on their own initiative.
- (b) Each of the accused will attempt to minimize the severity of the blows they struck.
- (c) The case appears to be reasonably complete.

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6406/US/A/231

1189

SCHLARP, Bernhard

Date Submitted

Decision of Committee I

11 SEP 1947

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See

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1190

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Registered Number.

Date of receipt in Secretariat.

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3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 475 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Bernhard SCHLARP German national, former Unterscharfuhrer, S.D.

Date and place of commission of alleged crime.

On or about 15 January 1945, near SCHWEICH, Germany.

Number and description of crime in war crimes list.

Complicity in murder.

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 15 January 1945, four United States soldiers were taken prisoners and brought to the office of the S.D. in ISSEL, Germany. At or about 1800 hours the same day, SCHLARP was ordered to bring the four prisoners into the office of the S.D. HEINRICH ordered SCHLARP, FROMME, GIESSLER and GERMAN to take the prisoners to MHRANG. The prisoners were taken about four hundred meters from the S.D. office to the banks of the MOSEL RIVER and shot to death by GIESSLER and GERMAN. Each member of the S.D. detail, including SCHLARP, pulled a dead prisoner into the water. At this time HILDEBRAND came upon the scene and helped to place the bodies in the water. The bodies washed downstream to QUENTERDAMM, Germany, where they were recovered from a bank of the MOSEL RIVER and buried in the cemetery of MHRANG.

Source: U.S. War Crimes Group (Case No. 12-1790, ISSEL (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Offense was committed in obedience to orders.
- (b) Accused will contend that he was unarmed and was not present when the prisoners were shot.
- (c) The case appears to be reasonably complete.

6407/US/4/232

1194

WOLTER, Ludwig

Date Submitted Decision of Committee I

11 SEP 1947 - S

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 476 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Ludwig WOLTER Criminal Secretary of Gestapo, Bad Harzburg.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 7 July 1944, near Bad Harzburg, Germany.</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 7 July 1944, two unknown United States airmen parachuted from a disabled plane in the vicinity of Bad Harzburg, Germany. Both of them were captured by local civilians, brought to Gestapo Headquarters and interrogated. KNOECKELMANN attempted to secure custody of one of them but was prevented from doing so by KOWITZKE. KOWITZKE turned this airman over to WOLTER and ZELLMAN ordering them to kill him. WOLTER and ZELLMAN took the airman to a woods on the outskirts of town and there fired several rounds into his body killing him instantly. Shortly thereafter, WOLTER was seen near the body holding a pistol, the chamber of which was open and the magazine empty.

Source: U.S. War Crimes Group (Case No.12-1960 BAD HARZBURG (P)).

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1196 ●

274

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) WOLTER will claim that he shot the airman during an attempted escape.
- (c) The case appears to be reasonably complete.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) WOLTER will claim that he shot the airman during an attempted escape.
- (c) The case appears to be reasonably complete.

6408 / US / G / 233

1199

Koch, Oskar Wilhelm

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 477*

| | |
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| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <p>1. Oskar Wilhelm KOCH Kreisleiter</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>a. On or about 3 February 1945, near Bad Schwalbach, Germany
b. On or about 10 February 1945, near Kemel, Germany</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Murder

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On the night of 2 February 1945, an allied airman voluntarily surrendered to a German family in the vicinity of FISCHBACH, Germany, and was delivered to the local Burgermeister for disposition. On the morning of 3 February 1945, policeman MENS received orders by phone from the office of Kreisleiter KOCH emphasizing that the airman "should not get to BAD SCHWALBACH". Upon further instructions, the airman was placed in the custody of ECKEL and SCHMIDT and delivered to SS man FRANKE at the county line on the road leading from FISCHBACH to BAD SCHWALBACH. At about 1230 hours the airman was found dead with a bullet hole in his head, on the side of the road near the spot where he had been turned over to FRANKE. FUHR heard a shot while some distance from the spot and shortly thereafter met FRANKE leaving the scene.

On or about 10 February 1945, a United States airman parachuted from his
(Cont'd on page 2)

Source: U. S. War Crimes Group (Case No. 12-2013 BAD SCHWALBACH (P))
TRANSMITTED BY: 12-1968-1 ECKEL (P)

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

disabled plane in the vicinity of NAUROTH, Germany. He was promptly apprehended by a searching party. Although the airman was struck, kicked and abused by his captors, he suffered no serious injuries therefrom. He was brought before the local Burgermeister who directed ROOS and MOOG to deliver him to KEMEL, Germany. MOOG and ROOS telephoned the gendarmerie at KEMEL for instructions and were told to proceed along the road from NAUROTH toward KEMEL and were advised that a gendarme from KEMEL would meet them enroute. At a point about 3 kilometers outside of KEMEL they were met by OTTE and LANG. At this time OTTE remarked; "You should have shot the flyer - - ". Whereupon OTTE and LANG took custody of the airman. After the trio had walked some distance toward town OTTE drew his pistol and shot the airman in the back of the head, killing him instantly. Before shooting the airman OTTE remarked to LANG "This is sad that one must act in this way, but today I must perform the order of the Kreisleiter, or else it costs my head".

Late in 1944 and in the beginning of 1945 KREISLEITER KOCH told the Ortsgruppenleiters under his jurisdiction "I do not want any flyers brought alive to BAD SCHWALBACH". Issuance of said order by KOCH was common knowledge.

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PARTICULARS OF EVIDENCE IN SUPPORT

1202

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) KOCH may plead complete ignorance of the crimes and/or that he did not personally order the airmen killed.
- (c) The case appears to be reasonably complete.

6409/US/G/234

1204

WREDE, Anton

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1204

WREDE, Anton

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13 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 478 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Anton WREDE SS Hauptsturmfuehrer
- 2. Arthur FUEHR German national
- 3. Hans TRUMMLER SS Oberfuehrer
- 4. Richard FRAUND German national

Date and place of commission of alleged crime.

On or about 30 December 1944, near DELKATHEIM, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 30 December 1944, an unnamed, captured United States prisoner of war was delivered by unknown German personnel to Gestapo Headquarters at 9 Paulinenstrasse, WIESBADEN, Germany. The prisoner was interrogated by Hauptsturmfuehrer WREDE who beat him during the interrogation. WREDE ordered the prisoner taken to the cellar and locked up. Later WREDE issued orders to Arthur FUEHR that the prisoner was to be taken out and shot. That night, acting upon orders issued by Hans TRUMMLER, SS Oberfuehrer, and Anton WREDE, Arthur FUEHR and Richard FRAUND took the prisoner in an official car and on the road leading from WIESBADEN to FRANKFURT near the Wandersmann Inn shot and killed the prisoner.

Source: U.S. War Crimes Group (Case No. 12-2000-1 STROOP (A)
12-2127 GARRISON (V))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

0751

PARTICULARS OF EVIDENCE IN SUPPORT

1207

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; - (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) WREDE will probably defend on the ground that he never issued the order, but that the order came solely from TRUMBLER.
- (c) The case appears to be reasonably complete.

6410/US/G/235

1209

ALTHAUSEN, Johann

65

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 479 *

| | |
|---|--|
| Name of accused, his rank and unit, or official position.

(Not to be translated.) | 1. Johann ALTHAUSEN Blockleiter
2. Agnes BAER Housewife
3. Johanna BECKER Housemaid
4. Heinrich BONSTEIN Police Lieutenant
5. Josef JUNG Polizeiwachtmeister |
| Date and place of commission of alleged crime. | On or about 18 September 1944, near EFFEREN, Germany. |
| Number and description of crime in war crimes list.

References to relevant provisions of national law. | Assault

Violation of the Laws and Customs of War. |

SHORT STATEMENT OF FACTS.

On or about 18 September 1944, Lt. William W. MOELHARE, a United States flyer, crash-landed his Thunderbolt fighter in a field near EFFEREN, Germany. After surrendering to soldiers and policemen and after being disarmed, the pilot, arms held fast, was mobbed by the accused. JUNG thrashed the airman with his fists and an iron box. BONSTEIN slugged the flyer "every chance he had". ALTHAUSEN and BECKER were stained with blood from their participation. Frau BAER intensified her blows by flogging the victim with her boots. Besides being viciously kicked, bruised and beaten into insensibility, the flyer lost four teeth in the affray.

Source: U.S. War Crimes Group (Case No.12-2294 EFFEREN (P))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

27

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PARTICULARS OF EVIDENCE IN SUPPORT

1212

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NOTES ON THE CASE

1213

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) Offense was committed on the offenders own initiative.
- (b) The accused will rely upon press articles urging mob justice for terror flyers, the inciting frenzy of the populace and will minimize the gravity of the offense and their contribution.
- (c) The case appears to be reasonably complete.

NOTES ON THE CASE

1213

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) Offense was committed on the offenders own initiative.
- (b) The accused will rely upon press articles urging mob justice for terror flyers, the inciting frenzy of the populace and will minimize the gravity of the offense and their contribution.
- (c) The case appears to be reasonably complete.

6411/US/G/236

1214

ECKSTEIN, Georg
65

Date Submitted

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 480 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <ol style="list-style-type: none"> 1. Georg ECKSTEIN, SA Sturmfuehrer 2. Ernst ITTAMBIER, SA Oberfuehrer 3. Fritz STIEGLER, Kreisstaesleiter 4. Hans STURM, SA Truppfuehrer 5. KATTINGER (FNU) Member of SA |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 1 March 1945, near WASSERTRUDINGEN, Germany</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Murder

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 1 March 1945, an United States Mustang pilot safely parachuted from his disabled plane in the vicinity of KROTTENBACH, Germany, U.S. Zone. After surrendering to Karl OTT, a Lt. of the Reserve, the American was turned over to Gendarmenmeister Georg HANFT of UNTERSCHWANINGEN, Germany. Later that afternoon Georg ECKSTEIN, Hans STURM, Ernst HEIMREICH and Fritz KRANKLEIN took the pilot from the cell and transported him to the WASSERTRUDINGEN Kreisleitung and from there to the prison cell in the town hall. At the afternoon conference wherein ITTAMBIER, KATTINGER, STIEGLER, STURM and ECKSTEIN participated, it was agreed that the latter four would remove the pilot from the jail that evening. After being beaten, the pilot was taken by car to KATTINGER's home where shovels were obtained. Along the OEFFINGEN road the car was stopped and all alighted and walked to the edge of a pasture. There the pilot, whose hands were tied behind his back, was struck on the head with KATTINGER's shovel. STURM delivered two such powerful blows that his shovel broke. ECKSTEIN then fired one or two pistol shots into the pilot's body. The corpse was carried into a nearby wood and buried in a water filled grave.

Source: U. S. War Crimes Group (Case No. 12-2404 WASSERTRUDINGEN (P))

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PARTICULARS OF ALLEGED CRIME

1216

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PARTICULARS OF EVIDENCE IN SUPPORT

1217

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NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) STUMM will contend the reason he struck the pilot was to prevent his further suffering. SPINGLER will deny any actual participation other than being present. IFFANKER will deny having given the order for the execution of the pilot, and he will further deny having ever issued any orders as Kreisleiter for the killing of shot down airmen.
- (c) The case appears to be reasonably complete.

6412 / US / G / 237

1219

SCHERER, Karl Heinz

Date Submitted Decision of Committee

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SCHERER, Karl Heinz

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
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GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 481 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Karl Heinz SCHERER - Oberleutnant, 25th Panzer Regt.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>In or about March 1945, at or near MAINZ, Germany</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

In or about March 1945, at MAINZ, Germany, French Zone, an unknown United States airman bailed out of his disabled plane and landed in a tree on the corner of Auguststrasse and Roemerwallstrasse in MAINZ, Germany. Karl Heinz SCHERER pulled the airman out of the tree by the parachute cords. The airman landed on the ground wounded but still alive. SCHERER shot the airman through the head, killing him. After killing the airman, SCHERER took his wrist-watch.

Source: U.S. War Crimes Group (Case No.12-2694, BEST (A))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) Offense was committed on the offender's own initiative.
- (b) SCHERER will deny shooting the airman and contend that the airman was already dead when he touched the ground.
- (c) The case appears to be reasonably complete.

6413/US/G/238

1224

GARTMANN, Max Bruno

67

Date Submitted

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11 SEP 1947

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3 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
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WAR CRIMINALS
WAR CRIMINALS

CASE No. 482 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Max Bruno GARTMANN, C.O. of No.1 Polizei Landeschützen Company
Bad Salzdetfurth
2. Heinrich ADLER, (Member said company)
3. Heinrich HAHNE, " " "
4. Friedrich MEIER (MEYER) " " "
5. Willi DEHNPOSTEL " " "
6. Joseph HUTLER " " "
7. Major (fmu) HOHENAUER, former police commander of the Hannover Eastern District.

Date and place of commission of alleged crime.

On or about 4 November 1944, near BAD SALZDETfurTH, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 4 November 1944, an United States airman parachuted from his disabled plane and landed in the vicinity of BAD SALZDETfurTH, Germany. Max Bruno GARTMANN, Commanding Officer of No.1 Polizei Landeschützen Co., BAD SALZDETfurTH, ordered about 20 to 25 of his men to search for the airman. The airman was promptly captured and turned over to GARTMANN who ordered all persons except members of his company to leave the scene. He called for volunteers from his company to shoot the airman. When no one volunteered GARTMANN ordered five of his men Heinrich HAHNE, Friedrich MEIER (MEYER), Heinrich ADLER, Willi DEHNPOSTEL, and Josef HUTLER to form a firing squad. As they were lined up GARTMANN said: "I give the order that this man is to be shot", or words to that effect. Whereupon he commanded: "Take aim - fire". This was done and the airman, who had been standing in a gully with his arms over his head, fell to the ground dead or wounded. ADLER then fired a final shot into the head of the airman to make sure of his death. GARTMANN stated in his confession that he ordered the killing pursuant to secret superior orders to the effect that all captured airmen would be destroyed issued to him by one Major (fmu) HOHENAUER, former police commander of the Hannover Eastern District.

Source: U. S. War Crimes Group (Case No. 12-2823-1 BAD SALZDETfurTH (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

Witness of development of ... (a)
... (b)
... (c)

NOTES ON THE CASE

1228

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed in obedience to orders.
- (b) Accused will probably plead superior orders as a complete defense or in mitigation of guilt.
- (c) The case appears to be reasonably complete.

6414/US/G/234

1229

BAYERER, Josef

65

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UNITED NATIONS WAR CRIMES COMMISSION

CHARGES AGAINST UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 483*

| | |
|---|---|
| Name of accused, his rank and unit, or official position.

(Not to be translated.) | 1. Josef BAYERER Ortsgruppenleiter

<u>WITNESSES:</u>
2. Michael HUBER, German national
3. Anna VISEL, " "
4. Matthaeus STARFLINGER, German national
5. Richard ELSTER, " " |
| Date and place of commission of alleged crime. | On or about 9 June 1944, near WALDTRUDERING, Germany |
| Number and description of crime in war crimes list.

References to relevant provisions of national law. | Murder

Violation of the Laws and Customs of War. |

SHORT STATEMENT OF FACTS.

On or about 9 June 1944, a United States airman parachuted from his disabled plane and landed in a tree near the house located at 101 Tangastrasse, WALDTRUDERING, Germany. Michael HUBER and Anna VISEL helped the pilot release himself from his parachute whereupon the flyer raised his hands in a gesture of surrender. HUBER took the pilot's pistol and knife from his belt and took the flyer to the basement in the house at 101 Tangastrasse. The airman was uninjured except for a slightly sprained ankle. A message of the airman's capture was sent to the Ortsgruppenleiter, and shortly thereafter Ortsgruppenleiter Josef BAYERER, Matthaeus STARFLINGER and a driver, Richard ELSTER, arrived at 101 Tangastrasse in an open vehicle. The airman was placed in the rear seat of the vehicle between STARFLINGER and BAYERER. The vehicle under the direction of BAYERER proceeded to the Kaeferloker Forest near WALDTRUDERING, Germany. The vehicle was stopped in the forest by BAYERER and the airman and BAYERER dismounted and started marching into the forest. Approximately ten meters from the vehicle, BAYERER took his pistol from the holster and shot and killed the American airman.

Source: U.S. War Crimes Group (Case No. 12-3263, WALDTRUDERING (P)).

TRANSMITTED BY.....

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

51

PARTICULARS OF EVIDENCE IN SUPPORT

1232

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The offense was committed on the offender's own initiative.
- (b) The accused will rely on superior orders from the Gauleiter as a defense.
- (c) The case appears to be reasonably complete.

6448/US/G/240

1234

VON ERDMANNSDORFF, Otto

Date Submitted

Decision of Committee I

11 SEP 1947

A (See Minutes)

for crimes against
humanity: formulation,
direction, supervision &
execution of criminal
plans, enterprises & acts
to exterminate eleven
million Jews of Europe;
complicity in atrocities
against other civilians.

Cards checked. List 64

6448/US/G/240

(For the Use of the Secretariat)

1235

Registered Number.

Date of receipt in Secretariat.

6448/US/G/240

10 SEP 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST GERMAN
CHARGES AGAINST

WAR CRIMINALS
WAR CRIMINALS

CASE No. 484 *

| | |
|--|---|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. von ERDMANNSDORFF, Otto Ministerial Dirigent (Ministerialdirigent) and Deputy of the Chief of the Political Division of the Reich Ministry of Foreign Affairs, from 1941 to 1945; German Minister to Hungary, from 1937 to 1941; Member of the NSDAP</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>Generally crimes had no specific geographical location.</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p><Crimes against humanity> was connected with the <formulation, direction, supervision and execution of criminal plans, enterprises and acts to exterminate the eleven million Jews of Europe> the great majority living in countries and territories occupied or controlled by Germany; was connected with atrocities perpetrated against other civilians.</p> <p>Allied Control Council Law No.10, 20 December 1945</p> |

SHORT STATEMENT OF FACTS.

An essential function of the Reich Ministry of Foreign Affairs and its representatives, including Otto von Erdmannsdorff, was to coordinate and execute the extermination policy against non-German Jews, and to press satellite and other governments to adopt and carry out the genocidal policy against the Jews of Europe. In his capacity as Deputy Chief of the Political Division, von Erdmannsdorff played an important role in this function and shares in the responsibility for the acts, conduct, plans and enterprises which led to millions of Jews of various nationalities, without regard for age, or sex, being ruthlessly seized in their homes, on the streets, and in their places of employment, and deported under inhuman and inhuman conditions to concentration camps controlled by the infamous Central Economic and Administrative Department of the SS (WVHA). Pursuant to the established policies of the Reich Ministry of Foreign Affairs, the victims' rights were trampled on, their properties confiscated; the physically weak were brutally acceded out and murdered. Able-bodied Jews were utilized as slave labor or concentration camp workers and cruelly worked to the limits of their endurance. Those who did not die under these conditions were liquidated.

TRANSMITTED BY Source: Office of the Chief of Counsel for War Crimes, APO 696a,

* Insert serial number under which the case is registered in the files of the National Office of the accusing State. U. S. Army

PARTICULARS OF ALLEGED CRIME

1236

PARTICULARS OF EVIDENCE IN SUPPORT

1237

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

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241

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NOS.**

241

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250

6631/US/G/241

1239

HOTH, Hermann

Date Submitted

Decision of Committee I

16 OCT 1947

S: for crimes
against peace and
for murder, ill-treatment,
deportation of civilians,
forced labour of civilians
in connection with military
operations of the enemy,
and employment of
prisoners of war on
unauthorized works

Cards checked list 64

6631/US/G/241

1240



THE COMMISSIONER FOR THE UNITED STATES OF AMERICA
ON THE
UNITED NATIONS WAR CRIMES COMMISSION

ALDFORD HOUSE, PARK LANE, W.1.
TELEPHONE GROSVENOR 4631

London, October 8, 1947

Dear Dr. Litawski:

Enclosed herewith please find U.S. charges against General Hermann HOTH who is to be tried soon at Nurnberg. I realize that the charges as transmitted to us from Nurnberg do not conform to the present regulations of Committee I for "A" Listing. However, I understand that the Nurnberg authorities desire listing as soon as possible, and I therefore propose that General HOTH either be listed "A" with the understanding that the copy of the indictment setting out the full particulars of evidence will be filed at a later time, or the General could be listed on "S". It would appear that the charge is sufficiently substantiated for an "S" listing.

Yours sincerely,

A handwritten signature in cursive script, reading "Earl W. Kintner".

EARL W. KINTNER

Deputy United States Commissioner
United Nations War Crimes Commission

Enclosure: 1
U.S. Charge No.485 (5 copies)

Dr. J. Litawski
Secretary of Committee I
United Nations War Crimes Commission
Lansdowne House
Berkeley Square, W.1

(For the Use of the Secretariat)

1241

Registered Number.

Date of receipt in Secretariat.

6631/US/G/241

8 OCT 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 485. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

HOTH, Hermann
Gen. Oberst
Oberbefehlshaber 4.Pz.Armeekorps

Date and place of commission of alleged crime.

From about 1 September 1939 and prior thereto, to 10 December 1943. Poland, Belgium, Holland, Luxembourg, U.S.S.R. and Germany

Number and description of crime in war crimes list.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

Prior to 1 September 1939 Hoth was Commanding General of the XV Army Corps and in that capacity participated in the planning of the attack on Poland and in the actual attack. Thereafter, he planned the invasion of the Low Countries and participated in those aggressions. As Commanding General of that Corps, a constituent of Army Group Center, he participated in the preparation for and the actual invasion of the U.S.S.R. Thereafter, on 5 October 1941, he became Oberbefehlshaber of the 17th Army and on 15 May 1942 of the 4th Panzer Army, continuing in those capacities to wage war against the U.S.S.R. until his retirement on 10 December 1943.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1242

Crimes against Peace

Prior to 1 September 1939 and thereafter until his retirement on 10 December 1943 Hoth was active in the planning, preparing, initiating and waging of wars of aggression against Poland, Holland, Luxembourg, Belgium and the U.S.S.R. He bears criminal responsibility for such actions pursuant to the Judgment of the I.M.T., the London Agreement, Control Law No.10, and numerous conventions and agreements.

War Crimes

Hoth, as Commander in Chief of Panzer Group 3, the 17th Army and the 4th Panzer Army, participating in the campaign against the U.S.S.R., bears responsibility for numerous war crimes committed by troops under his command, some of them by his specific order and a great many with his specific knowledge. Such crimes include the murder, ill treatment, deportation to slave labor and the employment at prohibited labor of civilians and PWs.

By way of example only, the 239th Infantry Division of the 17th Army on 16th October 1941 reported the execution of 3 captured political commissars. On 21 September 1941 the 3d Panzer Army reported the shooting of 4 U.S.S.R. PWs. Collective penalties were imposed in violation of the Hague Convention and numerous buildings and villages were destroyed without military necessity. Exterminations and persecution of Jews in Hoth's command area were frequent. All these enumerated acts were in violation of law and are criminally punishable, and include only a part of the provable charges.

PARTICULARS OF EVIDENCE IN SUPPORT

The particulars specified in the preceding sections are proved by documents in the possession of OCCWC and include official government reports, German army orders and statements of witnesses.

NOTES ON THE CASE

- 4 -

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

a. The accused held positions of great responsibility, commanding at various times an Army Corps, an Army, and an Army Group

b. The probable defense of the accused can only be that he acted under superior orders. This defense is not valid under the provisions of the applicable laws.

c. The case is reasonably complete. It is contemplated that the accused will be tried with numerous other military leaders, including field marshals and other high ranking generals of the German Army. The principal charges will revolve about the waging of aggressive war and the common plan of such militarists to commit crimes against peace. It is therefore important that all the accused be joined in a common case and particularly so since the crimes charged cannot be geographically limited to one country.

6650/US/G/242

1245

LEHMANN, Dr. Rudolf

Date Submitted Decision of Committee I

| | |
|-------------|---|
| 16 OCT 1947 | S for mass-murder
and for employment
of prisoners of war on
unauthorized works |
|-------------|---|

all

6650/US/G/242

(For the Use of the Secretariat)

1246

Registered Number.

Date of receipt in Secretariat.

6650/US/A/242

13 OCT 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 486. *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

LEHMANN, Rudolf, Dr.

General-Oberstabsrichter (Judge Advocate General of the German Armed Forces)

Date and place of commission of alleged crime.

From about 1 September 1939 and prior thereto, to May 1945. Poland, Belgium, Holland, Luxembourg, U.S.S.R., France and Germany.

Number and description of crime in war crimes list.

References to relevant provisions of national law.

SHORT STATEMENT OF FACTS.

From 15 July 1938 the accused was Ministerial Director and Chief of Wehrmacht-Rechtswesen (Legal Department of the Armed Forces). In addition, from 1 May 1944 he held the title of General-Oberstabsrichter. In those positions he combined the functions of the Armed Forces Judge Advocate General and of the Chief of the Armed Forces Legal Department, and by virtue of his authority drafted, distributed and sanctioned numerous notoriously criminal orders resulting in innumerable murders.

Source: Office of U.S. Chief of Counsel for War Crimes, APO 696A, U.S. Army.

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1. The accused helped draft and certified as a legal order of the Armed Forces the "Commando" order, the "Commissar" order, and numerous other orders authorizing the shooting and employment at prohibited labor of prisoners of war, thereby violating the conventions and rules of war dealing with the treatment of prisoners of war.

2. The accused drafted, distributed and certified as legal orders requiring the commission of crimes against civilians, such as the "Nacht und Nebel" decree and other subsequent terror and sabotage decrees resulting in innumerable deaths in the occupied countries.

PARTICULARS OF EVIDENCE IN SUPPORT

All the particulars specified in the preceding sections are proved by documents in the possession of OOCWC and include official government reports, German army orders, statements of witnesses and court exhibits.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

7089/US/A/243

1250

WIPPERMANN

63

Date Submitted Decision of Committee I

71 DEC 1947 1-3:5

CARDS CHECKED LIST 66

7090/US/A/243

Registered Number.

Date of receipt in Secretariat.

7089/US/G/243

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 487

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. WIPPERMANN - Lieutenant, C.O. of 10th Battery, 503rd AA Brigade, 2nd German Army.
2. BACHMANN - Unteroffizier, same unit.
3. Eberhard HAGENBUCH - Lieutenant, same unit.

Date and place of commission of alleged crime.

On or about 16 April 1945 near HILDEN, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 16 April 1945 at HILDEN, Germany, four United States tanks, attached to the 93rd Cavalry Rcn. Sgn., 13th Armored Div. of the US Army, were proceeding west on Ellerstrasse. The leading tank, under command of 2nd Lt. Hugh L. McINNIS, went through a railroad underpass and, as it emerged, was hit by panzerfaust fire and set aflame. The victims named herein escaped from the burning tank, raised their hands in surrender and jumped to the ground. Lt. WIPPERMANN, the acting Commanding Officer of the 10th Btry., 503rd AA Brigade, 2nd German Army, Unteroffizier BACHMANN and three or four other German soldiers came up to the United States soldiers, searched them and took two pistols, a bayonet and their personal belongings. Lt. WIPPERMANN then ordered the prisoners, McINNIS, SABIN, and WHITING, to a ditch. WIPPERMANN fired several shots into the back of the heads of two of the United States soldiers and at the same time ordered BACHMANN to shoot the third. BACHMANN obeyed the order and shortly thereafter Lt. WIPPERMANN was seen talking with Lt. HAGENBUCH, who observed that one of the victims was moaning and shot the American, saying, "I want to release him from his agony".

TRANSMITTED BY Source: U.S. War Crimes Group (Case No. 12-966-1 McINNIS (V)).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

1031

Page 2

PARTICULARS OF ALLEGED CRIME

1252

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PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The accused HAGENBUCH probably committed the offense in obedience to superior orders.
- b. All accused will plead superior orders.
- c. The case appears to be reasonably complete.

7090/US/G/244

1255

BUCHHEIM, Roly K
65

Date Submitted

Decision of Committee I

11 DEC 1947

1-5:5

PPS CHECKED LIST 66

7090/US/G/244

Registered Number.

Date of receipt in Secretariat.

7090/US/G/244

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS CASE No. 488 *

Table with 2 columns: Name of accused, his rank and unit, or official position. (Not to be translated.) and 1. Rolf K. BUCHHEIM - Untersturmfuehrer, 2. Karl Heinz FLACKE - Untersturmfuehrer, 3. Helmut NESTLER - SS Panzer Regiment, 4. Rudolf RAYER - Unterscharfuehrer, 5. Oskar TRATT - Sturmann. Date and place of commission of alleged crime. Between about 16 December 1944 and 13 January 1945 in the Kingdom of Belgium and the then German Reich. Number and description of crime in war crimes list. a. Murder by shooting of United States PW's on or about 17 December 44 in the vicinity of BAUGNEZ, near MALMEDY, Belgium. b. Murder by shooting of United States PW's on or about 17 Dec 44 at or near LIGNEUVILLE, Belgium. c. Murder by shooting of United States PW's on or about 18 Dec 44 at or near LA GLEIZE, Belgium. d. Murder by shooting of United States PW's on or about 18 Dec 44 at or near STOUMONT, Belgium. Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In preparation for the Battle of the Bulge, Adolf HITLER assembled his army commanders at BAD NAUHEIM, Germany and exhorted that the decisive hour for the German people had arrived; that the army would have to act with brutality and should evince no humane inhibitions in the forthcoming offensive. This order was relayed to the 6th SS Panzer Army and to subordinate units, to the effect that a wave of terror should precede the troops and prisoners of war must be shot. On 17 December 44, Germans contacted United States troops; after a brief exchange of gunfire the outnumbered Americans surrendered. Thereupon machine guns opened fire and sprayed the field; thereafter German soldiers went among the Americans shooting, and torturing those who showed signs of life. Near ENGELSDORF, Belgium, 8 United States PW's were lined along the shoulder of a road on the edge of town and shot to death. On 18 December 44, near LA GLEIZE, Belgium, Rudolf RAYER, acting commanding officer of the company, ordered United States PW's, variously estimated at 15 to 30 in number, lined up against a stone wall and shot. When the murders were accomplished, RAYER ordered

(cont'd on page 2)

TRANSMITTED Source: U.S. War Crimes Group (Case No.6 (Malmedy(1)))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

Registered Number.

Date of receipt in Secretariat.

7090/US/G/244

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

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|---------------|------------------------------------|--------|--------------------------------|
| UNITED STATES | CHARGES AGAINST
CHARGES AGAINST | GERMAN | WAR CRIMINALS
WAR CRIMINALS |
| | CASE No. 488 | * | |

| | |
|---|---|
| Name of accused, his rank and unit, or official position.

(Not to be translated. | 1. Rolf K. BUCHHEIM - Untersturmfuehrer
2. Karl Heinz FLACKE - Untersturmfuehrer
3. Helmut NESTLER - SS Panzer Regiment
4. Rudolf RAYER - Unterscharfuehrer
5. Oskar TRATT - Sturmman |
| Date and place of commission of alleged crime. | Between about 16 December 1944 and 13 January 1945 in the Kingdom of Belgium and the then German Reich. |
| Number and description of crime in war crimes list.

References to relevant provisions of national law. | a. Murder by shooting of United States PW's on or about 17 December 44 in the vicinity of BAUGNEZ, near MALMEDY, Belgium.
b. Murder by shooting of United States PW's on or about 17 Dec 44 at or near LIGNEUVILLE, Belgium.
c. Murder by shooting of United States PW's on or about 18 Dec 44 at or near LA GLEIZE, Belgium.
d. Murder by shooting of United States PW's on or about 18 Dec 44 at or near STOUMONT, Belgium.
Violation of the Laws and Customs of War. |

SHORT STATEMENT OF FACTS.

In preparation for the Battle of the Bulge, Adolf HITLER assembled his army commanders at BAD NAUHEIM, Germany and exhorted that the decisive hour for the German people had arrived; that the army would have to act with brutality and should evince no humane inhibitions in the forthcoming offensive. This order was relayed to the 6th SS Panzer Army and to subordinate units, to the effect that a wave of terror should precede the troops and prisoners of war must be shot. On 17 December 44, Germans contacted United States troops; after a brief exchange of gunfire the outnumbered Americans surrendered. Thereupon machine guns opened fire and sprayed the field; thereafter German soldiers went among the Americans shooting, and torturing those who showed signs of life. Near ENGELSDORF, Belgium, 8 United States PW's were lined along the shoulder of a road on the edge of town and shot to death. On 18 December 44, near LA GLEIZE, Belgium, Rudolf RAYER, acting commanding officer of the company, ordered United States PW's, variously estimated at 15 to 30 in number, lined up against a stone wall and shot. When the murders were accomplished, RAYER ordered

(cont'd on page 2)

TRANSMITTED BY Source: U.S. War Crimes Group (Case No.6 (Malmedy(1)))

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

STATEMENT OF FACTS (Cont'd)

the company to move on. On the evening of the same day, near CHENEUZ, Belgium, 30 to 40 United States soldiers were taken prisoner and shot at the order of RAYER. Subsequently, on 18 December 44, elements of the 2nd Co., 1st SS Panzer Reg., penetrated beyond STOUMONT, Belgium, where 10 to 15 Americans were taken prisoner and shot to death. All accused directly took part in these murders, except Rayer, who issued the orders for the murders. Buchheim and Flacke also issued orders for the murders.

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed in obedience to orders.
- b. BUCHHEIM will deny issuing the orders and deny knowledge of prisoners of war being shot.
FLACKE will deny the allegation that he told his troops not to take prisoners of war.
RAYER will deny having issued any orders for prisoners of war to be killed and deny participating in the murder of any prisoner of war.
NESTLER will deny knowledge of or participation in the war crime and will challenge as false the allegation that prisoners of war were killed at any time.
TRATT will deny that he killed anybody.
- c. The case appears to be reasonably complete.

2091/US/A/245

1260

PETERSDORF, Kurt
65

Date Submitted Decision of Committee I

11 DEC 1947

1-5:3

LISTS CHECKED LIST 66

2091/US/A/245

Registered Number.

Date of receipt in Secretariat.

7091/US/A/245

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 489 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <p>1. Kurt PETERSDORF General Major, Commanding Officer, Gendarmerie.
2. Johann FUERBOECK Gendarmerie.
3. Alois HAAK Kreisfuehrer, Gendarmerie.
4. Viktor PHILIPP Oberleutnant, Gendarmerie.
5. Friedrich MUTSCHLER Gendarmeriemeister</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>12-3193D - Between the 8th day of Dec. 41 and the 8th day of May 45, at sundry places within the then German Reich.
11-519 - On or about 21 July 1944 near MUTTERSHOLTZ, France.
11-584-1 - On or about 15 August 1944 near WOLFISHEIM, Alsace, France.</p> |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Murder

Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

12-3193D - At meetings held in STUTTGART and KARLSRUHE, Germany in summer of 1944, attended by representative police chiefs of Wehrkreis 5 and presided over by General Kurt PETERSDORF, commandant of all regular police and gendarmerie in said Wehrkreis, an order was given by PETERSDORF that captured allied airmen were to be handed over to the Nazi party representatives. General HOEMANN confirmed this order to attending police officials. FUERBOECK received direct orders from SS Colonel LOHSE, Chief of Alsace SS, directing that all airmen who were captured should be liquidated. FUERBOECK transmitted these orders to Kreisfuehrers HAAK, ISENMANN, TRIESCH and HOFFELDER. All gendarmerie and Kreisfuehrers were instructed concerning the exact steps to be taken by the police after the capture of allied airmen, so that murder details would be formed by the SS or Kreisleitungen.

11-519 - On or about 21 July 1944, a United States airman, parachuted near EBERSMUNSTER, France. He was turned over to gendarmerie Lt. Viktor PHILIPP, who reported the capture to gendarmerie Kreisfuehrer HAAK. HAAK ordered MUTSCHLER to
(cont'd on page 2)

TRANSMITTED BY Source: U. S. War Crimes Group (Cases No. 12-3193D SUPERIOR ORDERS CASE WEHRKREIS V: 11-519, MUTTERSHOLTZ (P); 11-584-1, HAGENBLETEN (P)),

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

SHORT STATEMENT OF FACTS (Cont'd)

kill the airman and ordered PHILIPP to go with MUTSCHLER. PHILIPP and MUTSCHLER took the flyer in the car of PHILIPP and stopped at the police station in MUTTERSHOLTZ where they picked up Karl CULMANN, and the murder party proceeded to the woods of MUTTERSHOLTZ where PHILIPP, CULMANN and MUTSCHLER walked the flyer into the forest. MUTSCHLER fired three or four shots in the flyer and while the wounded flyer was on the ground, MUTSCHLER again fired his pistol this time into the head of the flyer.

11-584-1 - The parent case was tried about 30 May 1947 at DACHAU, Germany. Perpetrators ISENMANN and REBEL were found guilty.

On or about 14 August 1944 ISENMANN had custody of a captured United States airman and in compliance with the murder conditions, telephoned headquarters. He then awaited for the arrival of a detail of men who would attend to the liquidation of the prisoner. In line with adopted policy, four or five men appeared at the police station in WOLFISHEIM, and the leader stated to ISENMANN that he was ordered to remove the flyer and kill him. The detail departed with the flyer. The body of the flyer was found the next morning on the outskirts of WOLFISHEIM partly buried. It was found to have a gun shot wound through the left thigh and one through the left temple.

NOTES ON THE CASE

1264

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The offenses were committed in obedience to orders.
- b. PETERSDORF will plead not guilty and deny the receipt or transmittal by him of any orders to the effect that captured allied prisoners of war should be murdered.

FUERBOECK will deny transmitting flyer killer orders.

HAAK will plead not guilty and deny that he ordered the murder of a United States flyer.

PHILIPP will plead not guilty and contend that he had left the scene of the crime at the critical moment the captured airman was murdered.

MUTSCHLER will plead not guilty and contend that the flyer was shot by him while attempting to escape.

- c. The case appears to be reasonably complete.

7092/US/a/246

1265

KAHNERT, Paul

Date Submitted

Decision of Committee I

11 DEC 1947

S

APPS CHECKED LIST 66

7092/US/a/246

For the Use of the Secretariat)

1266

Registered Number.

Date of receipt in Secretariat.

7092/US/G/246

- 4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS
CASE No. 490 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Paul KAHNERT German civilian

Date and place of commission of alleged crime.

On or about 10 or 14 February 1945 near BERLIN, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 10 or 14 February 1945, a United States airman parachuted to a tree in front of the entrance to the Auguste Viktoria Hospital, BERLIN, Germany. KAHNERT was 150 to 200 meters away and ran to the place. He was the first to arrive and was followed by BANDT (FNU). The airman approached him with upraised hands. Ortsgruppenleiter JANNESCH (FNU) searched the airman and he was carried to a bunker. On the way he was beaten by the crowd. While in the bunker, he was spat upon, kicked and beaten. JANNESCH gave KAHNERT a pistol and ordered him to "level" the airman. KAHNERT fired a shot at a distance of 1 1/2 to 2 meters in the left side of the neck near the ear. About thirty minutes later, KAHNERT returned to the scene and fired another shot at a distance of about three meters into the victim's head. The airman was carried to a hospital where he died as a result of the pistol shots.

Source: U.S. War Crimes Group, Case No.12-2129 (Kahnert (A)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

PARTICULARS OF EVIDENCE IN SUPPORT

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. KAHNERT committed the offense in obedience to superior orders issued by JANNESCH.
- b. KAHNERT will claim superior orders.
- c. The case appears to be reasonably complete.

7093/US/A/247

1270

BAUMANN, George

66

Date Submitted

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11 DEC 1947

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by

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- 4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 491 *

| | |
|---|---|
| Name of accused, his rank and unit, or official position.

(Not to be translated.) | <ol style="list-style-type: none"> 1. George BAUMANN Kriminalsekretar, Gestapo 2. Heinrich BAUMANN Kriminalsekretar, Kripo 3. Oswald GUNDELACH Member of Gestapo 4. Albert HAMMER Kriminalobersekretar, Kripo 5. Kurt HANS Kriminalrat, Kripo 6. Richard SCHULZE Oberstumbannfuehrer SS |
| Date and place of commission of alleged crime. | <p>12-3193B - Between the 7th day of December 1941 and the 8th day of May 1945, at sundry places within the then German Reich.</p> <p>12-1034-1 - On or about 12 September 1944 near RUPPERTSHUTTEN, Germany.</p> <p>000-12-63 - On or about 18 March 1945 near SOMMERSHAUSEN, Germany.</p> |
| Number and description of crime in war crimes list.

References to relevant provisions of national law. | <p>Murder</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

12-3193B - In the summer of 1944 orders were promulgated in BERLIN aimed at exterminating parachuted American and British flyers. These orders came to channels and were executed in Wehrkreis 13. On or about 21 July 1944 SCHULZE announced the order in BERLIN and the order was transmitted to Kurt HANS, chief of the WURZBURG Kripo by Johann KOEMM. HANS broadcast the order among his force.

12-1034-1 - On or about 12 September 1944, a United States bomber crashlanded near RUPPERTSHUTTEN. A Jagdkommando was dispatched to the scene. En route BLUM, Kommando Leader, repeated HANS' orders that no prisoners were to be taken. Four airmen, three of them wounded, were near the downed plane. Heinrich BAUMANN beat the unwounded flyer, and then shot two of the prisoners. HAMMER shot a third, GUNDELACH and Georg BAUMANN shot the fourth.

000-12-63 - On or about 18 March 1945, a British airman parachuted near SOMMERSHAUSEN,

(continued on page 2)

TRANSMITTED BY Source: U.S. War Crimes Group (Cases No. 12-3193B SUPERIOR ORDERS CASE WEHRKREIS XIII; 12-1034-1 TOWER (V); 000-12-63).

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1272

STATEMENT OF FACTS (Cont'd)

Germany, and was taken into custody, jailed, and the keys turned over to Josef AXT. AXT and Johann WEBER, subordinates to WURZBURG Kripo Chief, Kurt HANS, later removed the airman from the jail, marched him toward the Main River, shot him once, threw the body into the water, and fired more shots into the victim as he lay in the water.

PARTICULARS OF EVIDENCE IN SUPPORT

1273

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) The offenses were committed in obedience to orders.
- (b) Accused will deny any responsibility for the alleged crimes.
- (c) The case appears to be reasonably complete.

7094/US/G/248

1275

STIEBLAICHINGER, Johann

Date Submitted

Decision of Committee I

11 DEC 1947

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 492 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Johann STIEBLAICHINGER - Sergeant German Army (Wehrmacht)

Date and place of commission of alleged crime.

On or about 25 April 1945, near LINZ, Austria

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

At around noon or about 25 April 1945, during the last American air raid on LINZ, Austria, an airplane was seen to explode in the air. Several parachutes were seen descending. One particular parachute with a flyer hanging below passed over the courtyard of Harrachstrasse 34, LINZ, at an altitude of approximately 100 meters. The flyer was alive, because witness could see him moving his legs and arms and swinging the parachute. The accused STIEBLAICHINGER ran into the courtyard and fired approximately 10 shots from a rifle at the descending flyer. The flyer was seen to go suddenly limp and quit moving. He was dead when the parachute reached the ground. Accused went and viewed the body and bragged that he had killed the American.

Source: ~~XXXXXXXXXX~~ U.S. War Crimes Group (Case No. 5-173 (STIEBLAICHINGER (A)))

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* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

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PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1279

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on the offender's own initiative.
- b. Accused will deny every element of the offense, attempting to show that other people were firing at the descending flyer.
- c. The case appears to be reasonably complete.

7095/US/A/249

1280

GARTMANN, Max Bruno

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS WAR CRIMINALS

CASE No. 493 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Max Bruno GARTMANN Hauptmann, Member of Landesschutzen Polizei.</p> <p>2. Heinrich HAHNE Member of Landesschutzen Polizei</p> <p>3. Friedrich MEYER Member of Landesschutzen Polizei</p> <p>4. Willi DEHNBOSTEL Member of Landesschutzen Polizei.</p> <p>5. Josef HUTLER Member of Landesschutzen Polizei.</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 4 November 1944 near BAD SALZDETFURTH, Germany</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 4 November 1944 a U.S. airman bailed out of his disabled plane and landed in the vicinity of BAD SALZDETFURTH, Germany, British Zone. Max Bruno GARTMANN, who was the commanding officer of No.1 Polizei Landesschutzen Company at BAD SALZDETFURTH ordered some of his men to start a search for the airman. The airman was captured and turned over to GARTMANN, who ordered the civilians present to leave the scene and called for volunteers from his company to shoot the airman. As no one volunteered, GARTMANN ordered Heinrich HAHNE, Friedrich MEYER, Heinrich ADLER, Willi DEHNBOSTEL, and Josef HUTLER to line up and form a firing squad. As they were lined up, GARTMANN said, "I give the order that this man is to be shot" or words to that effect. He then ordered these men to take aim and fire. This was done and the airman fell to the ground, dead or wounded. A final shot was fired into the head of the airman to make sure of his death.

Source: U.S. War Crimes Group (Case No.12-2823, BAD SALZDETFURTH)

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

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PARTICULARS OF ALLEGED CRIME

1282

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1284

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- (a) All of the accused committed the offense in obedience to superior orders.
- (b) All of the accused will claim superior orders.
- (c) The case appears to be reasonably complete.

7096/US/G/250

1285

FRANKE, Heinrich

Date Submitted

Decision of Committee I

11 DEC 1947

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4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 494 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. **Heinrich FRANKE** - German national Member of Z.b.V. Battalion XII

Date and place of commission of alleged crime.

On or about 18 March 1945 near **ENGENHAHN, Germany.**

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

On or about 17 March 1945, a United States airman was taken prisoner in the town of WALLRABENSTEIN. He was sent to IDSTEIN and transferred to the jail at IDSTEIN over night. Next day, 18 March 1945, he was ordered taken to the P.W. Camp at OBER URSEL. He was turned over to SS man Heinrich FRANKE, and while on the road to ENGENHAHN, he was shot in the head from the rear by FRANKE and killed instantly.

Source: ~~Headquarters~~, U.S. War Crimes Group, (Case No.12-2409, ENGENHAHN,(P))

TRANSMITTED BY

Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1287

PARTICULARS OF EVIDENCE IN SUPPORT

1288

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on the offender's own initiative.
- b. FRANKE contends that the flyer was shot while attempting escape.
- c. The case appears to be reasonably complete.

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DIRNAGEL, Rudolf
63

| Date Submitted | Decision of Committee I | |
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4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS

CASE No. 495

*

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- | | |
|--------------------|------------------|
| 1. Rudolf DIRNAGEL | Obersturmfuehrer |
| 2. Kurt MARTIN | Member of SS |
| 3. Hans PLETSCH | Member of SS |

Date and place of commission of alleged crime.

In or about July or August 1944, near Munich, Germany.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

In or about July or August 1944, five unknown US airmen were captured and brought to the Freimann Kaserne (SS Flak Regiment), Munich. There they were interrogated by SS Obersturmfuehrer Rudolf DIRNAGEL, then loaded into a car with several SS men, three of whom were DIRNAGEL, Kurt MARTIN and Hans PLETSCH. The car proceeded in a northerly direction across the parade ground and into some woods. A little while later shots were heard, and soon after the car returned without the airmen. DIRNAGEL was later seen wearing an American leather jacket. The bodies were buried several weeks later by a detail after they were almost completely decomposed.

Source: U.S. War Crimes Group (Case No. 12-1449, MUNICH)

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Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1292

NOTES ON THE CASE

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) Accused committed the offense on their own initiative.
- (b) DIRNAGEL will probably deny participation in the murders and all knowledge of same although he has confessed that he made a statement to all of his officers that the flyers should be killed.
- (c) The case appears to be reasonably complete.

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1295

BEHME, Otto

Date Submitted Decision of Committee I

11 DEC 1947

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4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 496 *

| | |
|--|--|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Otto BEHME Burgomeister</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 30 May 1944, near HELMSTEDT, Germany</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder</p> <p>Violation of the Laws and Customs of War.</p> |

SHORT STATEMENT OF FACTS.

On or about 30 May 1944, a United States airman safely parachuted to earth from his disabled plane at LELMER-FELDMARK, Germany and was taken prisoner by Wilhelm SCHMIDT and Feldwebel BUEHRIG. BEHME, Burgomeister of LELM, Germany, arrived at the scene, criticized SCHMIDT and BUEHRIG for not killing the airman and asked "Why/you make him cold?", took the airman and placed him in his car. BEHME then beat the airman causing him to bleed. A bystander struck the airman over the head with a pitchfork. The airman was then taken to BEHME's home and searched. The capture was reported to the HELMSTEDT police who ordered the flyer brought to HELMSTEDT Landratsamt. En route, BEHME told TIMMER of the secret orders to kill parachuted airman and tried to induce TIMMER to kill the airman. At the Landratsamt, DREIER took the personal data of the flyer and made a written report. DREIER then told TIMMER to accompany the airman to a nearby airport installation. MUELLER and TIMMER placed the airman in a car and drove to the woods near HELMSTEDT, and they were immediately followed by BEHME and one FELDMEIER.

At FELDMEIER's signal both cars were stopped at a small trail leading into the woods.

TRANSMITTED BY Source: Headquarters, U.S. War Crimes Group (Case No. 12-658 WICKART (W)).

Insert serial number under which the case is registered in the files of the National Office of the accusing State. (cont'd over page)

PARTICULARS OF ALLEGED CRIME

1297

SHORT STATEMENT OF FACTS (cont'd from page 1)

FELDMETER and TIMMER marched the airman up a trail into the woods and FELDMETER walking close behind the airman shot him. BEHME left his car and came to the scene and as TIMMER and BEHME left the scene, FELDMETER fired another shot into the airman's body.

NOTES ON THE CASE

1299

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on the offender's own initiative.
- b. BEHME will deny any and all participation in the murder and will attempt to place the responsibility for the actual murder on TIMMER and FELDMETER.
- c. The case appears to be reasonably complete.

7099/US/G/253

1300

RIXEN, Heinrich

Date Submitted

Decision of Committee I

11 DEC 1947

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1301

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7099/US/A/253

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 497 *

Name of accused, his rank and unit, or official position.

1. Heinrich RIXEN Gefreiter

(Not to be translated.)

Date and place of commission of alleged crime.

On or about 26 November 1944, near SPRINGE, Germany

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violations of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 26 November 1944, an Allied airman, believed to be a United States airman, safely parachuted from his disabled plane in the vicinity of SPRINGE, Germany and was taken prisoner by Ludwig RINGELHAN, Leo BEHRENDT, Heinz HASSELHORST, Heinrich RIXEN and Georg SCHOENEMIER. In landing the airman injured both legs and was unable to walk without the aid of a stick. RIXEN was left to guard the airman while the others left the scene. Later, two shots were heard and the airman's body was found with a bullet hole in the back of its head.

Source: ~~Headquarters~~ U.S. War Crimes Group, (Case No. 12-1140, SPRINGE (P))

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1302

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1304

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The offense was committed on the offender's own initiative.
- b. RIXEN will deny he killed the airman and will attempt to prove that he was in a hospital at the time.
- c. The case appears to be reasonably complete.

7100/US/A/254

1305

PAULY, Otto
and 2

Date Submitted Decision of Committee I

11 DEC 1947

1, 2 : 3

DETAILS CHECKED LIST 66

7100/US/A/254

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1306

Registered Number.

Date of receipt in Secretariat.

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4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 498 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Otto PAULY - Chief Regt. Medical Officer
- 2. Hans SCHNEIDER Medical T/Sgt.

Date and place of commission of alleged crime.

On or about 21 January 1945, near STATTMATTEN, in the vicinity of HAGENAU, Alsace/Lorraine, France.

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 21 Jan 45, at or near STATTMATTEN, in the vicinity of HAGENAU, Alsace/Lorraine, France, an unknown, wounded United States soldier was captured by a unit of the German 21st Parachute Regt., 7th Parachute Div., which was then engaged in severe fighting with the American Rainbow Div. The captured American was given medical treatment and his leg set in a surgical splint, by one LOHWASSER. LOHWASSER then called on PAULY; PAULY called in SCHNEIDER and ordered him to take the prisoner away and shoot him. SCHNEIDER obeyed the order, put the wounded soldier on a stretcher, pulled him to the outskirts of STATTMATTEN and shot him to death.

Source: ~~Headquarters~~ U.S. War Crimes Group (Case No. 11-511(ALSACE))

TRANSMITTED BY

Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1307

PARTICULARS OF EVIDENCE IN SUPPORT

1308

NOTES ON THE CASE

1309

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence ; (c) whether the case appears to be reasonably complete.)

- a. PAULY committed the offense on his own initiative.
SCHNEIDER committed the crime in obedience to orders.
- b. PAULY will deny having issued the order or of having participated in any way in the killing.
SCHNEIDER will urge as a defense that he acted pursuant to a direct order of his superior officer.
- c. The case appears to be reasonably complete.

7101/US/a/255

1310

KAPPELLER, Matthias
and 2

Date Submitted

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11 DEC 1947

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS
CHARGES AGAINST

CASE No. 499 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

1. Mathias KAPPELLER - Austrian national
2. Adolph Karl Maria KRAUSE - Austrian national,
Former Ortsgruppenleiter.

Date and place of commission of alleged crime.

On or about 23 March 1945, near HIEFLAU, Austria

Number and description of crime in war crimes list.

Murder

References to relevant provisions of national law.

Ill-treatment of prisoner of war

Violation of the Laws and Customs of War.

SHORT STATEMENT OF FACTS.

On or about 23 March 1945, a United States bomber crashed in the vicinity of HIEFLAU, Kreis Leoben, Austria, and four United States flyers parachuted down, landing in the vicinity of HIEFLAU. Two parties started a search for the flyers. One party consisted of Mathias KAPPELLER, Johann BRUCKNER, Franz THUNHARDT, Adolph KRAUSE, and a man named BRANTNER; the other party consisted of Alois MULHLANGERER and Friedrich AUSSERNIGG. This latter party found one flyer at about 1900 hours, 23 March, and another about 0900 hours, 24 March, and turned them both over to the authorities in HIEFLAU. The third, flyer, was originally located by Johann HUBER and was later beaten on the head and body with the butt of a pistol by Adolph KRAUSE. The fourth flyer was apprehended by Johann BRUCKNER and Mathias KAPPELLER. The latter shot him with his rifle, resulting in his death, on 26 March.

Source: ~~Heckmann~~, U.S. War Crimes Group, (Case No.5-83, HIEFLAU (P))

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Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1312

NOTES ON THE CASE

1314

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- a. The offenses were committed on the offenders' own initiative.
- b. KAPPELLER will claim that he shot accidentally and further that the victim had dropped his hands as if to reach for another pistol. KRAUSE will claim that he struck the pilot while in his excitement to protect HUBER, who was a small man.
- c. The case appears to be reasonably complete.

7102/US/A/256

1315

HESS, Werner
and 2

Date Submitted

Decision of Committee I

11 DEC 1947

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7102/US/A/256

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7102 / US / G / 252

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UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 500 *

Name of accused, his rank and unit, or official position.

(Not to be translated.)

- 1. Werner HESS German Lieutenant
2. Hubert von SVOBODA " " Colonel

Date and place of commission of alleged crime.

On or about 15 October 1944 near DORSTEN, Germany

Number and description of crime in war crimes list.

Ill-treatment of prisoner of war

References to relevant provisions of national law.

Violation of the Laws and Customs of War

SHORT STATEMENT OF FACTS.

On or about 15 October 1944, a U.S. airman, Major James B. CHENEY, bailed out of an airplane, was captured and taken to the Hqs. of the German 46th Anti-Aircraft Regiment in DORSTEN, Germany. Lt. REICHELDT, the Adjutant and Commanding Officer of the Signal Battery, interrogated the airman in the presence of Lt. Col. SVOBODA, Commanding Officer of the Regiment. The airman refused to give any information other than his name, rank, serial number and to deny that he was a murderer. Lt. REICHELDT conferred with SVOBODA and then gave an order to Lt. HESS to beat the airman and the latter transmitted it to members of the Signal Battery and others. The troops were ordered by NASSE to line up along the stairs. They were armed with clubs, black-jackets, belts, pieces of wood, etc. While the victim descended three flights of stairs, he was beaten by BRAUN, GASSINGER, GELDMISTER, HARTMANN, NASSE, ROEBEN, SCHMIDT, SIMON, WARSCHEDA, WEHRTMANN, an unknown warrant officer and others. As a result of the beatings the airman's left eye was closed for six days and he was badly bruised on his head, arms, and body. The left side of his head was numb for several months.

Source: U.S. War Crimes Group, (Case No.12-1292 DORSTEN (P)).

TRANSMITTED BY

* Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1317

PARTICULARS OF EVIDENCE IN SUPPORT

1318

NOTES ON THE CASE

1319

(Under this heading should be included the view taken as to (a) the degree of responsibility of the accused in view of his official position, e.g., was offence committed on the offender's own initiative, or in obedience to orders, or in carrying out a system approved by authority or a legal provision ; (b) the probable defence; (c) whether the case appears to be reasonably complete.)

- (a) The accused HESS and SVOBODA apparently committed the offense in obedience to superior orders.
- (b) The probable defense will be superior orders.
- (c) The case appears to be reasonably complete.

7103 / US / G / 257

1320

KIESLINGER, Hannas
und 2

| Date Submitted | Decision of Committee I | AFIS CHECKED LIST 66 |
|----------------|-------------------------|--------------------------------|
| 11 DEC 1947 | 1.2 : S | <i>[Handwritten signature]</i> |

7103 / US / G / 257

For the Use of the Secretariat

1321

Registered Number.

Date of receipt in Secretariat.

7103/US/G/257

4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES CHARGES AGAINST GERMAN WAR CRIMINALS

CASE No. 501 *

| | |
|--|---|
| <p>Name of accused, his rank and unit, or official position.</p> <p>(Not to be translated.)</p> | <p>1. Harras KIESLINGER - member of Volkssturm</p> <p>2. Roman WINTSCHNIG - Sturbannfuehrer, SA</p> |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 22 November 1944, near Wald on the Sava, Yugoslavia</p> |
| <p>Number and description of crime in war crimes list.</p> <p>References to relevant provisions of national law.</p> | <p>Murder</p> <p>Violation of the Laws and Customs of War</p> |

SHORT STATEMENT OF FACTS.

On or about 22 November 1944, a United States plane crashed near Wald on the Sava, Yugoslavia. Two crew members were taken prisoner by members of a Volkssturm school commanded by WINTSCHNIG. He made a speech urging that the prisoners be killed. One prisoner was shot to death by a group of Volkssturmers organized by WINTSCHNIG. Later in the day, the other prisoner was shot to death by a similar group of Volkssturmers urged on particularly by a very tall man, probably KIESLINGER.

Source: ~~U.S. War Crimes Group~~ U.S. War Crimes Group (Case No. 8-5, GOZO-MALULJAK)

TRANSMITTED BY

Insert serial number under which the case is registered in the files of the National Office of the accusing State.

PARTICULARS OF ALLEGED CRIME

1322

PARTICULARS OF EVIDENCE IN SUPPORT

1323

NOTES ON THE CASE

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- a. The offenses were committed on the offenders' own initiative.
- b. KIESLINGER will deny having participated in the killing. WINTSCHNIG will admit having made an inflammatory speech but will contend that the killing was the responsibility of two unknown Gestapo agents.
- c. The case appears to be reasonably complete.

7104/US/A/258

1325

BLANK, Heinrich
65

| Date Submitted | Decision of Committee I | |
|----------------|-------------------------|-----------|
| 11 DEC 1947 | 1-5 : S | <i>by</i> |

7104/US/A/258

For the Use of the Secretariat)

1326

Registered Number.

Date of receipt in Secretariat.

7104/US/G/258

- 4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST
CHARGES AGAINST

GERMAN

WAR CRIMINALS
WAR CRIMINALS

CASE No. 502

| | | | | | | | | | | | |
|--|--|-------------------|-----------------|-----------------|-------------|--------------|----------------|-----------------|-----------------|-----------------|-----------------|
| <p>Name of accused, his rank and unit, or official position.

(Not to be translated.)</p> | <table border="0"> <tr> <td>1. Heinrich BLANK</td> <td>German civilian</td> </tr> <tr> <td>2. Peter JORDAN</td> <td>Kreisleiter</td> </tr> <tr> <td>3. Adam ROTH</td> <td>No description</td> </tr> <tr> <td>4. Franz WINTER</td> <td>German civilian</td> </tr> <tr> <td>5. Peter WINTER</td> <td>German civilian</td> </tr> </table> | 1. Heinrich BLANK | German civilian | 2. Peter JORDAN | Kreisleiter | 3. Adam ROTH | No description | 4. Franz WINTER | German civilian | 5. Peter WINTER | German civilian |
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| 2. Peter JORDAN | Kreisleiter | | | | | | | | | | |
| 3. Adam ROTH | No description | | | | | | | | | | |
| 4. Franz WINTER | German civilian | | | | | | | | | | |
| 5. Peter WINTER | German civilian | | | | | | | | | | |
| <p>Date and place of commission of alleged crime.</p> | <p>On or about 22 February 1945 near MUEHLHEIM, Germany</p> | | | | | | | | | | |
| <p>Number and description of crime in war crimes list.

References to relevant provisions of national law.</p> | <p>Ill-treatment of prisoners of war

Violation of the Laws and Customs of War</p> | | | | | | | | | | |

SHORT STATEMENT OF FACTS.

On or about 22 February 1945, a US Army bomber was shot down near MUEHLHEIM, Germany, US Zone. Seven members of the crew parachuted to earth. One of the airmen landed with a badly mangled left arm and died shortly thereafter from his wounds. The other six members of the crew were captured by MUEHLHEIM police and military personnel from a flak battery in the area. At least two of them were assaulted by German civilians. One airman was placed under military guard in a box car at the MUEHLHEIM freight station. JORDAN and WINTER, Franz, went out from the car, secured a board or lathe, approximately one meter long and ten to fifteen centimeters wide, and beat the airman causing him to groan and scream. WINTER was present and helped in the beating. Another airman, while being marched along the street by GROB, was attacked by BLANK, ROTH and WINTER, Peter. They knocked him to the ground, after which BLANK and ROTH kicked him over the eye. GROB quickly brought the airman to his feet and escorted him to the police station.

Source: U.S. War Crimes Group (Case No.12-1982, MUEHLHEIM (P))

TRANSMITTED BY

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PARTICULARS OF ALLEGED CRIME

1327

NOTES ON THE CASE

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- (a) All of the accused apparently committed the offense on their own initiative.
- (b) All accused will minimize force and severity of the blows they struck. To sustain their position in this regard reference will probably be made to a letter written by JORDAN to Polizeigruppenführer STROOP, Police Chief RHEIN-WESTMARK, the day following the assaults. Therein JORDAN berated the MUEHLHEIM police and requested that BOHM be disciplined for having protected the airmen and lamented, "It is almost shameful for the community of MUEHLHEIM that none of the six prisoners had met with any injuries."
- (c) The case appears to be reasonably complete.

Registered Number.

Date of receipt in Secretariat.

7104/US/G/258

- 4 DEC 1947

UNITED NATIONS WAR CRIMES COMMISSION

UNITED STATES

CHARGES AGAINST CHARGES AGAINST

GERMAN

WAR CRIMINALS WAR CRIMINALS

CASE No. 502

| | | | | | | | | | | | |
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Source: U.S. War Crimes Group (Case No.12-1982, MUEHLHEIM (P))

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PARTICULARS OF ALLEGED CRIME

1327

PARTICULARS OF EVIDENCE IN SUPPORT

NOTES ON THE CASE

1329

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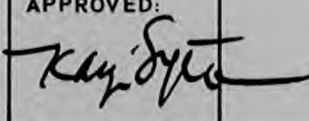
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| PRODUCTION DATA | | INDEXING DATA | | CODE NO. |
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| FINISHED
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1329 | | | PAG-3/118-121 | |
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<u>USA vs. Germans</u>
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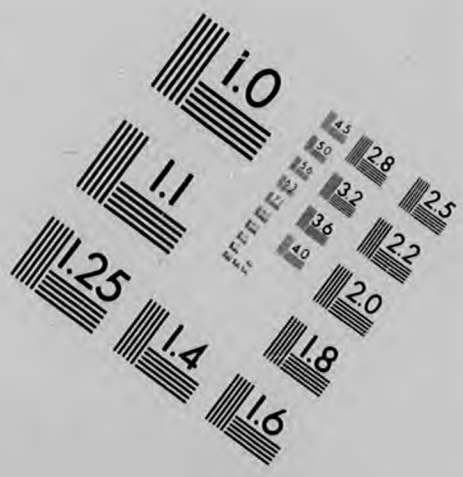
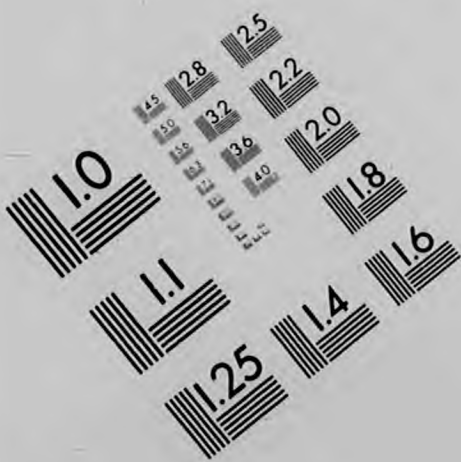
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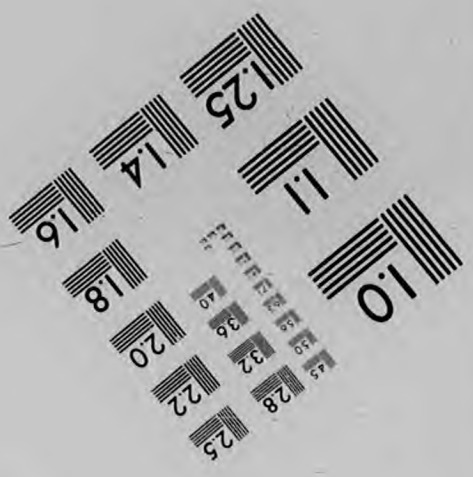
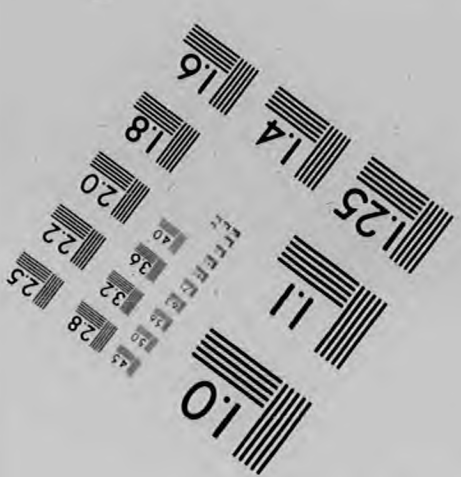
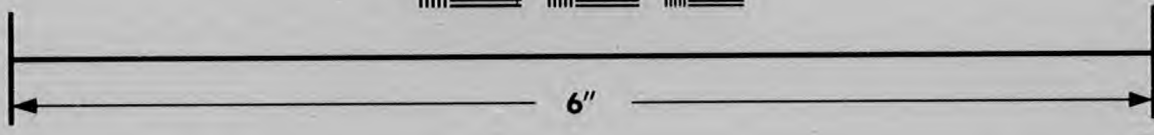
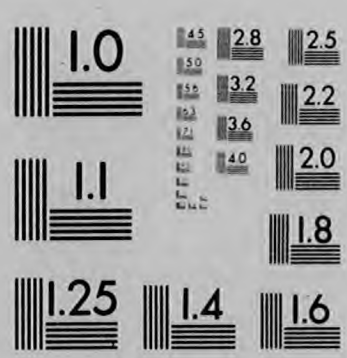
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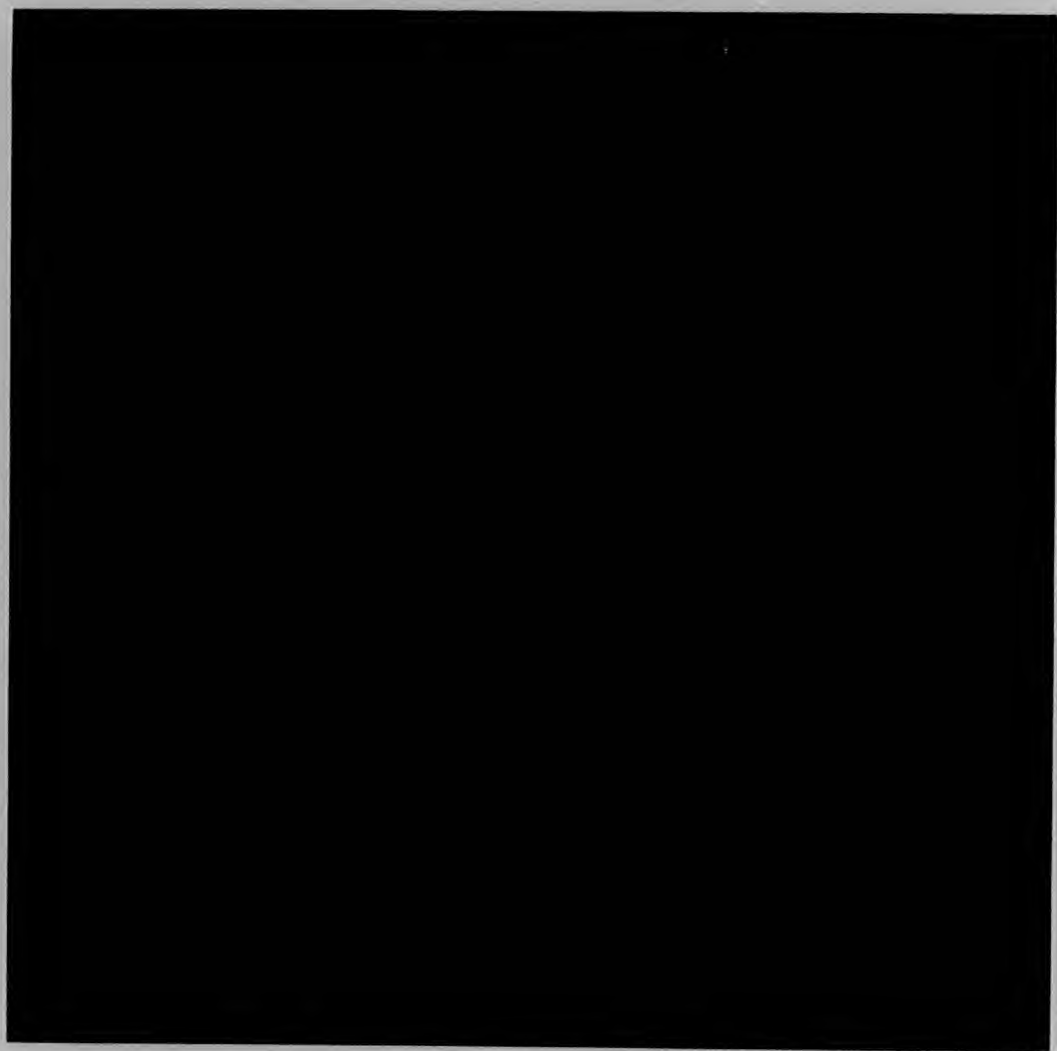


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USA vs. GERMANS

1-258

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USA vs. GERMANS

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