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Camp Dachau, Germany

11 July 1946

MORNING SESSION

(Whereupon the Court reconvened at 0830 hours.)

PRESIDENT: Take seats. The court will come to order.

PROSECUTION: If the Court please, let the record show that all the members of the Court, all the members of the Prosecution with the exception of Capt. Byrne, who has been excused by verbal order of the Commanding General, and Mr. Elowitz who is absent on business of the Prosecution, all the members of the Defense with the exception of Lt. Col. Dwinell, Capt. Narvid, Dr. Leer and Dr. Hertkorn who are absent on business of the Defense, all of the defendants and the reporter are present.

DEFENSE: May it please the Court, Dr. Wieland at this time will present the final arguments for the accused General Georg Priess, the accused Capt. Oskar Klingelhofer, and the accused Lt. Heinz Rehagel.

PROSECUTION: If the Court please, I believe that is the former General Hermann Priess.

DEFENSE: Correction, General Hermann Priess.

(Whereupon the final arguments for the accused named above were read in German by Dr. Wieland.)

DEFENSE: Mr. Rosenstock, who has translated Dr. Wieland's final arguments, will deliver it to the Court.

MR. ROSENSTOCK: (Reading)

"May it please the Court, in the first place the accused Priess is charged with having instructed the officers under his command by way of a speech in Schmidtheim on 15 December 1944 to use terror methods in the impending Eifel Offensive. As a basis for this instruction he was supposed to have made use of an order of the day of the accused Dietrich, dated 14 December 1944. The defense

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counsel of that accused, Dr. Rau, has already demonstrated in a convincing manner that no order of the day with such contents existed. It would have been the burden of the Prosecution to present the original of this Order of the Day or a satisfactory copy thereof. In this they did not succeed and that is the reason for the weakness of their position. For a cogent proof in this direction can be obtained only if the document of allegedly incriminating contents is presented. This must apply all the more when an interval of over one year exists between the incidents. Under these conditions particularly strict requirements must be made of the presentation of evidence. The Prosecution has failed in this proof. Together with this, all intrinsic connection between the behavior of the accused and the acts which are the subject of this trial disappears. If an accused is to be made culpable of these incidents through a speech, that is, through positive action, then it would also have to be proved that his actions caused these incidents. This too, is out of the question. On the contrary, the accused Friess was exonerated fully and completely through incontrovertible witnesses concerning both the contents of his speech and the lack of causal connection. In this respect, I should like to mention primarily the accused's chief of staff, Col. Lehmann. He was present at the speech; he worked out the orders and he would have had to know best had any direct orders or hidden suggestions for methods of combat in violation of international law been made by the accused Friess. (R.1854, particularly 1857, and the following pages). I should further like to point to the following witnesses Ziemssen, Dietrich (R.1775, particularly 1781 and following), Meyer, Hubert (R. 1868, particularly 1871 and 1873); Kuhlmann, Herbert (R.1877 and the following). These witnesses have proved the innocence of the accused unambiguously as far as any alleged issuances of an order or even any inciting of the troops to actions

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in violation of international law by means of hints are conveyed, nor can this matter of fact be controverted by the statement of the witness Sauer (Record of 9 July 1946) read by the Prosecution. The supplementary introduction of this evidence only shows that the Prosecution apparently feels that its own evidence is insufficient in this respect. In addition to that, the witness himself was not called before the Court without any urgent reasons. And finally, his statements cannot be brought in any connection with the behavior of the defendant Friess, as his statement was made on the 15th May 1946 and already on the following day, the 16th of May 1946, the trial started. The Prosecution, in addition, desires to develop responsibility of the accused Friess by his omission to do certain acts. That is to consist of the failure in the matter of discipline of the troops, of the accused in his supervisory duty as commanding general of a corps. The following needs to be said:

The accused did not take over the corps before 18 November 1944 (R. 1742). He further stated in his examination that he was always desirous of getting acquainted with his commanding officers and troops in spite of the preparations for the offensive which required much care and work. That this could not be done prior to the beginning of the offensive on 16 December 1944, except in an insufficient manner, is obvious and does not need to be commented on. It would be improper to imply guilt of the accused for that reason. Everybody must realize the impossibility of carrying out such an intention in so short period of a time. That the fighting discipline of the troops of the corps could not have been such a bad one can already be seen from the fact that only three battalions of the corps are accused. During the Eifel Offensive there were 121 battalions in the corps, not including service units. Under these conditions, upon weighing the responsibility of the corps commander one must deny its existence for no commanding officer of any large unit will succeed in prevent-

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ing occasional excesses even if disciplinary supervision and instruction are strict. One would lose all solid legal foundation if one would extend the area of responsibility that far. That can best be seen from the fact that one does not punish a commanding officer when a member of his command commits a punishable act, but rather only the person committing that particular punishable act. In this connection, a further material fact should be mentioned, since the Prosecution charges Pries not only with positive action (speech in Schmidheim) but in addition with omission (deficient supervision).

The following is to be said as to the latter accusation. However poor the orientation of a unit concerning the treatment of prisoners of war might be, one thing is certain, every soldier knows that shooting of prisoners of war is a violation of international law and that he cannot rely on blaming deficient instruction or supervision by his superiors for such acts.

In defense of the accused Pries against the charge of dereliction of duty as commanding officer, let me finally point to the most relevant legal issue. The corps is only a tactical unit. Divisions under its command change constantly. For instance, a division might be under the command of a corps commander for days only, and even then only under his tactical command. Particularly this 1st SS Panzer Division was under the command of the accused only until 27 December 1944. It can then never be just to make a corps commander responsible for the discipline of a division which might be under his command for possibly only a few days under these conditions. The legal organization of the former German Wehrmacht and SS took account of that fact also. Only the divisional commander was the Court appointing authority in charge of violations of the troops under his command. Nor was the corps commander a higher ranking Court appointing authority. For that reason, a corps had neither courts nor a Judge Advocate. The sole court superior to a divisional

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court was the Army court. The Prosecution's attempt to make the accused Pries in his capacity as corps commander responsible for the crimes alleged by them must, therefore, be termed legally erroneous. This must apply particularly to their citation of the Yamashita case. In this connection I refer you to the thorough discussion of Dr. Rau.

In addition to that, he made prompt oral and telephone contact with the competent divisional commander (R.1773). This fact is made more certain by the statements under oath of the witness Lehmann (R. 1858,1866). Now, would a man who, according to the allegations of the Prosecution, either instructed his troops to commit such acts or at least permitted such violations without protest act that way? Could you expect any more from him than he did, under the combat conditions then existing? For it is certain that the accused at that time received only incomplete knowledge of this incident, which was reported as not existent by the divisional commander, through an Army order. The scene of the act was the location of the main line of combat at the time. For that reason, an investigation of the case was made considerably more difficult, if not impossible. Finally, it must be pointed out, that 2,300 prisoners were taken in the corps area of the accused Pries prior to 23 December 1944 and were transported back to prisoner collecting stations (R.1754).

Thus we see that the facts to be proven by the Prosecution, were not only not proven but controverted through Defense witnesses and through the conditions existing. It is further obvious it would involve a strained view of supervisory duties if one would make the accused responsible for excesses wherever they did happen. I therefore move that he be acquitted.

The accused Klingelhofer, who is also defended by me, is charged with having given an order before the beginning of the

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offensive to the effect that no prisoners of war were to be taken, and with being responsible to that extent for the incidents occurring within the 7th company of the 1st Panzer Regiment under his command, and that during the period of time from 16 December 1944 until 13 January 1945. It is true that the investigations conducted at Schwaebisch Hall have exposed grounds for accusations against Klingelhoefer. How that accusation was concocted will probably never be determined exactly. It is definite, however, that mock trials, and deception were used. There is no need of myself discussing this matter in detail, since Lt. Col. Dwinell and Lt. Col. Sutton have already covered it. It is, furthermore, certain that even at the time of the first interrogation in Schwaebisch Hall one year had passed since the events in question had taken place. That year was filled with the most exciting and nerve shaking events for all the witnesses and accused. Every day brought new situations and new impressions. No written matter whatever was available concerning the testimony expected of the accused and witnesses. The events themselves had taken place in an exciting and nerve wracking time as well.

Certainly the following events were lost in the recollection of most men, so that no clear picture exists in anyone's mind now. The possibility that somewhere in the interrogations the word "order" played such a role that implications and inferences clustered around it, which resulted in statements of a contents desired by the Prosecution, should therefore not be rejected lightly. This assumption probably approaches the truth in the matter even more since it is this very word "order" that appeared to give every accused an opportunity to defend himself at the expense of somebody else. In the mental situation of the accused, such deceptions of the accused which, of course, always were in the direction desired by the Prosecution, had a very dangerous suggestive power. So in that manner

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the uniform picture of the issuance of orders might very easily have been created. And from this the picture of a very deceptive "truth", which might just as well be untrue, was formed. The conviction that that assumption should not be rejected lightly will be obtained not only from the fact that the Prosecution interrogated witnesses who did not confirm such issuance of orders, and who were, therefore, not used in the trial. The main support of this assumption is found in the fact that the Defense has succeeded in finding unimpeachable defense witnesses in spite of a much smaller volume of evidence. In that connection I point to the testimony of the witness Rolf Ehrhardt (R.2291); Schranz, Josef (R.2303); Mulling, Johann (R.2296). These witnesses have no interest whatsoever in not telling the truth. They have stated unanimously that no such order was given them by the accused Klingelhoefler and that they would remember such an order since it would have been very unusual. Therefore, no logical proof is available for the allegation that the accused caused his troops to commit these excesses either by way of orders or by way of hidden but unmistakable incitations.

The accused Klingelhoefler is further charged with being responsible for the shooting of American soldiers at the Crossroads by parts of his Company. It is immaterial whether or not the Prosecution succeeded in proving that members of the company of the accused Klingelhoefler fired on American soldiers at the Crossroads. Even if this is the case, this cannot be used to adduce responsibility for Klingelhoefler. The reason for that is, that no proof has been introduced for the existence of an order issued beforehand. Not even the prosecution claims that Klingelhoefler issued such an order at the Crossroads. The mere fact that members of his Company fired at the Crossroads cannot make him responsible in the absence of aggravating circumstances; but these aggravating circumstances are lacking. The accused, himself, passed by the Crossroads with his tank and saw the prisoners standing in the field. He stopped a short distance behind

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the Crossroads in order to report to his battalion commander, Major Poetschke. He then proceeded on without further delay. This is proven by the credible testimony of the accused Rolf Ehrhardt. His testimony further shows that the accused Klingelhoefler made prisoners on 17 December 1944, in Buellingen, and on 19 December 1944 in La Gleize, and directed these to the rear. Never did the accused during this action ever imply, not even by a hint, that prisoners were to be shot. The witness Ehrhardt, Rolf, also testified about this, having been driver in Klingelhoefler's tank all the time. The behavior of the accused not only proves that he never gave such an order. It is in addition incontrovertible proof that the accused would never have permitted shooting of prisoners of war by his troops had he had any influence towards preventing it. The accused lacked this possibility to take action, and that, through no fault of his own. The accused Klingelhoefler is hampered by lack of available evidence in this direction.

There would also still be one witness who could have been called to the witness stand for that purpose. The original assumption that he is stationed in Camp Dachau proved to be erroneous. According to investigation subsequently made, this witness is supposed to be in custody of the British. His name is Rudi Rayer. In order to judge the facts properly, this further mitigating fact must be taken into consideration in favor of the accused, in order not to compel the Court to consider adjourning court, as would be proper in such a case. At any rate, it is certain that the accused had passed by the Crossroads already prior to the time of the shooting.

Under these conditions, it would be against all usage and entirely unacceptable to adduce responsibility of the accused Klingelhoefler solely from the fact that he himself was at the Crossroads at the time when the shooting occurred. In fact, he had already driven away at that time, or solely from the fact that men of his company might have participated in the shooting. Whatever the sentence may

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be, there must be some sort of connection between the act and the behavior of the perpetrator showing the so-called causal connection in order to justify a finding of guilty.

To cite an example, nowhere in the world will a Company Commander be called to account because a member of his Company - although under his disciplinary jurisdiction - deserts. There would have to be special conditions in existence pointing to the fact that desertion of the member of the company was due to the behavior of the Company Commander.

Even if the Court should assume that the accused Klingelhoefurged his Company to give up normal disciplinary habits prior to the offensive, then the cause of the incidents at the Crossroads - which until today have not been explained - should at any rate result in a much milder judgement of his behavior. For there is a considerable difference between recommending to a unit, prior to an offensive, at the occasion of an address inciting to action, that they make no prisoners of war and issuing an order to shoot prisoners of war during combat in the presence of these very prisoners. There is nothing to prove that the accused Klingelhoef did this. Klingelhoef, himself, demonstrates this in his action towards the prisoners, which has already been described above and needs addition in only one more point.

A few hours after the incident at the Crossroads, Klingelhoef received a report that a member of his Company had fired there. He expressed his irritation about his and made a report (Rolf Ehrhardt, R.2615). What happened to this report could, unfortunately, not be determined in view of the turbulent battle conditions and the splitting up of the company after the failure of the Eifel Offensive. At any rate, it is further proof of Klingelhoef's disapproval of the excesses of his company members and of the fact that he never tolerated these, not to mention giving orders for them. In that

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connection, I should like to point out the fact that Klingelhoefler was wounded on 30 December 1944 and was transferred to a hospital in Germany.

Furthermore, I should like to draw your attention to the following. Every soldier, even when acting under orders, knows exactly that shooting of prisoners of war is never justified by an order, but is an act in violation of international law for which he is co-responsible. This point must be considered in the favor of Klingelhoefler, as well as all other accused officers if, and to the extent to which any proof of guilt could be presented. In view of the total of these conditions, I therefore move that he, too, be acquitted.

The accused Rehagel, also represented by me, is also accused of having urged members of his platoon not to make any prisoners, prior to the start of the offensive, and further, of having fired at prisoners of war at the Crossroads himself.

As to the first charge, that is mainly based on the statements made in Schwaebisch Hall. In that connection, I shall permit myself to point to the above in order to avoid repetition. I therefore do not think that Rehagel can be found guilty of that charge. In addition, the part of the accusation has been controverted by credible defense witnesses. These are the witnesses Mulling, Johann (R. 2296) and Schranz, Josef (R.2302). The rest of Rehagel's behavior also indicates clearly that he did not wish to have himself identified with any such punishable acts, be it only by way of a challenge to that effect prior to the offensive.

The person who reported to the German Company Commander Klingelhoefler outside of Engelsdorf in the afternoon of 17 December 1944, that a member of the 7th Company, Oberscharfuehrer Koch had fired, was the accused Rehagel (testimony Ehrhardt Rolf, R.2612). He certainly would not have made such a report if he, himself, had participated in the shooting, and yet it might very easily have

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happened that his guilt might have been considered proven, unjustly so.

The only witness who accused him before court is the witness Piper, Hans Joachim - has admitted committing perjury while doing so. He also confessed this to me personally. He, as well as the witnesses Reicke, Werner and Loehmann Werner were confronted with the accused Rehagel in Schwaebisch Hall only as so-called "false witnesses". Completely confounded by the methods of deception and not believing his own knowledge, he then made a statement after first suffering a nervous breakdown. If one considers the basis for such self-incrimination, then it will break down completely and together with it the proof for Rehagel's firing at the Crossroads. If one of his men did it, then it was not with his approval, much less upon his order issued by him. As far as his responsibility is concerned, the same should be said as has already been stated in connection with the accused Klingelhoefner, particularly as the lack of available evidence is concerned. In addition, the quick happening made any action of the accused impossible, all the more so because Koch fired from a tank which was already moving, driving within the column and more than fifty yards from the tank of the accused Rehagel. For that reason, I move that he, too, be acquitted.

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DEFENSE COUNSEL: Dr. Hertkorn will present the final arguments for the accused Lt. Friedrich Christ, the accused Lt. Erich Munkemer, and for the accused Sgt. Willi Heinz Hendel.

(Whereupon the final arguments were read by Dr. Hertkorn in German.)

DEFENSE COUNSEL: Mr. Rosenstock, who has translated the final arguments of Dr. Hertkorn, will now deliver them in English.

MR. ROSENSTOCK (Reading):

May it please the Court, I would like to call your attention to the following facts concerning the various charges against 1st Lt. Friedrich Christ:

Number one, issuance of orders in the forest of Blankenheim. Not even one of the prosecution witnesses or anyone of the defendants has stated that Christ gave an order to shoot prisoners of war. Christ has already denied in his first interrogation on 30 August 1945 in Ebensee, that an order to shoot prisoners of war existed. The prosecution did not produce a record of that interrogation. The defendant repudiated that part of his statement from 17 December 1945 (R.2123) that a wave of terror and fright were to precede the combat group Peiper; correct is the version that in the speech of Sturmbannfuhrer Poetschke to the company commanders as well as in his own speech to the 2nd SS Panzer Company it was said that this was to be the mission of the Skorzeny group. Christ states that the untrue statement of 17 December 1945 was made under mental compulsion and influence (R. 2123). The defendant maintains that in tactical instructions it was stressed, that the taking of prisoners was not the mission of advancing tank groups, moreover, that such units should not waste valuable time with secondary tasks.

The witness Maurer Oskar (R. 2160) and Vollsprecht Horst (R. 2176), both members of the platoon led by Ustf. Koch, have verified Christ's statement in every respect; they said that in substance the speech by the company commander meant that the combat group Peiper was to

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advance without consideration to flank security, that they were not to look to the left nor to the right, and could not be bothered with the evacuation of prisoners. Ahead of the combat group would be agents and paratroopers in American uniforms with the mission to spread confusion, panic and fright amongst the enemy, and to prevent an orderly retreat. The order, not to take prisoners, meant, as was always pointed out in previous instructions, to leave the taking of prisoners to the following infantry. On the following day, in the forest of Schmidheim, platoon leader Koch, having come from the issuance of orders of the company commander, added, that it was prohibited to mistreat prisoners or to take watches and valuables from them. This warning seems natural considering the scarcity of all goods prevailing at that time in Germany.

If some of the accused or witnesses of Christ's Company placed any extensive significance into the order not to take prisoners, then this is arbitrary and contrary to the tactical rules of an armored unit. The phraseology of this interpretation which goes far afield from the intended meaning also appears so stereotyped that the thought of a uniform, premeditated system conceived on the outside presents itself automatically. Col. Dwinell has already explained to the court how such statements were composed, and I wish to refer to this. It is humanly understandable that the accused, upon admitting shootings which they do no longer believe in now, will try to exonerate themselves by orders from above. It is, however, legally understandable that such accusations against superiors will be treated with great caution for this reason alone, if no other.

The song about the Soviet Republic which was sung by the troops spontaneously among other songs the night before the offensive cannot serve to replace the lacking evidence either; just as it is certain that the song is distasteful, it is equally certain that no prisoners of war died of it.

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Number two, crossroads: the incidents at the crossroads, forming the basis of a part of the charges, took place approximately at 1330 hours on 17 December 1944. The assumption of the witness Piper (R. 582), the defendant Rehagel (R. 583) and the defendant Rumpf (R.730) that Christ was present at the crossroads at that time, can no longer be sustained in view of evidence presented. The witness Piper admitted before the Court, that he could not say with certainty that he saw Christ at the crossroads. He admitted the possibility to have mistaken 1st Lt Kremser for Christ. It may be pointed out, that Christ returned to the unit in the middle of November after a prolonged stay in the hospital, and was unknown to numerous replacements.

The prosecution witness Otto Lessau (R. 1352) driver of Christ's tank, stated before the Court (R. 2459) that Christ was in Honsfeld about Noon of 17 December 1944 with his company, that he did not leave the company and came to the crossroads with the company between 1600 and 1630 hours. The statements of the witnesses Maurer, Oskar (R. 2453) and Vollsprecht, Horst, also show that Christ came to Buellingen approximately 1400 hours with his company, after a march of about one hour from Honsfeld, on which they were harassed. In Buellingen parts of the company refuelled. After leaving Buellingen, the tank of Koch in which the witnesses were riding, passed Christ approximately 1500 meters west of this town. Consequently it is not possible that Christ could have been at the crossroads between 1300 and 1400 hours, this place being 15 km. west of Buellingen.

I like to point out that the prosecution confronted my client with Lt Lary on 4 April 1946. He believed to identify Christ as an officer who had given orders at the crossroads. Christ denied this assumption at once. The prosecution did not refer to it again and did not ask Lt Lary on the witness stand any question on this point, and did not ask him to identify Christ, as they did in the case Fleps. That leads to the conclusion that Lt. Lary did not maintain his

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original statement and that Christ was mistaken for another officer who was at the crossroads.

Number three, Stoumont, 19 December 1944: one, attack on the eastern part of the town. Concerning the alleged prisoners at the tank of Prahm, the defendants Ritzer, Rolf (R. 1303), Mikolaschek, Arnold (R. 1309) and Werner, Erich (R. 1346) claim that due to the firing, all of them were either dead or seriously wounded. That is in contrast to the statements made by Hofmann, Heinz, (R. 1315) and Szyperski, Erich, (R. 1339). According to these statements only a few fell to the ground and 5 to 7 escaped in the direction of La Gleize. Therefore, I believe, that the statements of these defendants cannot be considered dependable.

The same defendants declared that the American soldiers who supposedly were shot, were guarded by German soldiers standing in the immediate vicinity. It seems militarily impossible to believe, that a tank fired upon by anti-tank artillery, in foggy weather, will fire with automatic weapons at prisoners of war around whom German soldiers are standing.

An order over the radio supposedly from Christ concerning the prisoners, was not heard by the witness Lessau, driver in Christ's tank, and Vollsprecht and Maurer, although the entire tank crew carries head phones in combat and all tanks of the company operated on the same frequencies. Contradictory statements by defendants, who want to defend themselves by claiming orders from above, should not be considered.

Furthermore it is unbelievable that prisoners of war and their German guards stood around upright during a heavy firefight. The witness Huebler who was supposedly only 15 meters distant from the American soldiers, took cover from the enemy fire in the ditch along the road. Two men of his tank were fatally hit at this point while leaving the tank. If 13 or more American soldiers were shot near the

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white or gray house at the entrance to Stoumont, then the witnesses Willecke and Freitag who immediately after the attack looked for dead and wounded in the vicinity of this house, should have seen these dead Americans. Neither these witnesses nor the witnesses Vollsprecht and Maurer knew anything about that.

Number two, town center: The witness Lessau stated only that he saw prisoners near the department store which incidentally was closer to the western exit of the village and that the machine gun of Pletz was shooting. He could not say that it shot at the prisoners. Apparently Pletz fired on American soldiers who withdrew from German infantry 500 yards away. Maurer and Vollsprecht are supposed to have seen the shooting to the right in direction of the store since it is proven that they drove a short distance behind Christ. The prisoners supposedly at the exit of the town, were never fired upon according to the statements made by Ritzer and Szyperki of Christ's company.

The statement of Werner concerning the firing of tracer ammunition cannot be correct, since neither Lessau nor Maurer nor Vollsprecht know anything about it.

Number three, railroad station. The witnesses Guthmann, Maurer and Vollsprecht did not see any prisoners at the railroad station. Concerning the firing upon American soldiers, obviously it was in the course of combat action. American shock troops had tried under cover of the smoke screen to get at the tanks from the left and right. They were fired upon with explosive and tank grenades and the attack was stopped. The tanks were the most forward German line, the enemy was approximately 500 meters distant. Immediate contact with the enemy infantry was never established. The military situation alone makes it unreasonable to believe that prisoners could have been taken at this point.

Roman four, La Gleize. At the time Huebler claims to have seen 1st Lt Christ in the commandpost, Christ due to his own statements, did not give an order to shoot prisoners; at the time he supposedly

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gave an order, Huebler did not see him. The same was stated by Ritzer in his statement. The entire 2nd Tank Company was at this time in combat in Stoumont and the company commander was of course with his company. Furthermore in La Gleize on 21 December 1944 before Noon, neither a commandpost of Peiper nor a command post of Poetschke existed. Ritzer puts the supposed incident in the commandpost of Poetschke, while Huebler claims it was in the CP of Peiper.

Nor was Christ in any way identified in the incident of the morning of 23 December 1944 as mentioned by Sigmund (R. 1438-1439). A verdict of guilt cannot be based on such vague and diverging statements. Bodies of American soldiers lying close to each other or one upon another should have been noticed by Major McCown and the advancing American troops on 24 December 1944. To this question, in closing the evidence the Prosecution has introduced some more exhibits (R. 132) without calling the witnesses themselves.

This material due to its contents has no probative value at all as to where and in what manner the American soldiers, mentioned there, were killed.

At any rate, the agreement of the statements and sketches of various accused is not a sufficient indication of the correctness of their contents. As the prosecution itself has stated, "the picture developed very rapidly and one or two men had testified and were confronted with others". The disadvantage of his method, however, is that these first statement are then always used as guides for the later ones and thereby influence them. In that way situation might be inferred from the agreement of several sketches, but never a case of death. But in cases where numerous contradictions or even impossibilities are demonstrated in the statements, the credibility of such testimony is completely shaken.

Of course Christ rejects the interpretation of the prosecution, according to which he is being made responsible for offenses which he knew nothing about and which were allegedly committed by Knappich,

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Angerer and other men of his company. No charges have been preferred against these men, no witness in any way acceptable has been examined, the alleged perpetrators were in no position to counter the charges against them in any manner, and the events which occurred are still entirely undetermined.

Roman five. Christ pleads not guilty to all charges made against him. No sufficient evidence against him has been submitted. Where ever there are uncertainties, so to this case the principle of "that no man is guilty until so proven", will have to be applied.

Christ states that he can name a number of dependable defenses: witnesses who were with him in Zuffenhausen or Schwaebisch Hall. Their addresses could not be found out any more. They are Ustf. Koch and Kaufmann, the company runner Wasch and the loader of Christ's tank Heinz Hepp.

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Erich Munkemer is accused

- I. of having given an order to shoot prisoners of war in the forest of Blankenheim;
- II. of being responsible for shootings by his men.

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Munkemer himself said in his statement P-19-A that he passed on the order by Hauptsturmfuehrer Klingelhofer to his tank commanders approximately according to its substance. Roman Clotten (P-40-A) stated, however, that Munkemer made an inciting speech according to which no mercy was to be given to the enemy. But it was not pointed out that no prisoners were to be taken. However, Clotten claims to have had the opinion that such a prohibition could be inferred from Munkemer's speech.

Due to the aggravation of the war situation, the destructive air raids by the Allies lasting day and night, the wording of Munkemer, not to show any mercy to the enemy, could be understood because of the situation from the soldier point of view. But the wording does not say that prisoners are to be killed. At any rate, Clotten pointed out at the end of his statement that in this respect there was no real order by Munkemer at all.

The witness Fritz Geisberger stated before the Court on the 20th of May 1946 that he was not able to state the wording of Munkemer's speech anymore but knew only its substance. Munkemer had expressed that no prisoners were to be taken; so Geisberger also cannot prove that Munkemer had somehow said that prisoners were to be killed. Furthermore, Clotten's memory, who did not deny an order at all, seems to be better than Geisberger's. Even if Clotten as accused gathered only a desire or advice from the words of his platoon leader. It is of more importance for the jurisdiction than if Geisberger remembers clearer terminology merely according to its substance.

The only other member of the platoon "Munkemer" who is an accused is Clotten whom we just mentioned. He was supposed to have violated his duty of supervision (P-41-A) in so far as he did not

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restrain Bock at the crossroads. As to this Clotten defends himself by saying that he did not shoot at all himself and did not give an order to shoot. He said to Bock later on to stop, it would not make sense, the American soldiers were dead already anyhow. Therefore the conclusion can be drawn that Bock was not shooting at live objects and therefore in my opinion that this is no punishable act.

Now even if Clotten states that he would have prevented the alleged shooting of Bock had he not been incited by the speech of Munkemer and Klingelhoefler, then that again is a mental process which cannot be examined for its factual symptoms from the outside. The assumption that such an excuse, the truth of which cannot be denied, was found only in order to protect oneself, is easily reached. But a Court will want to be very cautious before considering such statements as evidence of a severe crime of Munkemer's.

Concerning the cross roads, Sprenger (R-640) claims to have seen my client at the north end of the field when the prisoners were being shot. The correctness of the statement of Sprenger must be seriously doubted, since it would presume a practically superhuman memory. Sprenger was a member of the 2nd Platoon of the 3rd Panzer Pioneer Company. The witnesses G<sub>e</sub>rhart, T<sub>u</sub>t, (R 3595) and Dekar, T<sub>o</sub>tt (R 2768) of the 1st Platoon of this Company state that the 1st Platoon passed the crossroads between 1400 and 1500 hours, that the prisoners were already dead, that no German vehicles were standing at the crossroads and the 2nd Platoon (Sprenger) was much further back. According to this Munkemer must have left a long time before Sprenger's arrival at the crossroads. Rumpf (R 730) stated that he only saw Munkemer drive past the crossroads; R<sub>e</sub>hagel (R 587) stated that he saw Munkemer stand next to his tank. As a matter of fact, Munkemer drove at the head of his Platoon immediately behind the company commander.

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Glotten's sketch representing the tanks at the crossroads did not even include Munkemer's tank. That one was standing somewhat further ahead in the direction of Engelsdorf for a few minutes, in a position where he could neither shoot at the prisoners nor prevent bursts of fire which might have been fired behind him. Dubbert, who accused of firing at that spot, does not belong to Munkemer's Platoon at all.

The arguments of the Prosecution take account of the fact that the evidence against Munkemer can hardly be considered conclusive by only speaking of safe assumptions or appearances in several places. But that is nothing positive. In addition, Munkemer asks to remind the Court that it was not possible for him to present his defense witnesses Willi Paeger, Willi Henning, or Ernst Koebit, who were supposed to have been at Schwabisch Hall at one time.

Since my client evidently did not give any order to shoot prisoners in the Blankenheim Forest, nor ever shot a prisoner, nor ever gave an individual order for such an execution, nor was able to prevent the shooting of Bock, he, too, pleads Not Guilty.

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Hendel is accused (1) of having given the order not to take any prisoners and to shoot civilians under certain circumstances at the beginning of the Eifel offensive when making a speech to his platoon, (2) of being responsible for shootings carried out by his men.

As to this, the following is to be said:

The order given by Hendel does not come from him but from the company commander Heinz Thomhart. It did not say that prisoners were to be shot, but meant that no prisoners of war were to be taken. The witness Guenther Heinrich confirmed this expressly before this Court on 21 May 1946. If, however, the Sturmann (Pfc.) Herbert

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Stock (P-23A) has stated in contrast to that, that Hendel stated prisoners of war were to be shot, the statement is untrue. That is a statement of a man who incriminated himself (P-96A) whose best defense had to be to say that he always acted only on orders. In contrast to that the witness Heinrich was not forced to construct an order to shoot, as medica did not get into the difficult situation at all, when they had to shoot -- according to the Geneva Convention all medics had to turn in their arms before the offensive -- . He was able to say the truth without any trouble and his statement is to be preferred. Oswald Siegmund stated the same thing as Heinrich did. (P-113A)

When Hendel stated further on that a lot of Rabbatz was to be made it is very difficult to convict him because of this word as its meaning apparently is too versatile and it seems that every one of the men means something else when using it. The best explanation seems to be "more appearance than reality".

It furthermore would be a mistake to overlook that Hendel was only a sergeant and that according to experience NCO's like to talk a lot when representing officers, in order to balance the lacking officer's rank. The men, however, usually have a good feeling for that and do not take such exaggerations too seriously. May I ask the Court to consider in the case of Hendel that there is still a difference between word and deed. This difference is emphasized in this case as Hendel while taking part in the Eifel offensive neither fired a shot at prisoners of war or civilians himself, nor gave such an order. On the way from the forest of Blankenheim to Englesdorf he came through several villages in which prisoners of war were taken. Even the prosecution did not assert that Hendel mistreated prisoners of war or civilians at that occasion, in spite of the fact that there would have been ample opportunity to do so,

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as in all those villages civilians still could be met. Hendel did not shoot nor give the order to shoot at the crossroads as consequence of the general suggestion. It is to be assumed that he already missed such an opportunity he also did not participate in the alleged subsequent shootings, or would have prevented his men from shooting. Unfortunately, however, he had to resign as platoon leader due to his injury.

After Wittwer took command of the platoon on 18 December, it also became his responsibility to decide whether or not he wanted to maintain any possible order of Hendel. Since this order did not ask the shooting of prisoners of war at all, however, Wittwer probably had no scruples in carrying out the order actually issued by Hendel.

That attitude of my client should not be disregarded in explaining his speeches before or at the beginning of the offensive. It is to be understood that the prosecution has a different opinion.

Among the men of Hendel's platoon Herbert Stock (P-96A) accuses my client in his statement by his alleged confession. Stock, however, did not refer to a possibly order by Hendel given in general but, according to his statement, a special order was given for each case, after Hendel had left.

Close attention should be paid to this matter since the platoon leader Wittwer who was killed in action during the offensive had threatened Stock in La Gleize that he would be shot himself if he would not carry out the order.

If the alleged incident on the road of La Gleize-Stoumont is being excused by one of the defendants by suddenly remembering Hendel's alleged order, he should also have remembered that Hendel never spoke about shootings of prisoners of war. Furthermore, such a process of remembering is a strictly psychical matter whose

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correctness cannot be tested from the outside. According to general principals of jurisprudence the mere statement of an accused is not to be used all by itself as a proof against another accused. The true story will be that the opening of fire from another side happened to be the cause for the shooting which the other soldiers were subjected to.

I further think it to be my duty to refer to the fact, that in contrast to the opinion of the Prosecution Hendel seems to be a good-hearted man.

When he was in the SS troop kitchen of a camp as cook, he employed prisoners as helpers and continuously supplied those with extra food rations even though that was prohibited.

He himself was therefore sentenced to 2 years of concentration camp by the police court, Berlin. His company commander Tomhardt confirmed before Court that he personally saw the entry of the punishment in Hendel's service record.

This characteristic attitude of Hendel demonstrates that Hendel did not take this war-like speech at the beginning of the offensive serious either.

If the Prosecution also states that more members of the Hendel's former platoon are guilty of subsequent shootings, and wants to hold Hendel responsible for that, it is to be objected:

That those men cannot be apprehended, have never been interrogated, never had a chance to exonerate themselves, and only seem to be accused by the statement of one person, namely Herbert Stock. These events have not been cleared sufficiently up in order to hold Hendel responsible.

Because of the above mentioned reasons Hendel cannot be pleaded guilty. I refer to Capt. Narvid's motion of the 17th of June 1946 and to the excellent legal arguments of Mr. Walters.

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(Whereupon the Court reconvened at 1030 hours.)

PRESIDENT: The Court will come to order.

PROSECUTION: Let the record show that all the members of the Court, all the members of the Prosecution with the exception of Capt. Byrne who has been excused by verbal orders of the Commanding General, Capt. Shumacker and Mr. Elowitz, who are absent on business of the Prosecution, all the members of the Defense with the exception of Lt. Col. Dwinell, Capt. Narvid, Lt. Wahler, and Dr. Leer who are absent on business of the Defense, all the defendants and the reporter are present.

DEFENSE COUNSEL: May it please the Court, Dr. Franz J. Pfister will present the final argument for the accused Major Kurt Sickel, 1st Lt. Erich Rumpf, and for the accused 1st Lt. Manfred Coblentz.

DR. PFISTER: At the beginning of the trial the Prosecution has charged Rumpf with the following:

1. Having ordered the shooting of Allied prisoners of war and civilians on or about 15 December 1944,

2. Being responsible for the shooting of Allied prisoners of war and civilians between 16 December 1944 and 13 January 1945.

As to that the following needs to be said:

1) Orders prior to the Eifel offensive: As a basis of the accusations raised against Rumpf, the Prosecution introduced Exhibit 55, a sworn statement of Rumpf dated 23 March 1946 and obtained in Schwaebisch Hall with the participation of Lt. Perl.

The accusation therein indirectly raised against Peiper, to wit, that prisoners of war could be shot in exceptional cases and that resistance was to be broken by terror was refuted in a general way during the presentation of the case. Among other things I refer to the argument of Dr. Leer which is supported by the record.

The subsequent self-incrimination, to the effect that Rumpf "did not add anything about PW's to the written order" was controverted as follows:

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- a) The witness 1st Sgt. Krajewski of the 9th Panzer Pioneer Company testified that all orders of the regiment and also Rumpf's orders went through his hands, as is usual in the German army. Neither before nor after the offensive was an order issued to Rumpf or by Rumpf to the company requiring shooting of Allied prisoners of war or civilians (page 232 of record). It was merely emphasized that armed resistance of civilians was to be broken.
  - b) The witness Paul Buth (record page 231 A) confirms the same in other words. Buth also added more to this in connection with company orientation, stating that Rumpf had substantially said the following about the treatment of prisoners of war: "Do unto others as you would have them do unto you".
  - c) The witness Nau also confirms that nothing had been known of such an order of Rumpf to his company (R 2305 to 2318).
  - d) One can fairly conclude just how wrong Rumpf's statements in Prosecution Exhibit 55 are if one notices that he gives December 12 or 13, 1944, as the date when all orders were issued. The Court understands the orders for the Eifel offensive were issued as late as 15 December 1944.
  - e) The fact that no member of the 9th Panzer Pioneer Company incriminates the Company Commander as far as the issuing of orders (shooting of prisoners of war and so on) is concerned is particularly relevant.
  - f) The opposite, however limited, self-incrimination of Rumpf makes it clear to the Court that Prosecution Exhibit 55 could not have been obtained in a regular manner. Only the falsehoods contained in P-55 in connection with issuance of orders support Col. Dwinnele's and Mr. Walters' arguments in so lucid a manner that it must be held in this case as well that the probative value of a

confession obtained at Schwaebisch Hall is thoroughly shaken. I am referring to Col. Dwinel's and Mr. Walters' argument about duress which caused almost all seventy-four accused to cover themselves with a maze of self-incriminations. There is no proof of guilt against Rumpf in the matter of issuance of orders.

- 2) Individual orders for shootings. The following witnesses gave factual testimony against this:
  - a) The witness Nau (R 2305 to 2318) gave evidence about severe measures taken by Rumpf on the Eastern front when a Russian civilian was killed by negligence. Rumpf, he said, had been a strict disciplinarian. The perpetrator in that case was court-martialed by Rumpf.
  - b) The witness Bath testified on 5 July 1946 that he had not heard any special order for shooting by Rumpf either. He said that Rumpf had prohibited his men from annoying American prisoners of war with insults when he overheard these. After that these acts had ceased.
  - c) These incidents alone show Rumpf's attitude so clearly that individual orders for shooting of prisoners of war issued by him are entirely inconceivable. Rumpf never admitted any such thing.
  - d) The fact, as proven by the witness Bath on 5 July 1946, to wit, that 2d Lt. Hering of the 9th Company recommended the evacuation of a group of prisoners to a guard whose name is not known near Buellingen is relevant. It proves that a general or special shooting order of Rumpf simply did not exist. As far as individual shootings of prisoners of war by members of the 9th Panzer Pioneer Company are proven by witnesses (and not by statements of accused in Schwaebisch Hall), the defense cannot deny them, but it has not been

proven that orders to that effect were issued by Rumpf, since statements of the accused obtained during investigation are not sufficient for that. (cf. final argument of Mr. Walters, para. 3 to 4)

- e) We therefore find that the causal connection between general or special orders in violation of international law by Rumpf has been severed even in the cases of individual shootings of prisoners of war or civilians which actually did occur. Acts to the contrary by members of the company are excesses for which Rumpf can be held responsible in a mitigated manner only had he been in a position to prevent them. In spite of repeated representations, Rumpf had members of a punitive unit in his company. This lessens his culpability.
- 3) Since only a maximum of seven minutes per accused has been at my disposal for my final arguments, the refutation of individual incidents or accusations respectively, can only be made in a general way. The later determined data of time of arrival and departure and of positions of individual vehicles or groups of men cannot present a uniform picture to the Court as far as the statements of the accused are in question. I refer to the argument of Col. Dwinell. These reconstructions must fail and must be of a very questionable value in finding the sentences, to say the least, because the methods used in Schwaebisch Hall on one hand and attempts at exoneration on the other necessarily cause discrepancies concerning positions and persons. That is demonstrated if by nothing else by the claim of Rumpf in Prosecution Exhibit 55, saying that Christ was present at the cross-roads. I feel that the exact opposite of this claim has by now been proven.

- a) Shootings of prisoners of war near Honsfeld were controverted by the witness Bath.
- b) Rumpf did not incriminate himself in the cross-roads incident. The statements of the co-accused von Chamier and Rieder and also Kuhn do not, for the well known reasons, suffice to prove that Rumpf or his men fired at prisoners of war at the cross-roads near Malmedy. This is confirmed by the testimony of the witness Francie, a member of the 9th Panzer Pioneer Company who did not say anything about any order to shoot issued by Rumpf, nor about any shooting, performed by men of the 9th Panzer Pioneer Company. There is no charging testimony by witnesses. The counter argument advanced by the witness Bath on 5 July 1946 must be considered the most significant in this case as well.
- c) The self-incrimination of Rumpf in Exhibit 55 concerning an alleged shooting detail for prisoners of war in La Gleize has also been clearly controverted by the witness Bath on 6 July 1946. The confusion of this detail with the shooting detail of an SS man suspected of desertion is obvious. The witnesses Lott and Zitzelberger testified on 6 July 1946 that no American prisoners of war were shot in La Gleize. Accusations to the contrary by Prosecution witnesses or statements by the accused cannot be of decisive importance for findings in that case. Concerning the issuance of orders prior to the Eifel offensive, or the accusation of individual orders about shooting of Allied prisoners of war or civilians, I move that Rumpf be acquitted; as to the fact that members of the 9th Panzer Pioneer Company should be considered guilty in two individual cases, I request that the most severe penalty be not meted out to Rumpf for his responsibility, since the foundation of

"orders issued" is lacking. Breaches of discipline which are not causally derived from Rumpf's behaviour must mitigate his culpable responsibility decisively. Nothing said by the defense should however be construed as an excuse for breaches of discipline, to the extent to which these did occur in individual cases.

At the opening of the case the Prosecution accused Coblenz of the following:

1. Ordering the shooting of Allied prisoners of war and civilians in a company order on or about 15 December 1944.
2. Responsibility for shooting of Allied prisoners of war and civilians in the period from 16 December 1944 to 13 January 1945.

The Prosecution did not succeed in proving this.

- 1) The Prosecution introduced two sworn statements of Coblenz in evidence P 79, not dated, and P 80 of 15 April 1946, compare R 1069, 1072).

Since these statements of Coblenz were also taken in Schwaebisch Hall I shall make use of Col. Dwinell's and Mr. Walters' fundamental argument concerning their probative value. Not only physical, but also psychical compulsion diminishes the probative value of self-incrimination decisively. It is undeniable that Coblenz, too, was in such a position of mental distress. He was for instance confronted with incriminating testimony from his commanding officer which had been obtained in a manner similar to his own confession. In the name of justice, I, too, must energetically object to such entirely unusual methods of obtaining mutual incriminations from prisoners of war who are subsequently accused as War Criminals. The defense testimony presented proves how easily such statements can be broken down in the case of Coblenz, as well.

- a) Orders issued by the C. O. Knittel (Nr. 31); he never gave any orders to shoot Allied prisoners of war or civilians on 15 December 1944. (cf. R 2115-2117, 2121-22 and 2326-29, witness Goltz). Knittel neither received such orders prior to the Eifel offensive nor did he transmit them.
- b) Coblenz could not transmit instructions which he did not receive as orders. Not even the Prosecution claims that he invented them himself so, the causal connection is also broken in this case of issuance of orders. Any proof about the issuance of orders conceived by himself is lacking. No member of the 2d Company of the Reconnaissance Battalion, ever proved that such orders were issued, either in statements or on the witness stand. No such orders existed.
- 2) The two statements are therefore already refuted. This refutation is also applicable to individual cases which happened near Stavelot (in the east, in Stavelot and west of this town).
- a) According to unanimous testimony of all defense witnesses, severe fighting raged in Stavelot from 19 until 22 December 1944 and particularly from 20 to 22 December 1944. The position of the German troops became desperate on 21 and 22 December. They were a unit fighting without hope of success. Belgian civilians were taking part in the fighting. It is definite that women and children were careless in the presence of machine gun and artillery fire. Allied bombers took a hand. Destruction in town was great.

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b) At the approach of the German armored spearheads on 18 December 1944, the American troops left Stavelot in rather large numbers, retiring toward the northwest. (proof witness Goltz, cf. Record) The 2d Company commanded by Coblenz moved into Stavelot at the head of a marching column extending over about 2½ kilometers on 18 December. As the witness Goltz testified, the units following it had to stop east of Stavelot. Later it became known that severe fighting with civilians had caused this halt, (Proof: witness Peiper, cf. R 1937,1938), who stated that Belgian civilians mistreated even the wounded and poured hot water on them.

Since the American troops had left town, no witnesses could be found to prove the shooting of prisoners of war.

c) The claim of the witness Mahl (R 1039) that Coblenz was standing together with a group of officers prior to moving into Stavelot (i.e. east) before about 6 to 8 American prisoners of war were shot was retracted by Mahl. If the Prosecution, by stopping further cross-examination, was attempting to demonstrate the lack of credibility of its own former Prosecution witness, then this should include all prior testimony of Mahl. This witness is then useless for the finding of the sentence; but if Mahl's credibility is maintained his testimony to the effect that Coblenz was with the 2d Company at the head of the marching column in Stavelot at this

time of the air attack. (18 December 1944 between 1400 and 1600 hours) Goltz confirmed the time, given as the basis of the retraction of the former statement of Mahl. Therefore Coblenz is not guilty in this case either.

- d) Shooting of civilians in Stavelot by Coblenz or members of the Company which might have been acts of terror, have not been proven. The record does not show any point or any identification for this. But the fact of the participation of civilians in combat is definitely established. (cf. point B).
- e) Only Coblenz himself incriminates himself in the statement p 80, stating that 2d Lt. Siebert (3d Platoon) had several American prisoners of war shot during severe fighting. This is purely an assumption of Coblenz. Nobody has said anything about this alleged shooting. No witness spoke of any bodies being found. There is, therefore, no proof whatsoever that is of any use in determining sentences, which would show that the self-incrimination made under the well known conditions of Schwabisch Hall, is actually correct. Although it is very doubtful that incriminating material for the sentence was achieved by p 80 it should be noted that Coblenz is hampered by a lack of evidence in this direction. All platoon leaders of the 2d Company (Farny, Gilbert, Siebert and Jakob, as well as the messenger Lohse) who were supposed to have been in American POW's were not used by the Prosecution against Coblenz. Coblenz, however, could not locate them for his defense. The

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logical conclusion, namely, that there were no American PW's in Stavelot should be obvious.

f) The last accusation against Coblenz is based upon the testimony of the witness Mahl (cf. R 1034), to the effect that Coblenz was present at a shooting of Belgian civilians in a shed near Stavelot.

If Mahl is to be considered not credible then that accusation must be dropped automatically. If this is not the case then it should be said, that Mahl took the above accusation back later on as a witness when stating: Coblenz was not present at the shed. Rather he moved out to combat with his men in the field in the direction of Stavelot after turning ten civilians which he had taken along, over to 2d Lt. Droege who was killed in action later on. Droege who had orders to eliminate an enemy battery northwest of Stavelot (leader of a Pioneer platoon) took these civilians along, he said (cf. R ) (cf. also testimony of Goltz, R ). There was no identification of Coblenz or any of his men concerning presence at the shed by any other witnesses, including Belgian (cf. witness Delcourt, R 1023).

Since the witness Mahl has retracted his former testimony before this Court, in this case as well, and since there are no other accusations in evidence, no sort of proof of guilt has been established in this case, either.

3) Since there is no cogent proof available indicating the guilt of Coblenz, I request that he be acquitted. I base this particularly on my opinion that conviction solely on the foundation of a pre-trial confession not convincingly corroborated by witnesses cannot be feasible.

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The opinion of the Prosecution that the witness Goitz (R 1054) testified in his own interest, is completely incorrect. The testimony of witnesses for the defense as well as for the Prosecution are of the same probative value.

The Prosecution charged Sickel with having given the order to shoot one American prisoner of war in Petit Thier on or about the 10th of January 1945. I should like to state the following to that:

The accusation against Sickel is exclusively based upon Prosecution, Exhibit P-123 which is the statement of Otto Wichmann, taken at Schwaebisch Hall on 28 December 1945, upon P.E. p 124, which is another statement of Otto Wichmann, given at Schwaebisch Hall on 28 March 1946, upon P.E. p 125, the statement of Joachim Peiper, given at Schwaebisch Hall on 26 March 1946, and the statement of Dr. Sickel which was given at Schwaebisch Hall on 9 April 1946 and which has been introduced in evidence as Prosecution's Exhibit P-126.

All these statements are written declarations made by accused in this case. The documents concerned were taken by the Prosecution in course of the investigation according to principles and methods already mentioned. (See argument of Lt. Col. Dwinell with reference to the method of discovering offenses by means of mutual incrimination in Schwaebisch Hall.)

The case of Dr. Sickel is extraordinary in the present trial in so far as there was no witness before this Court to give proof of the truth of the statements contained in his deposition, that is, in Sickel's self-incrimination.

The only witness examined in this incident, Gerardy Camille (R 1544 and the following pages) is a defense witness in favor of the accused,

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for the following reasons: The witness stated that at the point where, according to the testimony of Wichmann, the American prisoner of war which had been shot by Wichmann, fell to the ground, he (Gerardy Camile) saw a dead American with no wounds of any kind in either head or body. He also identified the location where the body was found on a photograph (R 1548).

According to the testimony of this witness no doubt can exist about the fact that the American soldier, described in this incident is the one found by the witness. This is even more evident, because the Prosecution charges Dr. Sickel with the shooting of only one American prisoner of war. Therefore the possibility that this might be the body of another American prisoner of war is excluded. This is all the more true since the place the body was found indicates that this is the soldier described by Wichmann and allegedly shot by him at that spot.

The statements P 123, 124, 125, 126 (see R 1530, 1542, 1550, 1557, and the following pages) are, however, completed by the statement of Hans Gruhle (P 127, R 156 ff) and another statement of Otto Wichmann (P 128, R 1573).

Either individually or taken together these, however, present a picture with material inconsistencies. As already pointed out, all these statements are only declarations of co-accused in the same trial.

Even though it seems difficult to weigh the credibility of one statement against that of another in view of the fact that all were composed in Schwaebisch Hall and to compare the credibility of the individual points with each other, the following has nevertheless proved significant:

1. It has been definitely determined that the American prisoner of war who was taken to Peiper's C.P. was exhausted,

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almost completely starved and barely able to sustain life, due to severe frostbite.

2. But in the following points the testimony definitely diverges:

- a) Wichmann denies that Peiper's statement that the prisoner was given cigarettes and coffee is correct.
- b) Peiper expressly denies that Dr. Sickel ever uttered the words: "Throw the pig out" or "Bump the pig off" as is claimed by Wichmann.
- c) While Gruhle charges his commanding officer Peiper with giving the shooting order, Wichmann ascribes this order to the accused Sickel. These discrepancies in these essential points in the detailed description of the incident which could yet be expanded, had I time available, alone show clearly the lack of uniformity in the description of the incident as a whole. That is not surprising in view of the methods of interrogation.
- d) On 7 June 1946 Peiper stated as a witness that the prisoner was taken to his C.P. by two or three men. This contradicts Wichmann who claims to have brought him alone in. Peiper further stated that in P.E. 125 (R 1553 ff) he admitted giving the order for shooting only for the reason that that was the only incident incriminating Sickel. He intended to exonerate Sickel by taking the blame upon himself.

He claimed that he, Peiper, had given Sickel the order to take the man out and do what is necessary from a medical standpoint, and that Sickel had told him before, after a brief examination, that, in view of the necessary amputation, he would not be able to stand being moved. There was, he said, an atmosphere of pity in the C.P.

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If Wichmann then claims in contrast to that that he himself carried out the shooting of the prisoner, then that does not exactly serve to clear this case up completely, either.

But the most outstanding point against the correctness of Wichmann's statement is, as has previously been mentioned, the fact that the American found dead by the witness Gerardy, did not have any bullet wounds.

Whether the statements, particularly the one of the accused Wichmann, are legally insufficient for the conviction of the accused Dr. Sickel.

DEFENSE COUNSEL: May it please the court, is it desired this be translated in view of the copies furnished?

(Whereupon, there was a discussion off the record.)

DEFENSE COUNSEL: In view of the fact that the members of the Court and the Prosecution have been furnished with literal translations in English of Dr. Pfister's closing argument, it will not be necessary for the final argument to be translated in English.

Dr. Eugene Leer will present the final argument for the accused Col. Joachim Peiper.

DEFENSE COUNSEL: Dr. Eugene Leer will present the final argument for the accused Colonel Joachim Peiper.

(WHEREUPON Dr. Leer spoke in German and translated as follows:)

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It seems to be the contention of the Prosecution that the happenings in the Ardennes Offensive between 16 December 1944 and 13 January 1945 did occur exactly in the same manner as it was described again and again in press records and newspaper articles.

It is a beautiful idea that serious criticism of abominable deeds should result in a new law for the people concerned, but this task is conditioned upon an extreme degree of seriousness with which the basis for promulgating such a law should be examined.

The consciousness of this responsibility must prevail over all other considerations. Therefore, we have to examine the question whether any criminal deeds have been committed at all, primarily, very diligently and without political bias and prejudice. This will be only possible if the Court will comply with our respectful request and strictly distinguish between truthful and valuable evidence and evidence which is fabricated or faulty or without proper value at all.

The charge against Colonel Peiper has - just as the charges raised against all the other defendants - been based by the Prosecution upon a number of statements given by the defendants themselves.

After a careful observation of several weeks, it is not difficult to judge how these statements came into existence and what their value is. A German counsel is not entitled to criticize the methods adopted by American interrogators. However, anybody who is familiar with human reactions cannot help doubting whether under these circumstances the truth was brought out. Anyway, it is evident that practically all of the defendants,

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in spite of their different state of education and their different ages, in spite of the different dialects they speak, etc., use the same phrases in their statements to prove that ambiguous orders were intentionally given.

But I should like to draw the attention of the Court to the fact that on the other hand, the Prosecution contests all the same that a clear issuance of orders took place. The Court may note, too, that through these well known methods it was possible to elicit confessions concerning facts and opinions which would be afterwards proved to be untrue. How would a person admit these things voluntarily without having been subjected to physical or psychic pressure? I may refer to the arguments put forward by the American Defense Counsel in this case.

As to the manner these statements were produced, their value or worthlessness, all that is necessary has already been said by all the other counsel. It is to their argument that I beg to refer the Court, in order that a general picture of the situation be obtained.

But what distinguishes Colonel Peiper's statements from those of most of the other defendants is the fact that Peiper intentionally and contrary to the truth, assumed the responsibility for a number of cases which were completely unknown to him, in order to protect his subordinates. (page 2022 and the following pages.)

This is in conformity with the generally chivalrous behavior of this man which will certainly not have failed to impress the experienced officers of this Court.

Formerly Peiper was prepared to take all responsibility upon himself without examination of the facts and to die for it because he thought that he would thus be able to achieve acquittal for his subordinates. He did not expect an unbiased Court to take the trouble of examining the truth as this Court

has done. It is therefore my duty to clarify Peiper's real participation in all the alleged incidents.

Since the position taken by us to the statements of the accused is established once and for all, I shall occupy myself in the defense essentially and only with the evidence that has been produced before this Court in the form of statements of witnesses and the statements of the defendants as testified to on the witness stand. I therefore will not even take advantage of using those parts of the written statements that speak in favor of the defendant.

Item I of the bill of particulars alleges that Peiper on or about 14 December 1944 in a discussion with the commanding officers of his regiment had ordered to treat civilians with cruelty and not to take prisoners. The Prosecution has not been able to adduce any evidence for such a regimental conference.

The witness, Kramm, on the other hand, stated that battalion discussions of only one battalion had taken place which served for the preparation of the offensive of the Ardennes and in which on occasion of a sand table exercise a modification of warfare as hitherto usual on the western front had been mentioned.

According to Kramm, it was on this occasion that words such as the following were uttered: "The advance of the troops must be staged without regard to own losses and without leniency towards the enemy."

The witness Kramm made a very peculiar impression, while being examined, that of a sick man, and he appears to be severely psychopathic. His statement should be accepted with utmost caution for this reason alone.

The truth is that preparing the Ardennes Offensive by preparatory training, conferences and sand table exercises as described by Kramm was absolutely impossible, because it was not

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until two days before the beginning of the offensive, i.e. on 14 December 1944 at noon that Colonel Peiper heard of the planned offensive for the first time. This had been unanimously confirmed by the witnesses Lehmann, Ziemssen, Hubert Mayer and Kraemer.

Kramm must therefore have made a deliberate misstatement of fact. The witnesses Birnschein and Moebius stated that in former instruction - unconnected with the offensive nothing was said relating to a modification of the usual warfare at the western front.

If orders of such importance had really been given by Peiper, then Brinschein and Moebius and the officers of the other battalions would also have known of such decisions.

It has been furthermore established by the statements of Loehmann (2088-90), Ziemssen, Friess and others that the authority superior to Peiper never desired a modification of warfare. It is, therefore incredible that a disciplined officer as Peiper should arbitrarily have given such important instructions in contradiction to the orders given him by his superiors.

Since the Prosecution has been unable to give evidence of an oral order of Peiper's directed to his sub-commanders, it is now alleged by the Prosecution that a regimental order was given in writing which asked for harsh, ruthless advance in the Ardennes Offensive. But here no such evidence could be adduced either. Only Kramm mentioned a regimental order which he pretends to have read on the afternoon of 15 December 1944.

It has been established, however, by the witnesses Kropp (2088-90), Otto (2096-98) Buccheim and others that such a regimental order was not drafted prior to the night of 15 to 16 December 1944, so that it is absolutely out of the question that Kramm could have read such order as early as the afternoon of 15 December 1944. These witnesses also confirmed that the mentioned

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regimental order did not even contain any directions as to the treatment of civilians and prisoners of war.

The alleged order "not to take prisoners" seems to have emerged subsequent to the first questioning of the defendants due to the lack of knowledge of the German military language. The defendants - just like various witnesses, among them also ones of the Prosecution - declared that it was never one of the tasks of an armored division to take prisoners, because this task was assigned to the following infantry or to the tank crews whose vehicles had been knocked out. It was quite clear for every German soldier that this was the only admissible interpretation of the expression "No prisoners shall be made," as confirmed by the witnesses Budik (R. 257), Warning (R. 1722), Georg Maier (R. 1731), Kraemer (R. 1662, 1670-71), Birnschein (R. 2049), Otto, (R 2069), Moebius (R. 2857), Albert Braun (R. 2787-88).

It is not true when the Prosecution said in their final arguments that Peiper, when taking the stand, had not revoked his statement concerning the Army order. Page 1889 of the Record reads:

"From the beginning I said that this was completely wrong."

I refer to page 1888 likewise. Incidentally, I don't think that would have been necessary, as I am sure that the American Forces possess this order in their historical archives on warfare. But it is important to know whether this order contained any expressions liable to be misinterpreted. It is, however, proven that this is not the fact.

Item 2 of the Bill of Particulars alleges that Peiper made no objections when on 18 December 1944 at Cheneux an

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American soldier was shot in his presence.

The Prosecution described how on 18 December 1944<sup>in</sup> an air raid an American soldier who had feigned death in a destroyed jeep, had been shot by a member of the armored regiment. Peiper was allegedly sitting nearby in Diefenthal's half-track. For a due evaluation of this statement of a witness I refer the Court in this respect, of Headquarters USFet, dated 6 January 1945, which was produced by Colonel Dwinell as exhibit Number D-2 before this Court. It is in the first paragraph of this report that are described with all clarity the experiences gained with the statements about superiors made by subordinates who were taken prisoners.

I was furthermore able to produce evidence on 6 July 1946 by means of the statement of the witness Landfried that after the air raid Peiper could not have been at the place as ascertained nor in Diefenthal's SPW which he did not enter prior to the night of 18 to 19 December 1944.

Item 3 of the Bill of Particulars alleges that Peiper ordered to have an American soldier shot at Stoumont on 19 December 1944.

The Prosecution attempted to produce evidence for the fact that shortly after Stoumont had been occupied, about noon of December 19th, 1944, while standing in front of the first house on the lefthand side of the road and in the presence of several officers of his regiment Peiper had given orders to a soldier of the communication platoon to shoot an American soldier. The assertions of the Prosecution have been refuted.

I have produced evidence by the witness Willecke (R. 2752-53), Froehlich (2780-81), and Freitag (R. 2770-71) that at noon of 19 December 1944, Peiper was not more than ten minutes at the house in question and that during his stay there the soldiers of the communication platoon and the other officers had not yet arrived.

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Froehlich was sent to contact the communication platoon and to take it to that place. Peiper was no longer in front of the aforementioned house when Froehlich returned, because according to the statement of the witnesses Freitag, Willecke (2753-59), Vollsprecht and Maurer, Peiper had already left for the Stoumont station in his car because he wanted to direct the advancing troops from there.

It may be gathered from these facts which have been presented by the Defense that the incident as described by the Prosecution has no connection at all with the commander of the regiment, Colonel Peiper. For this reason Peiper could not have given an order to shoot prisoners of war to any member of the communication platoon.

Item 4 of the Bill of Particulars accused Peiper of having permitted prisoners of war to be shot in his presence at Stoumont on or about 19 December 1944. Here only the statements of two co-defendants have been produced, in particular, that of the young Pfc Sprenger. The fact is that Sprenger, at that time did not even know his Colonel Peiper by sight. It was only the atmosphere of Schaeabisch Hall and by the hints given to him, that is, "that he would do better to have his own head in mind than that of his commander" that he was prompted to accuse his commander. The sketch of the place where the alleged crime was committed has been invalidated by the sketches, photos and witnesses on Stoumont adduced by the Defense. Since Sprenger's sketches are false, Peiper's statement, namely, that he did not know anything of this incident has remained incontroverted.

Peiper is accused in Item 5 of the Bill of Particulars of having given an order to shoot prisoners of war at La Gleize on or

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about 23 December 1944.

It was to be concluded from statements of the defendants questioned at Schwaebisch Hall that a remarkably large number of dead bodies had been found in the small village of La Gleize and that mass shootings must be inferred from this circumstance.

In fact, the Prosecution was only able to prove by witnesses that about ten dead American soldiers had been found in La Gleize which had later been shelled from all sides; the above number agrees with Peiper's own statements.

Poetschke had reported to Peiper, as was declared by the latter, that these were American soldiers who had tried to escape from captivity during an attack of the Americans. Since smoke grenades were used in the attack it must be stated here that it was apparently very difficult to distinguish the attacking from the escaping Americans or the German soldiers. That ten American soldiers were killed in that manner must obviously be traced back to the effects of warfare. It speaks for the correctness of the description of the incident as given by Peiper that he, as was also stated by the witness Colonel McGown, told the latter the circumstances of the incident and asked him to caution his co-prisoners against proceeding on similar undertakings in order to avoid such casualties.

The witness for the Prosecution Renart, who left La Gleize on 18 December 1944 and returned there on 26 December 1944, allegedly saw three corpses of civilians in the room of a house at La Gleize on 26 December 1944. However, he himself stated that he left La Gleize before the place was under American artillery fire.

When he returned he found doors and windows of the room destroyed and American troops in La Gleize. Therefore, this is also due to warfare, nor is there any evidence of mass shootings.

No bullet marks are to be found on the wall of the cemetery where mass shootings allegedly took place. An American investigating commission could not trace any bullet marks on the wall of

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the cemetery where mass shootings allegedly took place. An American investigating commission could not trace any bullet marks on the wall of the cemetery either. It need not be mentioned that no prison compound or similar buildings are located in La Gleize.

It has been established by affidavits of the priest and of several inhabitants of La Gleize which had been introduced in evidence by the Defense that no dead soldiers were ever seen there during the German occupation. It is furthermore established by these affidavits that the Germans took care of both, the Belgian civilians and the American wounded. At the time, Americans and Germans were sheltered jointly in a church which had been marked with a red cross.

Finally, evidence has been produced by the Defense through the statements of the witnesses Colonel McCown and Moebius (R. 2857) that no more than from 120 to 140 prisoners were in LaGleize on 19 December 1944, and that this number of prisoners was exchanged for German wounded on 24 December 1944. The rumor of shooting may have arisen from the fact that Colonel Peiper had asked for an execution detail in the morning of 22 December 1944 in order to execute a German soldier for desertion.

In the beginning the execution detail was to be furnished by Rumpf's company, later on that order was transmitted to the company of Hennecke, because at that time Rumpf's company was engaged in combat.

Finally, Peiper is supposedly incriminated with the allegation that Major Poetschke brought two PW's to the regimental CP at which time Colonel Peiper is alleged to have given Poetschke directions to treat the prisoners in the usual manner.

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Colonel McCown gave evidence on the witness stand that the prisoners in La Gleize had been sheltered in cellars and guarded. Thus, the order to treat the prisoners as usual could have only meant transporting them into cellars just as the others had been. Colonel McCown has in fact confirmed that some new prisoners were brought to the cellars even after 21 December 1944. He finally stated that they never complained of cruel treatment on the part of the Germans. If single or mass shootings had actually occurred they certainly would not have missed the opportunity of reporting this matter to an American officer.

The Prosecution maintains that Feiper decided to have the prisoners in La Gleize shot on 22 December 1944. There is nothing in the Record to confirm such a statement and not a witness has testified to that effect. Feiper only considered the possibility of a battle to the last man in La Gleize after he had been encircled. Since he did not do that, it is illogical to investigate whether in such a case prisoners might have been shot. As a matter of fact, he did not fight to the last man and did not order prisoners of war shot. The Prosecution itself assumes that Feiper knew that he could break out with his men as late as 22 December 1944.

The Defense has proved by the witness Colonel McCown that this witness visited the American prisoners of war after 21 December 1944, more probably on the 23rd. He would have certainly heard about any unusual incidents especially as he was informed about minor troubles. I cannot see how this charge, namely the shooting of prisoners in La Gleize can possibly be considered proved. The same applies to the alleged punishment of prisoners who allegedly refused to carry out orders. For this there is no proof either.

On the stand, Feiper explained how these accusations

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cropped up; the investigator told him that Diefenthal had shot American soldiers and that Diefenthal claimed to have acted under superior orders, given by Peiper. Thereupon Peiper said to the investigator: "All right, then I gave the order, if that will protect my office."

The argument was caused by Peiper's former opinion that he would be sentenced by the victors without trial.

Peiper is accused in item 6 of the Bill of Particulars of having given an order to shoot a prisoner of war at Petit Thiers on or about 13 January 1945.

The only witness who pretends to have seen the body of an American soldier there is Camile Gererdy (page 154, -48). He was, however, unable to give a close and correct description of the body, nor could he give any information as to the cause of death. Besides, in the cross examination his statements are contradictory.

The statements of Wichmann, Gruhle and Dr. Sickel declare that an almost frozen and completely exhausted American soldier with third degree frostbite on arms and legs had been taken to Peiper by several men who supported the exhausted soldier. When questioned at Schwabisch Hall, Colonel Peiper was made acquainted with and talked into the fact that Dr. Sickel had killed the sick man and Peiper in turn had asked the investigating officer whether any other accusation had been raised against Dr. Sickel. When he received a negative answer, Peiper declared, just as in all the other cases, that it was his intention to protect Dr. Sickel as well as all the other accused. Peiper stated before this Court incontrovertedly that a pronounced atmosphere of compassion for the exhausted soldier reigned there at the time, and that he left the man in the hands of the regimental surgeon because it was his duty to care for the sick.

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No member of the regiment would ever have dared to use such an expression as is contained in Wichmann's statement, to-wit, "kill the swine" in the presence of the commanding officer of the regiment, Colonel Feiper.

There is therefore neither evidence nor the probability that this soldier died a violent death.

Feiper is furthermore made responsible for the alleged shooting of soldiers and allied civilians performed by members of his regiment during the time from 16 December 1944 up to January 1945. Thereby the general problem to what extent a commander of a regiment can be made responsible for possible offenses of his subordinates is raised. To my information, Feiper can only be made responsible in this matter if he unlawfully failed to use all measures appropriate under prevailing circumstances and in his power to arrange for the necessary protection of the civilian population and of the PW's. The question is whether the Yamashita case will be applied to a German defendant or whether Law No. 10 of the Control Council for Germany, dated 20 December 1945, must be regarded as the only law, because in its provisions it stipulates that it was issued with the intention to create a uniform legal basis for Germany.

According to Article II, item 2 of the mentioned law, a person will be considered guilty if he commits a war crime as a principal, if he was an accessory to the commission of such a crime, or ordered or abetted the same, if he took a consenting part therein or was connected with plans or acts involving its commission.

This law therefore stipulates that only the conscious participation in a war crime is punishable. No conscious participation in a war crime as alleged in items 1 to 6 has ever been

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proven against Peiper.

In case the Yamashita precedent will be applied in this case, I want to take up the question whether Peiper took all the measures in his power adequate to circumstances to prevent any violation of written or unwritten laws of war as developed among all civilized nations.

a. It has been shown by the witness Ziemssen, Warning (R. 1722), Georg Maier (R. 1729-31), Lehmann (R.1854) and Kraemer, that orders relating to the treatment of prisoners of war had been issued in time to all units prior to the beginning of the offensive.

b. It has been shown by the statements of the witnesses Euchheim, Braun (R. 2784-85), Moebius (R. 2558) and others that general instructions as to the treatment of prisoners of war had been issued.

It has been shown by the witness Col. McGown that even in the most difficult phase of the offensive, that is, at La Gleize, the treatment of prisoners of war, apart from some unimportant deviations, had been adequate to circumstances and orderly.

It has been shown by the witness Moebius (R. 2555-57), Freitag (R. 2772) and Willecke, Froehlich, Braun (R. 2782) and others that the treatment was appropriate also before the time that Col. McGown had spoken to Peiper about the subject.

An officer candidate of the 2nd Battalion had already been assigned at La Gleize to care for the sheltering, guarding and supervising of the prisoners on 21 December 1944.

It has been shown by the statement of the witnesses Froehlich (R. 2762), Braun (R. 2783-84), Freitag, (R. 2773)

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and Willecke (R. 2751-52) that the prisoners of war were treated in conformity with the provisions of the laws of war at other places affected by the offensive as well.

The number of prisoners reported to higher Headquarters amounted to five to seven thousand for the duration of the offensive according to the statement of Kraemer. This fact is in striking contrast to the statement "that no prisoners were to be taken and none were taken."

It has been shown by the witness Colonel McGown that the troops were very well disciplined even in the difficult situation of La Gleize and that their discipline was certainly not according to the terrible picture generally painted of these units.

It has been further shown by Birnschein (11 June 1946) that the troops had been assigned to the western front as early as the Spring of 1944 and for this reason they were quite familiar with the usages of war on the western front. Therefore, Peiper had no occasion to doubt that his troops would respect principles accepted by the whole army, all the less as he himself as a correct and brave officer was always setting an example by his own personal behavior.

It was not until shortly before La Gleize that Peiper heard of alleged violations of the laws of war for the first time. As the witness Moebius stated (5 July 1946) he, Peiper, was very aroused when he received such notice and endeavored to investigate the matter and punish the guilty.

In this connection it should be considered that the situation in La Gleize was a desperate one and that Peiper had not slept for nine days and nights.

It is of decisive importance for his subsequent investigation that after 24 December 1944, he did not meet seven of his subordinates

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commanders any more; that three company commanders out of four of the first battalion had become casualties; and that Poetschke, Westernhagen and Diefenthal had reported to him that no punishable acts had occurred in their units. This he reported to Division.

As final conclusion I can state that Peiper has done everything in his power and on his own initiative which was possible under the prevailing circumstances, to investigate his subordinates with respect to war crimes.

The Prosecution was not in the position to make it appear probable that any other officer could have conducted such an investigation successfully. The officers of this Court are acquainted with the tasks and problems of a Regimental Commander and are therefore able to decide whether Peiper failed in any of his duties or not. He conducted the battle of La Gleize with his last physical strength and power of will, and it is known that he suffered a breakdown after the end of the campaign. All this fact, together with Colonel McCown's testimony, shape the picture of a man who is above all conscious of his duties.

Enc Leer Argument

PRESIDENT: The Court will recess until 1330 hours.

(Whereupon the Court at 1200 hours recessed.)

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AFTERNOON SESSION

(Whereupon the Court reconvened at 1330 hours.)

PRESIDENT: Let the Court come to order.

PROSECUTION: Let the record show that all the members of the Court are present, all the members of the Prosecution are present with the exception of Captain Byrne who has been excused by verbal orders of the Commanding General, Captain Shumacker and Mr. Ellowitz who are absent on business of the Prosecution, all the members of the Defense are present with the exception of Mr. Walters, Mr. Strong and Lt. Wahler who are absent on business of the Defense, all the Defendants and the reporter are present.

DEFENSE COUNSEL: May it please the Court, Dr. O.H. Ielling will argue for the defendants, Major Gustave Knittel, Major Joseph Diefenthal and Lt. Hans Gruhle.

DR. IELLING: If normally one enters a court of justice and listens to the arguments of the prosecution, one usually sees pieces of unprejudiced evidence joined together to display a clear pattern of the case before the Court. Every prosecution would consider it a clear case only if the facts could be proved by evidence in such a manner that the statements of the defendant can be disregarded. In this case one heard mainly about statements of the defendants and the whole case is built on these statements and in addition, on mutual incriminations of the defendants.

If one scrutinizes the facts as we have been doing for several weeks and looks at this network of statements with an unprejudiced mind and consciousness of the experience everybody had to go through who ever took part in a battle, one cannot help having the impression that it is all a construction, an artificial edifice, that one stone was shaped to fit in with the other.

One is astounded to hear that an incident alleged to have happened in Buellingen appears to be fiction as the death register shows clearly that no female inhabitant of that village died under the circumstances described by prosecution at the alleged time. And

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it is even more surprising that this description is contained in the statement of a defendant which must necessarily be untrue. Why and under which circumstances did this statement come into existence?

Or take the incident of La Gleize. Prosecution maintained that several hundreds of American soldiers were shot in La Gleize, but Col. Mc Cown in his testimony denied this. Might it not be nearer to the truth that a few soldiers were killed in action and were afterwards reckoned as dead POW's?

If one follows the line of the prosecution one could have the impression that the whole regiment went on an offensive with the sole purpose of shooting POW's. But the whole world knows that the Battle of the Bulge was one of the severest and most desperate battles of World War II. Prosecution has failed to bring that out completely and has, therefore presented a one-sided picture.

These incidents must be approached with the spirit of a combat soldier rather than with intricate legal arguments. Comparatively little evidence was brought by witnesses. To most of these witnesses the same facts apply as were alleged by prosecution of the witnesses of the defense. They, too, were members of the SS and if prosecution contests that in the case of the defense the witnesses have a natural interest in the issue of the case so might have had the witnesses for the defense, whereas on the other hand there is the temptation to incriminate others in order to clear oneself, and to let loose all personal hatred, above all on behalf of soldiers against their superiors.

Before discussing the case of Diefenthal, Number 10, in detail, I should like to clarify an important problem. This trial deals with war crimes, that is to say with criminal deeds. In deciding such cases the rules of criminal law should be observed at least as far as their basic essence is concerned. Criminal law deals with the perpetration of crimes. Broadly speaking a person can only be held responsible, if he or she at least set a condition for the perpetration. It is dangerous to ~~give~~ individuals by means of

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of some kind of "combat" collective responsibility, as that conception is contrary to the fundamental rules of criminal law, as historically developed in every civilized state.

As to the charges themselves I would like to stress the following: )

1. In connection with the issuance of orders prosecution has presented the statements of defendants which, apart from the fact that their coming into existence necessitates the highest degree of reservation, are very ambiguous and uncertain. In contrast to those, the witness Kindermann (Page... of the record) made it quite clear that neither orders nor hints were given by Diefenthal which could have instigated any kind of illegal treatment of POW's or civilians.

2. To mention the word "Crossroads" in this case is a very dangerous enterprise for a defense counsel, as one should certainly not direct the Court's mind to that regrettable incident. On the other hand I think the Court must be in a great dilemma too, as I am sure that the Court does not want to convict people wholesale because their names were mentioned in connection with the crossroads. Co-defendants believe to have seen a uniform similar to that of Diefenthal. But it should be borne in mind that proper and clear identification of the perpetrator is one of the first conditions of verdict. Now Diefenthal has been charged with being present at the crossroads because several statements of co-defendants involved him. (R. 595-609, 618-634, 645-75). The three statements concerned are particularly dubious and everything applies to them that was said by other counsel in connection with the question of statements is general. Prosecution has, furthermore, introduced the witness Assenmacher to corroborate the allegations of the statements. The result was to the contrary. It is not the question whether- as

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Assemacher said- Diefenthal left his SPW near the crossroads but whether he was there while the shooting took place. And even Assemacher did not testify to that but stated that the shooting had not begun and that POW's were still walking up to the crossroads when he drove off with Diefenthal and Peiper in the same SPW. I may mention that Assemacher can, apparently not rely upon his memory, because at another incident, i.e. in connection with the incident of Cheneux he maintained that Diefenthal and Peiper were in his own SPW whilst the witness Landfried, another of prosecution's witnesses declared that Peiper was in his, Landfried's SPW. The witness Neckerauer, moreover, stated clearly that the American soldiers had not yet rallied even in the neighborhood of the house near the crossroads when he passed the road junction and that they were still standing close to their vehicles when he caught up with Diefenthal's SPW and moved on towards Engelsdorf. I think it is clear beyond reasonable doubt that Diefenthal was not present when the actual shooting took place. There still remains the possibility of him having given orders. Prosecution has not introduced any evidence to this point. Even the statements, however, elaborate they may be - in one case 16 narrow-lined typewritten pages- do not mention this possibility. Considering the thoroughness of the investigators, they would certainly have brought it in, if they had found any indication. But most probably they knew that this possibility would be particularly far-fetched, as none of Diefenthal's men are accused of having participated in the crossroads incident, and he could not give any orders to other units. At this point I should like to state that it is not enough to establish some sort of common location for

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different persons to involve them in a crime. This offensive was a quick one. The participants were soldiers on the move and not administrators of a stationed concentration camp where common designs can naturally crop up. If a long projected column has to follow a certain route of march, then everybody who passes by the same road cannot be made responsible for things that have happened somewhere near the road. The fact that a route is common to all the defendants does not mean that a criminal deed is common. It is well-established that Diefenthal arrived at Engelsdorf with the point of the column. This fact again puts him far away from the actual theatre of the alleged crimes.

3. Just as unclear and bewildering as the second charge is the following one, concerning an incident in Cheneux. Again, Diefenthal is involved by the statement of a co-defendant, an NCO, who, for obvious reasons was seeking for a defense. He could, however, not state that Diefenthal ordered him to mistreat an American soldier, because no corroboration would have been found to that. That is why he only said he thought he did not act against the will of his superior officer. Here we meet with the problem which was one of the greatest difficulties of the trial for the Defense, namely the fact that people were made co-defendants who did not only incriminate each other but whose interests were antagonistic. This becomes especially apparent in the case of a military unit where the interests of officers, NCO's and men are bound to clash. Again, it is only the opinion expressed by a defendant of different ranking which involved Diefenthal, because the witnesses of the Prosecution clearly testified that Diefenthal was not even in the position to observe the scene, and it was brought out that the military situation required a concentrated study of maps and vital decisions on behalf of the battalion commander Diefenthal. He was ordered to find a new crossing over the river, a fact essential to the spearhead and to the fate of all the men involved. I am sure that every soldier can

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imagine himself in the same position and can visualize what such a situation requires as to the concentration of a field grade officer in combat.

4. As to the general charge against the defendant Diefenthal, I can refer to the arguments of Col. Dwinell and of those counsels who represent the NCO's and the men of Diefenthal's battalion involved in this case. I think it can be well assumed that Diefenthal did not issue any general order liable to instigate crimes. Prosecution did, on the other hand, not introduce any evidence as to orders in particular cases. It was furthermore established by the witness Kindermann that the training of the troops under Diefenthal's command regarding the Geneva Convention was proper and intensive. It ought to be remembered, too, that only a small portion of the men of the 3rd Battalion are involved and only in connection with isolated cases. The alleged crimes of these men mostly occurred during the most hectic days of combat around La Gleize. The greater part of these alleged crimes could be counterproved by the Defense. I do not want to go into details here, but I prefer to believe the testimony of Lt. Col. McGown and not the testimonies introduced in rebuttal. I, therefore, conclude that the Battalion Commander cannot be charged with responsibility neither before nor after the facts, as such isolated cases, if they occurred at all, would normally not come to his attention and knowledge.

We now come to the defendant Knittel, No. 31. It is hard to defend Knittel, because there is practically no case against him. The evidence presented by the Prosecution is mainly based on a statement of the Defendant. This statement, however, is unsworn. Before I go into details, I want to make clear the position of the defendant Knittel. He was in charge of the reconnaissance battalion of the division. This unit was, therefore, not under Peiper's command, but it had its specific task. Like many other units, it

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took part in the Eifel Offensive, but the cooperation with Peiper's group was only incidental. Knittel, to me, seems to be an outsider in this case, not only as far as its military position goes, but as far as evidence against him. Knittel is charged with having issued orders to shoot POW's and Allied civilians. This charge is based on the defendant's own statement, which as I mentioned before, is unsworn. Even on the presumption that the statement were true, it could not lead to the charge. The statement clearly maintained that POW's may only be shot in cases of urgent military necessity. Incidentally, it has been mentioned before in this court that many students of international law consider this legal.

It is not correct to say that the statement was not denied. The witness Heinz Goltz testified that Knittel never gave the alleged orders nor did he make any remark which could have been misinterpreted and thus instigate the commitment of crimes, and the witness Gernt counterproved, as will be shown later, Knittel's second statement concerning the incident of December 21st. Prosecution tried to impeach the witness Goltz. But I think a witness who can testify to every detail of events accurately is reliable even if he corrects certain parts of a statement. He is certainly more reliable than a witness who does not remember anything except references made as to the treatment of POW's.

The second charge speaks of the shooting of a Belgian civilian near Stavelot. The only evidence here is again a statement of a co-defendant (see page in the record), in which it is expressly stated that the respective civilian was a spy. It is obvious that it was the burden of the Prosecution to prove that he was not a spy. However, not even the attempt was made to introduce any evidence to this effect. Either the Prosecution considers the statement a good piece of evidence, then they themselves allege that the civilian mentioned was a spy or they disregard at least this part of the statement, then they would have had to introduce further evidence.

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The third charge against Knittel is again based exclusively on his own unsworn statement. I do not want to enlarge upon the question of these statements mentioned so often in this case as to their specific significance; but I would like to say that on principle the facts about a crime ought to be brought out during the trial and this trial ought not to be prejudiced by statements taken prior to the trial. And I think that this procedure, whichever court admits it, must be considered as a rule unilaterally made but far from being commonly accepted. But if an unsworn statement is being introduced, there is all the more reason to treat it with reservation, and I maintain that it cannot be made the basis of a verdict at all, especially if no attempt was made to clarify why that statement was unsworn. There are many explanations, and the most natural one I think is that the defendant did not feel that he could swear to the facts contained in that statement.

The Prosecution has tried to somehow connect the statement through a witness, but this was a failure. The Belgian witness Elias, who admitted in this court that he was a member of the civilian resistance movement, describes a completely different situation. It must, moreover, be remembered that the defendant Knittel, according to the testimony of Gernt, stayed in his C.P., three kilometers outside of Stavelot all day during 21 December.

As to the general charge against Knittel, it is important to note that only one member of his battalion is an accused in this case. This accused and other members of the Battalion are involved in incidents which allegedly happened in and around Stavelot. There is not a single clear identification in the record by the civilian witnesses who testified in the court. Their testimonies are, furthermore, inconsistent and incredible. The same woman who has to admit that German soldiers took her with her two children to another cellar because she was safer there, wants to maintain that these German soldiers committed atrocities against other civilians. No

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one has explained why the fatal accidents to civilians took place in the streets while panzer units tried to capture the town against enemy resistance and under heavy enemy artillery fire. What is the conclusion of the fact that German soldiers were shot at from the windows at a time when no American soldiers were in the town, as several witnesses, above all the witness Buchner, have testified? Even the Belgian lady, mentioned before, Mme. Gregoire, admits that there were noises of shooting all over the place and that the German soldiers were searching the houses because they said they had been shot at out of the houses. I think the Court understands the situation at Stavelot which was one of the most contested towns of this offensive. At the same time, it must be remembered that many different units went through Stavelot so that the identification of perpetrators, if crimes took place, is impossible.

The defendant Knittel, in his C.P. three kilometers outside of Stavelot was - as the witness Gernt stated - far away from any scene of alleged crimes. The only other accused of his battalion as well as the other alleged perpetrator Droege were captured, and Knittel could not receive their reports when the battle was over. In this connection it is important that Knittel was transferred from the replacement regiment to the reconnaissance battalion shortly before the offensive. He took over on 14 December 1944. It was, therefore, impossible for him to make himself familiar with the men of his outfit.

I turn now to the defendant Gruhle, Number 19. None of the charges could be proved or even sufficiently corroborated beyond reasonable doubt.

1. Gruhle was charged with having passed on regimental orders. To this point, Prosecution was not able to present any evidence at all. But the two witnesses, namely Kropp (regimental

clerk) and Otto who took part in Gruhle's meeting, testified that neither orally nor in writing did Gruhle ever issue or pass down an order containing any reference to the treatment of POW's as alleged in the charge sheet. Neither this regimental clerk nor Otto, the chief of the supply company, need be afraid of self-incrimination; they are not interested in the issue of this case. The witness Otto, moreover, made it quite clear that Gruhle could not possibly have taken part in another meeting on 16 December 1944, as at the same time he conducted the so-called supply meeting himself. Otto also excluded any possibility of unofficial orders or hints which might have served the same purpose. Contrary to Gruhle's statement, the defendant cannot therefore possibly have read the order to the commanding officers. As to divisional orders, I refer the arguments of other counsels.

2. The witness Zimmermann, who testified previously for the Prosecution, stated that he saw the defendant Gruhle coming from an eastern direction between Buellingen and the Crossroads after 1430 hours of 17 December. This testimony is particularly important, as the witness who had to convey a radio message to Gruhle remembers the exact time. Afterwards, at about 1500 hours, Gruhle was seen by the witness Landfried, another of Prosecution's witnesses. Landfried helped to pull Gruhle's vehicle out of the mud. This took place about five kilometers west of Buellingen. The time factor is very important. If one takes the testimony of Lt. Lary as the most reliable basis, then the Crossroads incident happened between 1330 and 1430 hours. Gruhle, therefore, cannot have been present during the shooting, and was not able to stop it, even if he had had the authority to do so. Landfried's former testimony, as mentioned by the Prosecution, does not prevent this conclusion. When Landfried arrived at the Crossroads he only saw an odd SS man dealing with an American soldier who had, apparently, played dead. This was an isolated incident after the actual shooting.

3. The third charge against Gruhle is in fact not a charge at all. All the prosecution could bring up was the alleged fact that a man in charge of a shooting detail arrived at Gruhle's C.P. and asked Gruhle where another C.P. was. Gruhle was alleged to have given this information. This is scarcely enough to base a charge on, above all when we remember that Gruhle did not even know that the man was in charge of a shooting detail, and that it all happened during the most critical time of the offensive in LaGleize. Considering these facts, I see no basis for a verdict of guilty. I need not enlarge on the position of adjutant, held by the defendant Gruhle. All the witnesses interrogated with reference to this point state that an adjutant is only a personal assistant in the staff of the commander. He only holds administrative functions and is not in command of troops. He is in no way responsible for the discipline of the units or individuals.

Conclusion - to conclude, I again want to stress the importance of this case. Conviction of these defendants will constitute a precedent with incalculable consequences. On behalf of officers, it will for all time establish responsibility for their soldiers in action without the necessity of identification of the perpetrators or of the respective victims and without an undisputable assertion of orders given, and all that on account of incriminations by their subordinates.

On the other hand, I should like to draw the Court's attention to the enormous difficulties with which the Defense, and particularly the German Defense, was confronted in this case. Apart from such factors as time for preparation and procuring witnesses, it was specifically hard to disentangle the net of mutual incriminations without hurting the individual's right to a fair trial. I suppose that such mass procedure is necessitated by many considerations. However, I should like to emphasize the fact that it is a procedure

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the inherent disadvantages of which are all to the detriment of the defendant. May, therefore, the Court allow me to appeal to its conscience, and plead that not only for these defendants' sake, but for the sake of justice, a mass trial may not be followed by a mass verdict. I am sure that it is the Court's own desire to treat each person's case individually, considering all its implications, and we all trust that it is the ultimate aim of these courts to restore the value of human life in these shattered times.

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DEFENSE COUNSEL:

May it please the Court, when the Defense Staff was assembled just three months ago, each of us wondered what defense we could possibly make for these 74 accused, after all the newspaper accounts of this bloody incident. Earnestly, we interviewed the defendants who had all been in solitary confinement up to that time. The pattern was remarkable! One universal difficulty was trying to gain the confidence of our clients. Each of them simply thought that this was another trick of Schwaebisch Hall. Three meetings were held of all of the accused, with even their own officers exhorting them to have faith and confidence in us, as their Defense Counsel. Then unfolded the most amazing pattern of what the Prosecution has called "...months of continuous interrogation in which all of the legitimate tricks, ruses and stratagem known to investigators were employed. Among the artifices used were stool-pigeons, witnesses who were not bona fide, and ceremonies...". Fear was the common element. Why should they go through with another trial and another sentence, when they had written what their Defense Counsel had already told them to write?

You may have wondered why these accused discontinued appearing in their own behalf. That was my decision, because the fear of the Prosecution still lingered in their minds after months of solitary confinement. This was even testified to by some of the Prosecution's own witnesses, who were returned to the stand by the defense. A complete picture of these tricks, ruses and beatings would have been shown, except for my decision. Does the Army of the United States generally conduct its affairs in this manner? You and I know the answer. Our Army is hard but fair. My last Commanding General, Ted Brooks, a fighting soldier, so often told me: "...an honest question deserves an honest answer...". The question is here put to you -- Can an American Army Officer's Court convict men on such

statements or confessions?

Your attention is called to another age-old principle of all law: "...He who comes into court must do so with clean hands...". Do you consider force, mock trials, prosecutors and defense counsels, promises of freedom, etc., as legitimate tricks worthy of American Army customs while coming before this tribunal with clean hands? Do you not see the results -- in some cases the prosecution has attempted to prove by certain confessions, admitted shootings and church walls which never existed. Remember the state of mind of these kids, filled with fear and only small hope. Would you at that age and under their circumstances not have signed anything, if you could be out in a few months?

My observation of both military and civil justice as administered by our great nation is that there is no power so unrestrained that can lurk within our halls of justice to deprive any person, even an enemy soldier, of his life, based on admitted ruses, artifices and ceremonies. The prosecution offers you no proof of acceptance of American soldiers as prisoners of war. Instead they attempt to prove cold-blooded murder by admissions of one accused against another, cunningly dictated as a further form of strategem. It is felt that such a sentence would be unworthy of the traditions of our American people or of the immense sacrifices that they have made to further the spirit of democracy and common ideals to mankind. It is requested that each of you bear in mind, as you consider the individual case of each accused, that primitive impulses of vengeance and retaliation among victimized peoples are often called forth in the heat of battle or as the culmination of a war-weary last struggle against an overwhelming enemy. Thus the spiral of inhumanities mounts which have always been the inevitable by-product of man's resort to force and arms, whether he be enemy

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or ally. Many times have we heard in this concluded trial of the variance in the type of warfare between the western and eastern fronts. Can we, as free thinking people for one moment seriously say that by condemning these accused, an example will forever be shown to the world? Thereby preventing in future wars such a recurrence? May it never be said that stark retribution has been freed to masquerade in a military government cloak of false legalism, only later to be visited upon our successors in arms.

The citizenry of our enemy will, I am confident, have their faith in your fairness and impassionate judgment strengthened, and fires of a new democratic nationalism, unknown to them heretofore, will be kindled.

It was the great patriot, Thomas Paine, who said:

"He that would make his own liberty secure must guard even his enemy from oppression, for if he violates this duty he establishes a precedent that will reach himself."

I leave in God's and your hands the fair judgment of these 74 accused.

PROSECUTION: If it please the Court, the Prosecution has one announcement to make. By verbal order of the Commanding General, USFET, the Prosecution withdraws the charge and the particulars, without prejudice, in the case of the accused Marcel Boltz, Number 3, and will not pursue the same further at the present trial.

PRESIDENT: Has the Prosecution anything further?

PROSECUTION: The Prosecution has nothing further.

DEFENSE COUNSEL: The Defense has nothing further.

PRESIDENT: The Court will be closed and cleared. The spectators will leave the courtroom. There will be a bell which will announce the resumption of open court.

(Whereupon the Court was closed at 11:00 hours.)

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AFTERNOON SESSION

(Whereupon the Court reconvened at 1620 hours.)

PRESIDENT: Take seats. The Court will come to order.

(To the Interpreter) I wish you would translate this, please. The spectators will keep their seats. The members of the Prosecution and the Defense and all of the accused will rise.

(Whereupon the persons addressed arose.)

The Court, in closed session, at least two-thirds of the members present at the time the vote was taken concurring in each finding of guilty, finds you of the Particulars and the Charge guilty.

The Court will hear evidence of previous convictions or any extenuating circumstances.

Sit down, take your seats.

PROSECUTION: If the Court please, the Prosecution has no evidence of previous convictions.

PRESIDENT: Does the accused desire to introduce evidence of extenuating circumstances or to make any further statement to the Court?

DEFENSE COUNSEL: May it please the Court, certain of the accused desire to take the stand on their own behalf in a short mitigation plea. The accused will read their prepared plea and their counsel will read the English translation.

Friedel Bode.

(Whereupon the accused Friedel Bode read his statement in the German language.)

(Whereupon the English translation of Bode's statement was read as follows:

"Career of my life. I, Friedel Bode, was born on August 17, 1922, as the son of the laborer Heinrich Bode and his wife Anna, nee Kolotzi.

"From 1929 until 1937 I visited the Catholic elementary school in Hildesheim, from 1937 until 1940 I learned the trade

(Mitigation Pleas)

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of a painter. In 1939 my parents sued for divorce. In order not to stand between father and mother I reported voluntarily and in consequence of my report I was inducted into the Waffen SS in April 1940. My mother married again in October 1940.

"On 9 September 1943 I got wounded on the right side of my neck in Mantua (Italy). In the Eifel offensive I got seriously wounded on 22 December 1944 in Borgumont (Belgium) i.e. my right lower arm was shot through and my right forefinger got paralysed. I got a shot lodged in the right upper thigh, my left lower thigh was shot through, I got a shot lodged in the left lower thigh and a shot lodged in the right lower arm. On 24 December 1944 I came into American captivity in La Gleize (Belgium).

"On 13 August 1945 I was turned over to the British and they released me with the remark: "Fit for light work."

"In my native town of Hildesheim I found nothing but ruins and could find my mother only after some weeks. My step-father disappeared since April 1945 and my mother lives without any support.

"On 1 February 1946 I married the dressmaker Helene Temke and lived with my parents-in-law in Löhne in Westphalia, Kgl. 121. On 27 February 1946 my wife had a miscarriage and since then she is very weak. The Americans arrested me on 1 April 1946. Up to now I had no opportunity to hear anything about my wife and thus I don't know anything about her present condition.

"I never committed any crime in my life, and treated friend as well as enemy always humanely. I was not a member of the Party.

"/s/ Friedel Bode")

DEFENSE COUNSEL: Willi Braun.

(Whereupon the accused Willi Braun read his statement in the German language.)

(Whereupon the English translation of Braun's statement was read as follows:

"On the 23 January 1926, I, Willi Braun was born as a son of the farmworker Franz Braun and his wife, Eva, born Schikowski in Gnoyan. I belong to the Catholic confession. At the time of the Eifel Offensive I was 18 years of age. In my 6th year of life I attended the Catholic Volks-school at Gnoyan. In 1935 I became a prayer-boy in the Catholic church at Gnoyan and kept on this service for 5 years until I left the school. In my 10th year of life I joined the "Deutsche Jungvolk". On 16 March 1940 I was released from school. At that time I was automatically transferred to the Hitler Youth. After being released from school I worked as a farmworker for one year. In May 1943 I was examined for the German Army. On 6 October 1943 I was inducted into the Reich Labor Service. There I was examined for the Waffen-SS. On 2 January 1944 I was dis-

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charged from the Reich Labor Service and on 20 February 1944 I was drafted in the Waffen-SS and was assigned to the 3rd Company of the Training and Replacement Bn. No. 1 LSSAH. There I received pure infantry training. My training as a recruit as well as in the combat unit was very severe. We were told if we would not carry out an order in combat we would be shot at once for cowardice before the enemy.

"In 1939 my youngest brother died and I lost two other brothers in combat in the East. Since one year I have no home any more and I do not know where my family might be.")

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DEFENSE COUNSEL: Kurt Briesemeister.

(Whereupon the accused Kurt Briesemeister read his statement in the German language.

(Whereupon the English translation of Briesemeister's statement was read as follows:

"Career of my life. I was born in Stralsund on 16 March 1922 as son of the laborer Gustav Briesemeister and his wife Emma, nee Breese. I completed 8 classes of elementary school. In my 12th years of age my father died as result of his wounds in the World War I. I was not a member of the Party or the Allgemeine SS.

"Having been a front soldier since 1940 I participated in every campaign. During this time I was wounded in the hand three times and in my foot and head. I only performed my duty as a soldier and executed the orders of my superiors 100 per cent. I was taught to offer my own person to my fatherland fanatically and without consideration to myself.

"In March 1946 I learned that my wife Gerda Briesemeister was expecting a child from me.

"I have never denied what I had done and if responsible should answer for it. I appeal to this Court for a mild sentence."

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DEFENSE COUNSEL: Willi von Chamier.

(Whereupon the accused Willi von Chamier read his statement in the German language.

(Whereupon the English translation of Chamier's statement was read as follows:

"I, Willi von Chamier, was born in Dortmund on 5 September 1915 as the first son of the laborer Friedrich von Chamier and his wife Franziska von Chamier nee Kirsch. In April 1920 I came to the Catholic elementary school and was educated according to it's principles. On Easter 1928 I finished this school.

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In November 1929 my father died suddenly and unexpectedly. As we received no support at all, I was forced in my young years to earn money with hard work for my mother and two brothers and sisters who visited the school already.

"In August 1937, through an induction order, I was inducted for 2 years service to the FLAK (anti aircraft gun) Regt. 4. Due to the outbreak of the war I was not discharged. On 1 August 1940 I was promoted NCO. Until 1943 I was permanently a member of the Air Force. In April of the same year I was taken over by the Waffen SS, 1st Pz. Regt., 3rd Company, without my knowledge and against my will. I was transferred to the S group (penalty group) of the 9th Company. With this troop I participated in the Eifel Offensive as machine gunner. I kept my rank, but I had no jurisdiction of any kind. I have never done anything wrong, I only did my duty like every other soldier. I was captured on 20 December 1944.

"Now, high Court I ask for your favor and mildness with regard to my sentence. I ask it for the sake of my old, ailing mother and my sister (my brother died at the Russian front) for the sake of my wife and my boy. This is the first time in my life that I am standing before a court and neither I nor anyone of my dependents were ever punished. I, as well as my dependents were never members of the Party or its formations (except the "Deutsche Arbeitsfront" - Organization of German Laborers).

"All my life I behaved in a decent manner.

"/s/ Willi von Chamier."

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DEFENSE COUNSEL: Poman Clotten.

(Whereupon the accused Roman Clotten read his statement in the German language.)

(Whereupon, the English translation of this statement was read, as follows:

"The Court found me guilty of a crime which I never committed and which to commit would have never entered my mind.

"I therefore beg the Court to permit me the following statement before the final establishment of my punishment.

"I was born on 25 November 1920. My father, a little employee, was during the post-war time unemployed for 7 years. Since I can remember, we had to struggle very hard with the financial troubles at home.

"To me, as well as to my three younger sisters, life has shown its earnest face right from the beginning. In order to attend higher schools, after the 4 years of elementary school, I had to earn the money to the full extent with extra occupation for the expenses of my studies. With regard to my sisters, my parents were unable to give me any financial support. After visiting the high school for six years, I joined the state-service to become a clerk. The war interrupted my professional education.

"Since 1942, I am married and have two children, of the age of 5 and 3 years. My own family, as well as my parents, who are too old to gain their living, are completely dependent on me for support. My father is 60 years old and suffering since the first world war, and through this has always been hindered in his work. My mother is ill since years. My dependants are living from the savings, which I could make through limitation of my personal expenses during the war.

"My father was for 12 years a regular soldier, and during the first world war fought in the front lines for 4 years. Accordingly, I received a strict patriotic education, and at the outbreak of the war there was nothing left for me but to become a soldier, as soon as possible, and to go to the front. Rejected from the mountain infantry, which did not accept volunteers at the beginning of the war, I joined the Waffen SS as a war-volunteer, to fulfil there my duties towards the fatherland. There we received hard infantry training for 6 months, which from the beginning on was based on the idea of the complete subordination, obedience by all means and full execution of every order, even of those one which seemed to be obviously impossible.

"In the beginning of May 1940, I was transferred as a driver to the Fuehrer's headquarters. In spite of numerous requests for transfer to the fighting units, I

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succeeded in coming to the front only in May 1944. I came to the Panzer Regiment of the LAH and participated in all battles from the invasion until the end of the war. During this one year of front-service, I was wounded 3 times, twice severely. My first severe wound I got in the Eifel Offensive on 31 December 1944, when I tried to save my seriously wounded gunner out of my knocked-out and burning tank. After a short hospitalization, I went voluntarily to the front, hardly cured and without home-furlough.

"My ideal view of war, in which I was bred, consisted in considering the war as a mutual contest of the national and economical strengths. Carrier of the fight was, on both sides, the small man from the nation, who was permitted to risk his life for the personal reasons of power of some big men and for the political, economical and ideal backgrounds of the war, without being able to understand the entire sense of war.

"Accordingly, my opinion was, that against this man, who himself did not want nor induce the war, one has to fight in a fair manner and I also acted that way. The thought to mistreat or kill a captured opponent is absurd to me. From this point of view I would never have got the idea to give my subordinate soldiers such orders or to approve such treatments. During my front service, I several times met prisoners from our western opponent. The thought, to kill or mistreat them, never entered my mind, from the simple reason that I did not consider a prisoner as an equal opponent and therefore I had no reasons further to attack or exterminate him.

"I did not participate in the combats in Russia. I was never a member of the Party or the Allgemeine SS. In my whole life I never committed a crime and was punished neither in civilian nor military life."

DEFENSE COUNSEL: Fritz Eckmann.

(Whereupon the accused Fritz Eckmann read his statement in the German language.)

(Whereupon the English translation of this statement was read, as follows:

"I, Fritz Eckmann, was born on 16 May 1925 in Furtwangen (Suabia) as the son of merchant Hermann Eckmann and his wife Luise Eckmann nee Merz. I am my parents' only child. When 7 years old I was sent to elementary school in Furtwangen (Suabia), when 11 years old to secondary school. In the year of 1940, when 15 years old, I was apprenticed to a food wholesale firm; after my commercial apprenticeship I passed the examination of an assistant. On 31 March 1943, I received the order to report for duty in Nurnberg at the Signal Replacement Regiment. I had a very hard and short military training; I got an infantry basic training and a radio operator special training. When 18 years old I came into action for the first time in

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Russia as tank radio operator with the 1st SS armored Battalion/ 1st SS Armored Regiment 'LSSAH'. The Eifel Offensive was the second action in which I participated. At that time I was 19 years old. During my military training with the replacement unit as well as with the field unit, I often got instructions about the Geneva Convention, and also how to behave in war captivity and how to treat prisoners of war myself. I, myself was in combat for 120 days during World War II. I was wounded twice at my head in the actions I participated in. My parents' last place of residence was Donaueschingen (Baden). For more than 1-1/2 years I have had no communication with them. I voluntarily reported to the Americans in Uttendorf on 14 May 1945. Up to this day I have been in American custody for 13 months. During my military training and even later we were always instructed that we had to carry out every order without inquiring; refusal to obey an order will be punished with most severe measures, when committed in combat and in combat zone even with death. My parents never were members of any Party organization. Prior to 1933 my father had been chief of a Social-Democratic organization. After 1933 he had been arrested for one year. During my whole life I have never been punished either as a soldier or as a civilian."

DEFENSE COUNSEL: Fleps, Georg.

(Whereupon the accused Georg Fleps read his statement in the German language.)

(Whereupon the English translation of this statement was read, as follows:

"I, Georg Fleps, was born on June 19, 1922. My father was a farmer. I was born at Michelsberg, Roumania. I have two sisters. My father died in January 1943.

"From my 7 until 15th year I visited the Roumanian Public School at Michelsberg, Roumania. After I finished my time in school, I worked at my father's farm. I took the farm over when I was 20 years of age, as my father had been sick for a long time and finally died because of his disease. Since June 1944, I have not had any news from my folks. They probably were deported to Siberia by the Russians. I am Protestant.

"On January 15, 1943, I was drafted into the Roumanian Army. In May 1943, I was discharged again by this unit. There had been an agreement between the German and Roumanian government, according to which all "Volksdeutsche" (German peoples) who were capable of doing military duty were only allowed to join the German Army, but that in order to do their military duty they had to enter the "Waffen SS".

"I then was sent to Arnheim, Holland to the 1st SS Panzer Grenadier training and replacement Battalion 12. Here I was given a short but very tough basic training.

"During all this time, same as later on, I was instructed

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that all orders had to be carried out without asking any questions. Even if the execution of the orders is connected with death, refusal of orders is impossible and will be seriously punished, even with death. Especially us 'Volksdeutsche' (German peoples) had to obey more than my other comrades, as in connection with our birth in a foreign country we never have been considered as real Germans. I never received an order concerning the Geneva Convention. We only were instructed how to act in captivity. I only have 75 days in combat. On December 30, 1944, I was badly wounded on my left foot near Bastogne. I reported to the American troops on May 9, 1945, at the Camp Ternberg, Austria. I never was punished, never in the Army nor in the civilian life."

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DEFENSE COUNSEL: Heinz Friedrichs.

(Whereupon the accused Heinz Friedrichs read his statement in the German language.)

(Whereupon the English translation of Friedrichs' statement was read as follows:

"I, Heinz Friedrichs, was born on 13 September 1936 in Celle as a son of the gold and silversmith Heinrich Friedrichs and his wife Margarete, born Pommerelke.

"From 1933 to 1941 I attended the Volks-school. I went through all of the 8 classes of this school. My religion is Lutheran and I also was confirmed in 1941 by this church.

"In April 1944 I was inducted into the Waffen-SS. I received my basic training in a Replacement Bn. at Arnheim. This training was very severe. There I was trained as an infantryman. I was trained concerning the refusal to obey orders. At that occasion we were told that any refusal of orders or another crime would be punished most severely. If such a crime should happen near the front line it would immediately draw the death penalty. I received the same instructions in the combat unit. We were educated by those lessons

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and were bound to carry out all kinds of orders. In order to keep his papers neat and not to sacrifice his life unnecessarily everybody was obliged to obey all orders.

"In late May I was transferred to the LSSAH. At the time of the Eifel Offensive I was 18 years old. During the Eifel Offensive I was injured and taken prisoner by the Americans.

"My father was a soldier since 1942. As I am the oldest at home I had to support my mother. We were twice heavily bombed out at home. Since my furlough in October 1944 I have not heard from my parents..")

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PRESIDENT: The Court will adjourn until 0830 tomorrow morning.

(Whereupon the Court adjourned at 1700 hours.)

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Tk #354-SR-7/12-1  
Part 1

Camp Dachau, Germany

12 July 1946

MORNING SESSION

(Whereupon Court reconvened at 0830 hours.)

PRESIDENT: Take seats. Court will come to order.

PROSECUTION: If the Court please, let the record show that all the members of the Court, all the members of the Prosecution, with the exception of Captain Byrne, who has been excused by verbal orders of the Commanding General, and Captain Shumacker and Mr. Elowitz, who are absent on business of the Prosecution, all members of the Defense, with the exception of Lieutenant Colonel Dwinell, Captain Narvid, Mr. Walters, Dr. Rau, Dr. Hertkorn, Dr. Leiling, Dr. Pfister and Dr. Wieland, who are absent on business of the accused, all the defendants and reporter are present.

DEFENSE COUNSEL: Fritz Gebauer.

(Whereupon the accused Fritz Gebauer read his statement in the German language.)

"I, Fritz Gebauer, was born on 31 December 1927 as a son of the mason Arthur Gebauer and his wife Martha Gebauer. In my sixth year of life I attended the Catholic Volks-school. After eight years schooling I left school and learned the business of a stove-fitter. In 1941 I joined the Hitler Youth and my apprenticeship was interrupted in 1944 because I was inducted to the Reich Labor Service for the period of April until July 1944. Three weeks after I had been released from the Reich Labor Service I received the order to report to the Waffen SS and I had to report on 15 August 1944 in Berlin. There I was assigned to the Panzer Grenadier Training and Replacement Battalion, 1st Training Co No. 4. There I received my military training. In September 1944 I was assigned to the 11th Company, 2nd SS Panzer Grenadier Regiment LSSAH. In this unit I received a further military training. From 15 December

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Part 2

1944 until 24 December 1944 I took part in the Eifel Offensive. At that time I was sixteen years of age. On 24 December 1944 I was taken prisoner in La Gleize. Since I am a prisoner of war I never received any sign of life from my parents and I do not know whether they are still alive."

DEFENSE COUNSEL: Heinz Gerhard Goedicke.

(Whereupon the accused Heinz Gerhard Goedicke read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Heinz Gerhard Goedicke, was born on 6 July 1927 in Neumarkt near Jueterbog. At the time of the Eifel Offensive I was 17 years of age. My father was a police official. I have two brothers. One is older and one is younger than myself. Since my fifth year of life I attended the elementary school and finished when I was thirteen. On 20 April 1935 I joined the "Jungvolk" and was transferred to the Hitler Youth on 20 April 1941. In the Hitler Youth I held the rank of a Kameradschaftsfuehrer and was in charge of a Sohar in the fire-guard of the Hitler Youth. I was demoted because of a disinterest and neglect of duties and was transferred to the "Pflicht-Hitler-Youth" where I had to undergo service as a "Jugendgenosse".

On 16 September 1941 I became a butcher's apprentice and in March 1944 I passed my examination as a butcher's assistant. In 1943 I lost my father in Kroatien.

During my time of apprenticeship I once was drafted for pre-military training. Three times I was called for examination as a subject to compulsory military service. On 4 April 1944 I was drafted to the Reich Labor Service and was discharged again on 30 June 1944. On 15 August 1944 I was inducted into the SS-Leibstandarte Adolf Hitler. I came to Berlin-Spreehagen to the reserve-unit and was transferred to the combat unit in September 1944.

In the Replacement Battalion I had received a training as a mortar operator. In the field unit I received a training as an infantryman and radio-operator. My training was severe. I learned that any refusal of orders or any cowardice before the enemy was to be punished with death. It was my duty as a soldier to carry out all types of orders or commissions."

DEFENSE COUNSEL: Max Hammerer.

(Whereupon the accused Fritz Gebauer read his statement in the German language.)

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(Whereupon the English translation of the statement was read as follows:

"I, Max Hammerer, twenty-one years old, attended elementary school for eight years, following that I learned for three years the trade of a machine-locksmith. Until my induction I worked in my trade. When seventeen and three-quarters years of age I was inducted into the Air Force on 20 October 1942. On 1 April 1943 I was transferred to the Waffen SS against my own will. I was wounded three times, the third time severely during the Eifel Offensive on 22 December 1944. Shrapnel lodged in my left lung, in the back, backside, and left thigh. On 24 December 1944 I came wounded in American captivity. While in an American hospital I was operated on three times in my left lung. I faithfully performed my duty as a soldier for my fatherland. I was never in life before a court.")

DEFENSE COUNSEL: Armin Hecht.

(Whereupon the accused Armin Hecht read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I was born in Doelzig near Leipzig on 17 November 1924 as the child of Paul Herbert Hecht and his wife Bertha Elsa Hecht nee Bonicke. I originated from a middle class family. I am 21 years old and I am unmarried. From Easter 1931 until 1939 I attended the elementary school in Militz near Leipzig consisting of eight classes. On 15 April 1939 I went as apprentice into a drugstore and finished my apprenticeship on 31 March 1942. During this time I attended the vocational school in Leipzig and passed my assistant examination in March 1942. I was never a member of the Party, SA or SS. At the outbreak of the war my father was inducted into the Navy. Since that time the burden of supporting my family rested on my shoulders. During the first period of the war I stood at my mother's side with help and advice - she is physically hindered in consequence of an operation. Since December 1944 I have been without any news of my dependents. The last news I got was a cable: 'Damaged through bombs'. Since then I have had no further news. I am worried about my dependents, because I do not know whether they are still alive.

When I was 18 years old I was inducted into the Waffen SS-Leibstandarte, to which I belonged until the capitulation in May 1945. I received infantry basic training, two anti-aircraft and one technical driver's training. In the Waffen SS I was brought up right from the beginning in the spirit of implicit obedience, and utmost fulfillment of duty. Orders are principally and immediately to be executed and without contradiction even if it seems to be impossible. In front action refusal of order was punished by death. These were also the virtues

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of the SS military oath which I had to take. The individual was completely suppressed. With the field unit I fought in several theatres and until the last day of the war I fulfilled my patriotic duties to the utmost so as it was demanded and expected from us.

During these actions I got twice wounded. In the partisans-offensive I got a shell splinter wound in my left upper arm and during the invasion an eye wound. In La Gleize, on the 23rd December 1944 I suffered a nervous breakdown, which was caused by utmost exertion and having been buried alive in the debris of a house through several direct artillery hits. I am suffering from this still today and after the offensive therefore I came to Germany for medical treatment.

On 10 May 1945 I surrendered voluntarily to the American troops and came into the PW camp in Arnberg/Steyr in Austria.

Until now I had nothing to do in my life with jurisprudence, never got any punishment and I am not conscious even today of having violated or infringed any rules of law. During my military career I did not participate in any shooting of prisoners of war, nor have I seen such things. I also did not commit any violation of the Geneva Convention.")

DEFENSE COUNSEL: Hans Hennecke.

(Whereupon the accused Hans Hennecke read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I was born on August 25, 1922 as son of the pharmacist Hans Hennecke as third child and only son, visited the elementary school for three years, the "Gymnasium" (high school) for eight years and graduated in fall 1939. I then enrolled at the pharmaceutical faculty of the Munich university.

My father was a social democratic secretary of state of the republic of Mecklenburg from 1918 until 1933. Due to this political activity of my father who was repeatedly arrested by the Gestapo and was under police supervision for many years, our family was subjected to continuous persecutions until 1936. Despite this, I considered it to be my duty to serve my country in the army, when the war in 1939 broke out. On the 1st of September, 1939 I tried to enlist in the infantry, but due to my age (I was only 17 years at that time) I was rejected. However, in order to be able to serve my country in another manner, I worked in a metal factory as unskilled laborer for two and a half months twelve hours daily.

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In November 1939 a new chance was offered to me to join the army as a soldier. I asked my father to give me permission to become a member of the Waffen SS. My father gave me this permission after he convinced himself that the Waffen SS, then being called "Verfuegungstruppe", had nothing to do with the concentration camps and was a strictly military (formation) unit. On 14 November, 1939 I joined the LAH. Because of violation of orders while a guard I was punished by being sent to the concentration camp Buchenwald as member of the guard personnel in August 1940. This was even worse for me as I had to guard human beings who believed in the same ideals as my father, whom I respect and adore very much, human beings who were ready to suffer for these same ideals. I explained those conflicts to my commander at that time and asked him to send me to the front. My request was granted and in the Spring of 1941 I left Buchenwald.

Due to my educational background I was classified as an officer's candidate and as such I was transferred to the War Academy in the Spring of 1942 and received my commission in March 1943. I participated in the Eastern Campaigns in 1941/42 and 1943/44 and in the Western campaign 1944. I was wounded three times and was injured in my left knee and suffered two rather serious head injuries.

On 21 July, 1944, after the unsuccessful attempt to assassinate Adolf Hitler, my father was again arrested by the Gestapo. This was for me the heaviest shock I ever suffered.

On May 11, 1945 I surrendered voluntarily to the American forces. In August 1945 I was for the first time interrogated concerning the Eifel offensive and arrested thereafter. However, shortly afterwards I was released again. If I would have felt guilty in any way this arrest would have been the best warning for me. I have, however, not made any kind of an attempt to escape.

A few days ago I received word that my entire family, my father, my mother, my sisters, the child of my sister and my brother-in-law are no longer alive. They have probably been killed by the Russians. I don't know now the details of their deaths.")

DEFENSE COUNSEL: Hans Hillig.

(Whereupon the accused Hans Hillig read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Kurt Hans Hillig, was born in Doebeln, Saxony, on the 16th of December 1921 as the third child of the laborer Gerhard Hillig and his wife Wella nee Ficker.

I visited the elementary school consisting of eight classes and finished it in 1936.

In 1933, as Hitler took over the power, my father

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was arrested on the grounds of his political activities. During this time my mother received for herself and her four children very little support.

In consequence of our financial circumstances it was not possible for me to learn the profession I wanted. In 1936 I started, therefore, my apprenticeship in order to learn the trade of a baker and passed the examination of a journeyman in 1939.

At the beginning of the Polish campaign, I volunteered for the Wehrmacht, at that time being seventeen and a half years old, in order to fulfill my duties as a soldier towards my Fatherland. As I was too young and the Wehrmacht did not accept me, I reported as war volunteer to the Waffen SS.

On 1 February 1940 I was inducted into the infantry at Ruelzell on Bodensee. After a training of four weeks as infantryman I was transferred to the signal school (Nachrichten Schule) in Nurnberg. Until September 1940 I received here besides training as radio operator a hard educational military training. The military education during my training chiefly referred to obedience and execution of orders. During the lessons we were told that we had to carry out every order of our superiors, disregarding what kind of order it should be and without consideration on our own person. We were further taught that refusal of order will be punished with the hardest military punishments and refusing an order on the front would be punished by death.

In September 1940 I was transferred as signal man to the Pioneer Battalion LAH. With this battalion I participated in the campaigns in the Southeast and in Russia. In 1943 I was transferred to the Panzer Regiment LAH and with this regiment I participated as tank-radio-operator in the battles in Russia, on the Invasion front and in the Eifel offensive. Since 1940 until 30 January 1945 I was permanently with the fighting troops in front actions.

My father died in 1940 in consequences of his stay in the concentration camp and my elder brother died in the East in 1943. Therefore, I was the supporter of my mother. My younger brother appeared on the Western front since 1944 and I know nothing of the fate of my mother since March 1945."

PROSECUTION: We believe that the plea of this individual, number 24, has not been fully translated.

LIEUTENANT WAHLER: If the Court please, he was requested to delete. Whether he deleted that paragraph I don't know.

PROSECUTION: There was one paragraph that was not

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interpreted. We request that it be interpreted.

LAW MEMBER: It will have to be interpreted if he read it.

INTERPRETER ROSENSTOCK: (Interpreting from German statement) I state that my testimony is correct; as the Prosecution witness testified before the Court, I felt very sorry about the shooting of the American soldier, but I was in an unfortunate position. How could I have refused the order my regimental commander? I request the Court to be considerate in my case."

DEFENSE COUNSEL: Heinz Hofmann.

(Whereupon the accused Heinz Hofmann read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Heinz Hofmann, was born in Bronbaden, Kreis Wetlar, on 24 June 1924 as the second son of the foundry workman August Hofmann and his wife Anna, nee Dietz. I have two brothers. My father is suffering from his heart since his younger years and my eldest brother is suffering from asthma and bronchitis since birth so that my parents consider me to be their main supporter.

"I visited the elementary school for eight years. In 1938 I entered the optician firm Ernst Leitz in Wetzlar as optician apprentice. After two and a half years I had to interrupt my apprenticeship because of a tendovaginitis in both wrists.

On 1 March 1942 I was inducted to the Reich Labor Service. In the Reich Labor Service we were selected for service in the Waffen SS and so it happened that on 1 March 1943 I was inducted to the Waffen SS. In June 1943 I was transferred to the 2nd Company of the 1st Panzer Regiment LSSAH. With this company I participated as gunner in four actions. I have approximately 150 front action days. I was not a single time wounded. I was never a party member although I was summoned to join it several times. Nobody of my family or relatives was ever a member of the Party. On 10 May 1945 I surrendered voluntarily to the American Armed Forces in Austria. I am now nearly 14 months under arrest. I never tried to

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escape from a camp although I had plenty opportunity to do so. After my first interrogation at Schwaebisch Hall I came to the PW Camp in Heilbronn because they had no proof against me. There I still had the opportunity to run away. But I did not do that because I was not conscious of any guilt and I wanted to wait for my discharge with a clear conscience.

I had never any civilian or military punishment and had never anything to do with a court. I can justly tell today that I was a good soldier and that in civilian life as well as in the army I had a good reputation.

I beg now the high Court to be merciful towards my person.")

DEFENSE COUNSEL: Joachim Hofmann.

(Whereupon the accused Joachim Hofmann read his statement in the German language.

(Whereupon the English translation of the statement was read as follows:

"I, Joachim Hofmann, was born at Ostrau near Zeitz on June 7th 1926. My parents are: Gustav Hofmann, severely injured in combat, and his wife Hedwig Hofmann nee Fillbinger. I got a severe education from my parents, beside me there are four brothers and two sisters. During eight years I attended the primary school at Ostrau/S. In the year 1940 I got an apprenticeship of carpenter and in 1943 I passed my professional examination. I had to join the HJ in 1940 as this was obligatory for every German Boy. On October 11th 1943 I was inducted into the SS armed forces against my will and got there a difficult and severe training. I learned that every order was sacred and that it had to be executed also if its execution seemed impossible. There was no contradiction. When I was drafted I was 17 years old.

During the time of my military service I never got any instruction about the Geneva Convention. I participated in the following operations as a soldier: Invasion, Eifel action and an operation in Hungary. In the whole I have about 120 days of combat. I was wounded three times during my soldier time. I several times heard and saw that soldiers who did not execute orders or refused to do so, were shot. Between 13 January and the capitulation I was driver of an ambulance car. In this capacity I had the occasion of transporting many American wounded to the dressing station in January 13th till the 25th.

In December 1944 I got the last letter from my parents and my brothers and sisters and I don't know if they are still alive. None of my people was a member of the Party.

On 11 May 1945 I surrendered voluntarily to the American troops. Never in my life I have got a punishment."

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DEFENSE COUNSEL: Siegfried Jaekel.

(Whereupon the accused Siegfried Jaekel read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Heinz Siegfried Jaekel, was born at Seiferdau district Schweidnitz on 13 August 1926. When I was six months old, the sister of my mother took me as foster child, here name is Ida Jaekel, living at Neudorf via Schweidnitz. She has lost her left leg by an accident. My foster mother received me out of pure mercy and charity and when I grew older I served and helped her as good as I could. I never had the feeling to have a mother or a father. I saw my father once in my life when I was six years old, but I never was educated by a father. I have no brothers and sisters. At Easter 1933 I entered the primary school at Neudorf and I attended it during eight years. At Easter 1941 I was apprenticed to a firm to learn the turner's trade, where I passed my examination in July 1943. During that time I also attended the professional school at Schweidnitz.

In 1941 I had to join the HJ, as it was an obligation for all boys. In the beginning of 1943 I got to know that my father had died in Russia near Reschew.

On 20 December 1943 I was inducted into the SS Armed Forces against my will. I got there a fundamental pioneer training. It was a very hard and difficult training. I learned that every order had to be executed, also if it sometimes seemed impossible to do so. We were not allowed to have opinions of our own. The own self was abolished. During a combat, the refusal of an order was punished by death.

As soldier I participated in the following operations: Invasion Eifel and Hungary. The whole time on the front was about 80 days. During the Bastogne action I have frozen my feet, degree 2nd-3rd and I got a splinter into my left leg. Imbedded fragement. I came to a hospital, then to a fighting unit and from there to Hungary. At the end of March 1945 I was taken prisoner by the Russians near Steiermanger. When the car was over I got the permission to go home and so et out towards the American territory. There I gave myself up to the Americans at the end of May 1945 and was sent to the FIVE Lambach, Austria, where I was considered as PW. During my military service I did not get any punishment and in civil life neither.

I had a very hard youth. Since December 1944 I have not received any news from my foster mother and I fear very much for her as she is physically hindred and is now quite without help and guard."

DEFENSE COUNSEL: Friedel Kies.

(Whereupon, the accused Friedel Kies read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I, Friedel Kies, was born at Rhaderstedt (Hanover) on the 1st of October 1926 as son of the workman Richard Kies and his wife Olga. Seven brothers of mine and one sister are still alive, one sister died already some years ago. My brothers and sisters are all younger than I.

"My profession was agricultural assistant. I worked in the little farm of my grandparents. My father works in a saw mill. My parents have no house of their own. At present they live with my grandparents.

"During 8 years I attended the primary school, then 21 months the agricultural professional school once a week and then during three months the agricultural school. I am Evangelic Luth.

"On October 11, 1943 I was inducted into the SS Armed Forces against my will. I was then 17 years old. My fundamental training was that of a pioneer. During our training the execution of orders, of whatever kind they may be, was always pointed out to us. We furthermore were told that we would be sentenced to death for not executing an order in many cases, especially during a combat.

"I never got any instruction or information on the treatment of prisoners of war. During my military service I was about 40 days in combat. On December 24, 1944 I was captured wounded at La Gleize. I am amputated on the left upper thigh and up 'til now I never was in possession of a prosthesis. Have I not suffered enough already? I was a prisoner of the Americans from 24 December 1944 'til 4 September 1945 and from 11 March 'til now.

"I am not previously convicted, neither in civil nor in military life."

DEFENSE COUNSEL: Karl Georg Kotzur.

(Whereupon, the accused Karl Georg Kotzur read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I, Karl Georg Kotzur was born as the first of three children on 22 December 1925 at Ratobor, Upper Silesia. At the time of the Elfer offensive I was 19 years of age. On 18 September 1943 I received my induction order for the Waffen SS.

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"Even during my basic training I was informed about the sanctity of an order. Three of the worst crimes which would draw the death sentence were: desertion, sabotage and refusal of orders. We were educated to absolute obedience. All of us were not permitted to have his own opinion. There was only one 'Jawohl' for us. For instance, if a trainer would designate a wall as being black, this was to be answered: 'Jawohl, it is black', and your own opinion was excluded from the beginning. At every suitable or unsuitable occasion it was pointed out to us that there was nothing worse than disobedience and refusal of orders, disobedience or opposition, using soldiers who had offended in such cases. The punishment usually was very severe. This was to serve as a deterring example in order to eliminate any doubts. However, if an order was given by a superior it had to be carried out instantly, no difference what the wording was and regardless of his own person, because he, who gave the order, would bear the entire responsibility for it.

"After the total war had been declared the punishment was even added to. An order of the Fuehrer which was published to us read as following: If an officer or EM would receive an order and would not absolutely obey at once, he might instantly be shot by anyone standing next to him.

"By the Panzer Regiment 1st Battalion LSSAH there existed special methods in respect to various types of punishment even for smaller crimes. The punishment was set up as following: In a sort of special orders which were not possibly to be carried out even from the beginning. During the Eifel offensive such a set-up was called 'S-group' by us men (death group). Higher ranking men had no jurisdiction, they were not permitted to give orders but were on the same level as the lowest ranking man. These men were used in the most difficult situations in order to spare the others. If one of those men was killed in action his wife or his parents were notified that their husband or their son had been killed in the field of dishonor. During the last combat at the Russian front the so-called 'Klammeraffe' was additionally invented. The duties of these men were during the attack to sit on top of the tanks at the point, and when the fighting was going on to give messages from one tank to another. Thus they were freely submitted to the enemy weapons, though there was radio communication from one tank to each other. Most of these men were killed already during the first hour or they were so severely wounded that they would die in a short time. By those means two comrades of my own company were killed in action. This type of punishment was to be a deterring example for us men which should make disobedience or refusal of orders impossible.

"Therefore, it is to be understood that every order, no difference what wording it might have, was to be carried out. And we were not to think about it whether it was right or wrong -- we only had to obey.

"The Eifel offensive was my first combat during my 1 1/2 years of service. An order of the Fuehrer was published prior to the offensive according to which any refusal of orders committed by anyone was to be punished by shooting on the spot. This put me in such a feeling of fright that I obeyed every order. In regard to the shooting of the civilians I was not conscious of any criminal act as they were accused of having participated in the killing of three German soldiers."

DEFENSE COUNSEL: Erich Otto Maute.

(Whereupon, the accused Erich Otto Maute read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I, Erich Otto Maute was born on 2 May 1922 in Tuebingen as the son of the merchant Friedrich Streich and of Susanna Maute. When I was 3 years old, I came to my grandfather Hermann Maute and was brought up by him.

"In spring 1929 I came into the elementary school in Frankfurt/M, where I remained until 1935. In 1935 my grandmother died, whereupon I went again to my mother to Ebingen (Wuerttemberg). There I went to the elementary school until April 1937. On 15 April 1937 I was confirmed there in the Friedens-church and right after I joined the needle factory Gross & Sons as a metal worker. In 1939 I worked on setting up machines with the firm Dr. Eng. Schneider & Co. in Frankfurt/M.

"In spring 1939 I reported voluntarily to the air force in Frankfurt/Haussen, to be inducted into this unit in autumn. I was registered with the Regiment 129. In autumn 1939, however, I suffered with my appendix, which made an operation necessary. Because of this operation I was not inducted in autumn 1939. As the air force made new inductions only in autumn 1940 and the army did not accept volunteers I had myself transferred to the disposal troops so as not to lose unnecessary time. I intended to start my career as medical officer with the army as I had always the wish to become physician, however, did not possess the sufficient money to be able to pay my studies.

"So I was inducted to the 1st Panzer Jaeger Co. (Tank destroyed) on 8 May 1940 in Arolsen and spent there my training time. On 15 August I was transferred to the Hospital Department as student. On 1 December 1940 I came to the medic-school in Berlin and stayed there until 15 May 1941. After passing the examinations of the medic-school I came to the Fuerstenberg-school in Berlin. From 15 June 1941 until 15 August 1941 I worked in the Bacteriological Institution in Berlin. On 15 August I returned to the hospital and worked there in several departments until 6 February 1942. In the last time I was in charge of the officers department. On 6 February 1942 I came as company medic to the 2d VII LAH to Berlin and stayed with this company until 15 November 1942. On 16 November 1942 I was transferred to the Panzer Regiment LAH and came there to the maintenance company as medic. I stayed with this company until August 1944. As I had no front experiences yet in August 1944 I was transferred as medic to the 9th Panzer Pioneer Company as the medic of this company died in the invasion action. I participated with this company in the Eifel offensive and stayed there as company medic until the end of the war.

"On 3 July 1944 I got wounded through an artillery shot on the invasion front.

"On 8 March 1945 in Hungary I got wounded for the second time through mortar fire on my tow legs and in my face. On 15 April 1945 near to Berndorf (Austria) I got wounded the third time through a hand grenade on my left leg and right hand.

"I surrendered voluntarily with the rest of the Panzer Regiment to the American troops on 12 May 1945.

"In May 1932 I joined the scouts. This organization was prohibited in 1934 and taken over by the Hitler Youth. In 1937 I left the Hitler Youth. I was not a member of any other Party organizations.

"My parents were twice totally bombed out in Frankfurt/M."

DEFENSE COUNSEL: Arnold Mikolaschek.

(Whereupon, the accused Arnold Mikolaschek read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I was born on 1 October 1925 in Beuthen O/S (Upper Silesia). My father was a bookkeeper and died from a stroke in 1934 after having suffered a long time from his war injuries. My mother remained alone with us children. I have two sisters and two brothers who are all younger than I am. From 1932 until 1936 I attended the elementary school and then high-school for seven years until my induction into the Waffen SS. I have been brought up as a Catholic and always followed the religion of my parents. After one month of pre-military training in a military training camp which each German boy who was fit for military service had to undergo, I was drafted to the Waffen SS, namely on 21 June 1943. There I received my basic training as an infantry man and radio operator. At the time of the Eifel offensive, I was 19 years of age.

"In many points I had quite another opinion and I had to overcome many a heavy inner fight. But there was no return out of the Waffen SS. At least I accepted the thought that, finally, whether Army, SS or air force, we all were German soldiers and had to fulfill our duties for our country. One of the most difficult problems for me was the so-called 'Kadavergehorsam', i.e., one had to carry out every order without asking the why or wherefore. One was not permitted to give any reply, even if the order -- in one's own opinion -- was wrong or nonsense. Every soldier was to show the same reaction at the orders of his superior as a machine at the push on the button by its operator. Refusal of orders in combat was one of the severest crimes against the military discipline. Often it was sentenced with death, besides the fact, that every soldier was instructed thus that he would not even dare to refuse an order. Either, when it was an important order, he was shot at once or he was put in a spot in combat where he would meet death with nearly 100 per cent certainty.

"Even though war makes you harsh I was rather soft-hearted and not able to get over with taking any action against an unarmed man. I always felt pity for the civilians in the dangerous battle areas, for I always thought of my mother, my brothers and sisters and my dependents who might as well be in such a situation."

DEFENSE COUNSEL: Gustav Neve.

(Whereupon, the accused Gustav Neve read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I, Gustav Neve, was born on 24 October 1924 in Avendorf, Kreis Ploen, Schleswig Holstein.

"I went to the Public School for 8 years. During the time in school I fell down a staircase and suffered a severe concussion of the brain. As a result I lost one year in school.

"On 1 April 1940 I became a shepherd apprentice and finished my apprenticeship on 1 April 1942. Thereafter I worked on farms until I was drafted.

"On 1 January 1943 I was drafted into the Waffen SS against my will. At that time I only was 17 years of age. I was compelled to join the SS and it was impossible for me as well as my parents to do anything against it. All boys were examined in locked rooms by SS doctors and everybody found physically fit for service in the SS was ordered to report to the Waffen SS.

"My basic training I received at Dresden. Later on I was also trained as combat engineer. After approximately four months of basic training I was transferred to a combat unit and participated in the Battle of Charkov 1943. On 14 August 1943 I was wounded there on my left upper arm and left hip by bomb fragments. After three months time in the hospital I was discharged and returned to my unit. On 12 February 1944 I was wounded again by a bullet which got stuck in my upper left thigh and by freezing of 'third degree'. I was sent to the 'Reserve Field Hospital 8', to Lemberg.

"After I had been cured I was released and sent back to the Pioneer Replacement Battalion to Dresden, and after several transfers from one unit to the other one, I finally was transferred to the 3d Panzer Pioneer Company, LSSAH as tank driver.

"In this company I took part in the Eifel offensive as assistant driver, as I was not fully capable of doing front line duty.

"After we had broken out of the encirclement of Ia Gleize I contracted once more a 3d degree freezing and was sent to the hospital. After my release I returned to my unit, and during the fights in Hungary and the following fights until the end of the war, I was a truck driver.

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"On 11 May 1945 I reported voluntarily to the Americans. During all that time of my basic training which was very hard and tough, same as later on I always was instructed, that all orders by my superiors had to be carried out without asking any questions. Refusal of orders would be severely punished, even by death penalty. I never dared to refuse to do an order. We as the little men in the army did not have an opinion of our own, we had to do nothing but to obey.

"My father is a farmer's helper. My mother has been sick for a long time. There are still three brothers and one sister besides me. None of the members of my family ever belonged to the party. I myself was never a member of the 'Hitler Youth'.

"The last mail from my parents I received 1½ years ago. I do not know whether they are still alive."

DEFENSE COUNSEL: Hans Pletz.

(Whereupon, the accused Hans Pletz read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:)

"I was born in Passau on 5 January 1925 as the only son of the bookkeeper Hans Pletz and his wife Maria. My mother died five days after my birth as its consequence. Until the second marriage of my father in 1927 I was brought up by his parents. I visited the eight classes of the elementary school and four classes of the continuation school. In 1939 my father was inducted to the Wehrmacht and served until the end of the war, when he became a prisoner of war. I was a soldier since 31 May 1943 until the end of war and participated in the Eifel offensive and in the battles in Hungary. On 11 March 1945 in Hungary I got wounded on my hand and right upper arm. I came home for ambulance treatment. After my recovery I reported voluntarily in the SS camp in Riegsee on the 1st of July 1945. While I was there, against promise to come back again I got permission to visit my mother two times.

"My religion is Roman Catholic. I was a member neither of the Allgemeine SS nor of the Party. I have no sisters or brothers. I never committed any crime in my life."

DEFENSE COUNSEL: Fritz Rau.

(Whereupon, the accused Fritz Rau read his statement in the German language.)

(Whereupon, the English translation of statement was read as follows:

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"I, Fritz Rau, was born on 3 August 1927 as a son of Rudolf Rau and his wife Maria, at Gross Gerau. At the time of the Eifel offensive I was 17 years old. I have three brothers and one sister. One brother was killed in action in Russia 1941 and my sister died in 1944. In May 1933 I went to the elementary school at Gross Gerau and was released from there in April 1941. On 20 April 1937 I joined the German Jungvolk (Jr. branch of the Hitler Youth) and was transferred to the Hitler Youth on the 20th of April 1941. I belonged to the HJ fire-guard. With this group I participated in about 20 disaster duties after air raids. During one of these in late February 1944 or early March 1944 when I was saving wounded civilians, a house collapsed over my head. Since that time my nerves are scattered.

"On the 15 August 1944 I was inducted into the Reserve Battalion 1 of the Leibstandarte SS Adolf Hitler. I had one month of training. Thereby everything was covered a soldier must know in training and in combat. I also received instructions concerning obedience of orders. I was told that we had to carry out every order a superior would give us, even if we might lose our lives thereby. Disobedience of orders would be punished with death.

"Then I was assigned to the 11th Company 3d Battalion 2d Panzer Grenadier Regiment LSSAH. As a member of this unit I went into my first combat on 16 December 1944. On 19 December 1944 I was injured by artillery fire near Stoumont (Belgium). I was taken to a main aid station which was set up in a castle between Stoumont and La Gleize. There I was taken prisoner by American soldiers on the 23d December 1944. In my whole life I have never committed any crime and therefore I am not conscious of any guilt."

PRESIDENT: Court will recess until 1030 hours.

(Whereupon at 1000 hours the court took a recess until 1030 hours.)

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(Whereupon the Court reconvened at 1030 hours.)

PRESIDENT: The Court will come to order.

PROSECUTION: Let the record show that all the members of the Court, all the members of the Prosecution with the exception of Captain Byrne who has been excused by verbal orders of the Commanding General, Captain Shumacker and Mr. Ellowitz who are absent on business of the Prosecution, all the members of the Defense with the exception of Lt. Col. Dwinell, Captain Narvid, Mr. Walters, Dr. Rau, Dr. Leiling, and Dr. Pfister who are absent on business of the Defense, all the defendants and the reporter are present.

DEFENSE COUNSEL: Theo Rauh.

(Whereupon the accused Theo Rauh read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Theo Rauh, was born in Poxdorf on 9 November 1918, as son of the catholic peasant couple Konrad and Anna Rauh. I visited the elementary school in Poxdorf. After I left the school I had to take care alone of my uncle's farm, with the help of two old people. We were eight brothers and sisters, five already died and my eldest brother died at the front. From 1937 until 1938 I visited the gardener vocational-school in Veitschochheim. From October 1938 until April 1939 I had to fulfil my Labor Service duty.

On 2 October 1939 I was inducted into the air force, I served there until 31 March 1943. On 1 April 1943 I was transferred to the Waffen SS. I fulfilled there my patriotic duty until the 24th Dec. 1944, when I was wounded. From this day on I stayed in the hospital for half a year.

I had infantry basic training and later training as a truck driver. I was a front soldier for one and one half years and participated in the heaviest combats. In these combats I was wounded four times.

On 21 December 1943 shell splinter left cheek. 9 January 1944 shot through left thigh. 18 Dec. 1944 graping bomb splinter left back of the head, from which I suffer still today. 24 Dec. 1944 shot through left shoulder which demolished the shoulder blade.

(Theo Rauh)

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" My father is today 70 years old, my mother 59 years old. He was for 11 years burgomaster and was discharged in 1933 by the Third Reich, therefore, I had no political activity. I was not a member of the SA, SS or of the Party. I had in my whole life only hard farmer work to do. I had nothing to do with Courts because I did not do any harm to anybody. In the Sifel Offensive I did not fire a single shot. I am therefore not conscious of any guilt or crime."

DEFENSE COUNSEL: Heinz Rehagel.

(Whereupon the accused Heinz Rehagel read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I was born on 8 January 1921 as the only child of the laborer Gustav Rehagel at Bernburg/Saale. After attending elementary school, high school and commercial school and after an apprenticeship of two and one half years I became merchant's clerk.

On 1 May 1940 I was inducted into the Air Forces; in pursuance with a policy which was in force during 1943 and which aimed at reducing the home forces I together with about 4,000 of my comrades was transferred to the Waffen SS.

Two applications which I made for rejoining the Air Forces were disregarded and I was threatened with punishment for refusal to obey orders in case I should repeat my applications.

A law existed at that time in Germany according to which everybody had to do his duty on whatever place he had been ordered to work or fight. Consequently on 1 April 1943, I became an officer's candidate in the Waffen SS and in December 1944 received my commission as a 2nd Lt. I never attended the officer's candidate school of the Waffen SS and in Dec. 1944 received my commission after attending a military course of instruction for Tank Forces of the Army (Wehrmacht).

After the capitulation I went from Austria to Wurzburg where I visited my fiancée and a week later I visited my parents in the area of Magdeburg. Then I returned to Wurzburg. On 12 May 1945 I got married and one day later, on the 13 May 1945 I went to Oxenfurt to surrender as a PW to the American Forces.

If I ever would have felt that I had done something wrong or committed a crime, I never would have voluntarily surrendered to the Americans. I would never have decided to get married and to incur all responsibilities resulting therefrom. During my captivity my son Wolfgang was born.

I was a member of the Hitler Youth but I never belonged afterwards to any political organization or the Party."

(Rehagel)

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DEFENSE COUNSEL: Wolfgang Richter.

(Whereupon the accused Wolfgang Richter read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I, Wolfgang Richter, was born on 13 April 1926 at Weimar, as a son of the fine-mechanic and motorcar-specialist Erich Richter. When I was 3 years of age, that was in 1929, I moved together with my parents to Venezuela, South America, where we lived for eight years. I attended the Spanish elementary school at Caracas for four years. In fall 1937 I returned to Germany with my parents. I finished elementary school in 1941. On the 1 April 1941 I became an apprentice as a turner by the firm of Carl Zeiss in Jena. I finished my time of apprenticeship on 30 March 1944. I was a member of the Hitler Youth from 20 April 1940 to the 20 April 1944. On 15 Aug 1944 I was drafted into the Waffen-SS.

I joined the 4th Panzer Grenadier Training Co of the LSSAH at Hartmannsdorf-Spreenhagen near Berlin. In six weeks training, during which time I was trained very harshly I learned that every kind of orders which I would receive in combat by superiors had to be carried out, even if that would mean the death for me.

In October 1944 I was assigned to the combat unit, to the 11th Co, 3rd Bn, 2nd Pz Regt. LSSAH at Heidelberg. My first combat was with the 11th Co in the Eifel Offensive, from 16 December 1944 until 21 December 1944. At that time I was 18 years of age. On the 21 December 1944 I was injured at La Gaize and was taken prisoner by the Americans on the 24th Dec. 1944. From 8 March until 11 April 1946 I was a prisoner of war in the United States. I am the only son of my parents and this is the first time in my life that I appeared before a court."

DEFENSE COUNSEL: Max Rieder.

(Whereupon the accused Max Rieder read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I, Max Rieder was born on 20 August 1924 in Rott on the Inn. I am the only child of my parents. My parents are very old. My father is 80 years old and has been sick for a long time. He is unfit for work. From 1930 to 1938 I attended elementary school at Rott on the Inn. In 1938 I entered upon the forest-service as a forester's assistant. Simultaneously I attended school for forestry and passed three examinations there. In 1942 I was forced to enter military service; At first I was inducted into the regiment "Deutschland" which was stationed in Freimann near Munich. I received there an especially hard and good military basic training. Shortly before Christmas I took an oath upon the Fuehrer and the nation and the sanctity of orders. About the turn of the year I

(Rieder)

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"was transferred to the field unit, 1st SS Armored Division (Artillery Regiment). In this unit every order was demanded to be carried out even if execution of the order meant death for myself. All instructions I had received during my basic training about implicit execution of orders without inquiring were intensively completed in that unit I now belonged to. During the Russian campaign I was not given any instructions on the Geneva Convention. In the Sifel offensive I was a member of the punishment platoon of the 9th armored company 1st SS Armored Regiment. Previously I was a tank driver with an armored company; there I also attended several courses of instructions. I myself had the lead of some of those courses. Especially later with the punishment platoon I had to carry out every order as I did not wish to run the risk of being shot myself. In that offensive I was wounded at my left foot by shell fragment. I spent about 9 months in combat. I reported to the American troops on 12 May 1945.

The last news of my family was that my father was dangerously ill and there was no hope for his life. I received that telegram in 1945 when we had finished the Sifel offensive. I was on furlough never once during my whole enlistment period. I have never been punished either when a soldier or when a civilian."

DEFENSE COUNSEL: Rolf Ritzer.

(Whereupon the accused Rolf Ritzer read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I, Rolf Ritzer, was born on 5 March 1924 as the only child of Konrad and Kate Ritzer at Erlangen. My father is a Diplom-Engineer. From 1930 to 1 I attended the elementary school at Nurnberg and was sent to the high school at Nurnberg in 1935. In 1932 I joined the "Stahlhelm" (Steel Helmet Organization) an unpolitical organization. After I had belonged to it for over one year I was transferred to the Hitler Youth in 1933.

On March 1943 I was drafted into the Waffen-SS. In the late May I was transferred to the field unit. First I was assigned to the Panzer Regiment 2 LSSAH which later was renamed to Panzer Regiment 12 Hitler Youth and then to the Panzer Regiment 1 LSSAH, which I was a member of until the end of the war.

During the total war it was possible for each man - be he an officer or an EM - to shoot his own fellow-soldier or officer on the spot if he should commit sabotage of war. Any disobedience of orders at the fighting front would be punished as cowardice before the enemy and destruction of military resistance, i. e., with the death sentence. Same concerning desertion or surrender if it was not necessary.

According to the "German Military Penal and Charge Regulations" every order was to be carried out i.e everything ordered by a superior even if it should mean the death. Only 24 hours afterwards one might make any complaints and this of course, is mostly impossible at the fighting front."

DEFENSE COUNSEL: Willi Schaefer.

(Ritzer)

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(Whereupon the accused Willi Schaefer read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I Willi Schaefer am 25 years old and was recently married. From my marriage a child was born, who at the end of 1945 died in consequence of a cause unknown to me. My mother is suffering from the heart and since the end of 1945, partly paralyzed. I visited the elementary school for 8 years and then studied the profession of a lawyer's and notary's assistant. At the end of 1938 I reported myself for duty to the German Police, in 1939 I came to the Reichs Labor Service and in 1940 after a short pioneer training to the SS Honor Battalion. In 1942 the SS Police Division was transferred partly to the Waffen SS.

During the War I participated in 7 campaigns and got three times wounded. During the Eifel Offensive I was Company troop leader. In this capacity I was responsible for the supply of my men, for the transmission of orders and reports and had no individual jurisdiction. I do not feel myself conscious of having ordered anything which violates the Geneva convention. Having been a German front soldier I fought on every front in the belief to serve therewith my fatherland. In my whole life I never stood before a court as an accused and was never punished. I was never a member of the Allgemeine SS. Referring to all these facts and with consideration to my seriously ill mother and my wife who had to suffer so much, I beg the Court for a mild sentence."

DEFENSE COUNSEL: Hans Siptrott.

(Whereupon the accused Hans Siptrott read his statement in the German language.)

( Whereupon the English translation of the statement was read as follows:

" I, Hans Siptrott, was born on 27 May 1919 as the seventh child and fifth son of the glassblower Rudolf Siptrott. Two brothers died in combat, one sister died and about the two remaining brothers there are no news since 1944.

My brothers and sisters, and I, were brought up very severely. During 3 years of apprenticeship I learned the profession of a glass grinder. Need was a permanent guest of ours and the earning possibilities were very bad. In order not to burden my parents anymore I reported myself for military service. Thus I joined voluntarily the "Leibstandarte Adolf Hitler" (Adolf Hitler Bodyguard division.)

Besides my training as infantryman I was also trained in the use of tank-weapons. During a total number of 680 combat days on the fronts I was knocked out with my tank 11 times and thereby 3 times wounded.

(Siptrott)

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"I participated in the following campaigns: Poland 1939; Netherlands, Belgium, France 1940; as training troops in Rumania, Balkan campaign. Russia June 1941 until November 1941, Russia February 1943 until end of July. Recreation in Italy until the end of September. Russia October 1943 until March 1944, Normandy July 1944 until August 1944, Wifel offensive December 1944 until January 1945, Hungary February 1945 until capitulation.

UP to now I never committed any punishable act. I always took pain to fulfill my duties and to serve my Fatherland. I was a member neither of the Party nor of the Allgemeine SS. Without being conscious of any guilt I went into American captivity after the capitulation."

DEFENSE COUNSEL: Gustav Adolf Sprenger.

(Whereupon the accused Gustav Adolf Sprenger read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

" I, Gustav Adolf Sprenger, was born on the 19th of February 1926, at Radach, district West-Sternberg. I am the 6th child of a shepherd's assistant Eduard Sprenger and his wife Maria. My father died in 1929 and my mother had many difficulties to bring up and feed 6 children which were not yet able to earn their own living.

From the 1st of April 1940 to April 1943 I learned the trade of a baker. I attended public school at Drosen for 8 years. In 1936 I was forced to join Hitler's Youth because each German boy and girl older than 10 years had to join Hitler's Youth.

From the 1st of April 1940 up to April 1943 I learned the trade of a baker. The time when I was an apprentice was very hard for me because my master and later on my companions were drafted to the armed forces and I as a boy of 15 years remained in the bakery as the only employee and therefore I had to work day and night.

In March 1943 I was inducted for a military training for 3 weeks. It was a preparatory training for the armed forces and we were trained in the same way like real soldiers. That training was very hard and orders had to be carried out as we received them. We were taught that it would be the most important duty of a soldier to strictly obey orders. In case of disobeying an order we would be punished very severely.

I started my service in the Waffen SS on the 1st of May 1943. I was subjected to a hard basic training of 6 months, further I was trained as an engineer. I was continuously taught that every order was to be carried out without asking and that refusal to obey an order would be punished extremely severely, even with death (concerning orders given at the front.)

(Sprenger)

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"Being soldiers we had to have no own opinion about what our superiors told us and we had to consider everything correct. From the middle of November 1943 up to the time I was wounded I participated in the Russian Campaign with the "ISSAH". Fighting in Russia was very hard and ruthless. The nameless cruelties The German PW's who were taken by the Russians had to suffer, shocked me deeply. At that time I was only 17 years old.

On the 3rd of January 1944 I was wounded on my right hand and my right upper arm. Then I was in a hospital for one and a half months. From there I was transferred to a replacement unit, from which in July 1944 I was transferred to the combat troops again.

I was assigned to the 3rd armored engineer company and was trained as a tank driver there. In that position I participated in the Wiffel Offensive with the 3rd armored engineer company. In February 1945 we were employed in action against the Russians in Hungary.

During the commitment I fell ill and was brought to a hospital in Germany. After my release from the hospital I again participated in combats in Austria up to the end of the war. On the 11th of May I surrendered to the American armed forces. During the entire time I served in the army, I only once was very briefly instructed about the Geneva convention and the treatment of PW's. My mother has been ill for a long time. Two of my brothers who served in the army and the air forces are missing. I never was punished either as a civilian or as a soldier.

The last time my relatives lived in the now Polish Zone of Germany. Since November 1944 I have not received any news from home, nor do I know whether my folks are still alive."

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DEFENSE COUNSEL: Heinz Stickel.

(Whereupon the accused Heinz Stickel read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Heinz Stickel, was born in Markkrohitz, Saxonia on 27 November 1925. I am the son of the workman Paul Stickel and his wife. The education which I received by my parents was a very strict one. My parents had two more children. My brother was killed in Russia, my sister lives with my parents. In Markkrohitz I frequented grammar school for eight years. In 1940 I had to join the Hitler youth according to governmental laws. From 1940 till 1943 I learned masoncraftsmanship. In 1943 I was drafted to a three week military preparation course. Though I was only 17 and no regular soldier at that time, I received a very strict military education. There, as well as previously in the Hitler youth, we were taught always and again that every order of a superior had to be carried through at any rate and to the fullest extent without questioning. The same principles were drilled into me when I was in the labor service into which I had been inducted in 1943. In December 1943 I was inducted into the Waffen SS involuntarily. There, as pioneer, I received a hard and strict basic training. There it had been pointed out to us emphatically once more to obey and to carry through orders unconditionally. Refusal to carry through an order was out of the question and would have been severely punished even with death. This was especially for orders, given in combat territory or in action. I frequently had a chance to see how, upon refusal of an order, comrades were either punished or thus detailed that they were bound to be killed. Once in basic training I was briefly told about the attitude of a combat soldier and about the treatment of PW's. During the time of my service I spent about 85 days in combat. I was wounded three times and was taken prisoner by the Americans on 24 December 1944 at La Gleize.

My father is still suffering severely from an illness which he got in World War I and my mother has been sick for years. During all the time of my military service I never had a furlough. I have not received any mail from home since 29 November 1944 and do not know whether my folks are still alive. None of my folks was a member of the party. I was not convicted previously neither as a soldier nor as a civilian."

DEFENSE COUNSEL: Herbert Stock.

(Whereupon the accused Herbert Stock read his statement in the German language.)

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Tk #355-SR-Part 2-2

(Whereupon the English translation was read as

follows:

"I, Herbert Stock, was born on 21 January 1926 as a son of the workman Stock and his wife Theresia, maiden name, Bertsch. At the time of the Eifel Offensive, I was 18 years old. Since April 1932, I visited the elementary school at Degmare from where I was released after seven years. From 1939 until 1942 I learned the trade of a plumber. After having passed the assistant's examination, I kept on working in this branch until October 1943 when I was called to join the army. My father had worked from 1934 on until the end of the war in the NSU factories at Nekarsulm; he had not been a member of the Party. I have three sisters, 9, 11 and 18 years old. I volunteered for the Navy in February 1943 and was drafted to the SS AAA on October 11 1943. I became transferred to the HJ Division on 2 November 1943. In September 1944 I became transferred to the 11th Company, IIIrd Battalion, 2nd Regiment LSSAH. During that period of time from May 5 up to the Eifel Offensive on December 16, 1944, I was trained as an infantryman.

From the first day on I was emphatically instructed to carry out every order of a superior regardless what it might contain.

It was made clear to me, as well as to anyone of the other recruits that a refusal of orders will be followed by the death penalty. Also in combat, it was made clear to me that the superior who issues orders will have to bear responsibility and consequences. During the Eifel offensive from December 16, 1944 until December 1944 I was a member of the 2nd platoon, 11th Panzer Grenadier Company, 2nd Regiment. I was injured in Hungary. I received grenade splinters in the left and right forehead bone and in the lower left leg.

I was wounded again during an air raid upon Westprem and received an injury in my head.")

DEFENSE COUNSEL: Erwin Szyperski.

(Whereupon the accused Erwin Szyperski read his statement

in the German language.)

(Whereupon the English translation was read as follows:

"I, Erwin Szyperski, was born in Bantorf on 22 March 1925 as the first son of the couple Karl and Dorette Szyperski, nee Hussmann. I have seven sisters and brothers, who are all younger than I. It was not easy for my parents to feed all of us. During the years 1931-1939 I visited the elementary school in Bruennighausen. After leaving school I learned the trade of a moulder. Even as a young fellow I had to work very hard because the profession of a moulder is a very difficult one and I had to work in a great heat. But that way I could at least help in the feeding of our big family and take over a big part of my

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parents' troubles. In connection with a general summons, according to which all ten year old girls and boys were bound to join the Hitler youth, I joined this organization in 1936. I never had any leading rank or position in this formation.

In March 1942 I passed my journeyman examination. On 2 December 1942 I was inducted to labor service. After its completion on 1 March 1943 I was drafted to the Waffen SS, that is, to the SS Panzer Replacement Regiment. The training was very hard, but they wanted to make good soldiers out of us. I was ready to offer my young life to the service of my fatherland. In May 1943 I was transferred to a field unit, where my training was accomplished. In 1943 July, I then came to the Panzer Regiment of the Leibstandarte. From that time on I participated in all actions of the Division. We were always put into the hot spots of the front. These combats requested immense mental and physical strains. But the impulse to devote myself completely to my fatherland helped me to come through the most difficult situations. As the situation on the fronts was always intense, there was no possibility for me to go on furlough during my time of service. In the Eifel Offensive my tank was knocked out and blew up in fire. I suffered fire wounds 3rd degree.")

DEFENSE COUNSEL: Edmund Tomczak.

(Whereupon the accused Edmund Tomczak read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Edmund Tomczak, was born on 6 July 1922 in Duisburg -I amborn as son of the miner Anton Tomczak and his wife Maria nee Widellug. I visited for eight years an elementary school consisting of eight classes. This was from 1928 until 1936.

After finishing my school time until my induction on 1 September 1941 I worked as a cement worker. I was inducted to the air force and was committed with the FLAK (anti-aircraft artillery) in home defense territory. On 15 August 1944 I was transferred to the Waffen SS without my agreement. My training at the Air Force, as well as at the Waffen SS was a very severe one. In course of my training I was trained in such a way that orders of any kind must be completely executed. The refusal of an order during combat could be punished by death at once. On 24 December 1944 I became wounded through a shell splinter in my back and my shoulder was shot through.

On 8 May 1945 I surrendered voluntarily to the Americans. Nobody of my parents or closer relatives was a member of the Party or any other political organization.

I have a sister left who is sixteen years old. My brother died on the Russian front in 1944.")

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Tk #355-SR-Part 2-4

DEFENSE COUNSEL: Hans Trettin.

(Whereupon the accused Hans Trettin read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"The Court has declared me guilty for a crime which I was forced to commit as a soldier and which from my own accord never would have been committed.

I was born on 18 June 1926 as the second child of the farmer Fritz Trettin and his wife Else born Luebke at Bresow/Pommern. My parents and I are of Protestant Religion. From my 6th until my 10th year of life I attended the elementary school at Bresow. At the age of 10 I had to join the Hitler Youth as well as every other German boy and I was merely a simple member until my induction. From my 14th to my 16th year of life I worked on my father's farm. In the winter 1942/43 I attended the farmer's school in Kammin/Pommern. During this half year a roll call of the Hitler Youth took place in order to examine for induction to the SS. On 1st of May 1943 I received the induction order for the SS. In order to illustrate the obligation of absolute obedience, we were forced to attend the execution of 5 comrades of ours who were shot according to martial law by the Headquarters Company, because of refusal of orders. The necessity of absolute obedience and carrying out of orders, specially when given in combat, was pointed out to us. Furthermore, we were told that any refusal of orders would draw the death penalty. Subsequently, to this instruction each member of the whole company had to confirm by subscription that he had participated in this instruction. In Friesheim the Company Commander often pointed at the combat to come and he again particularly stressed the absolute obedience of everyone. During my whole life I was never punished, neither in civil nor in military life. At the time of the Eifel Offensive I was 18 years old."

DEFENSE COUNSEL: Johann Wasenberger.

(Whereupon the accused Johann Wasenberger read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Johann Wasenberger, was born on 4 July 1926 in Kronberg, Austria.

"My parents are the mason-assistant, Johann Wasenberger and his wife, Agnes.

"I had 8 years of grammar school in Kronberg and then started to learn how to become a carpenter. I am an only child. My parents possess only a small farm. My

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father was reported missing after the battle of Stalingrad, and my mother is without any support today. On 15 February I was involuntarily inducted into the Waffen SS. After having gone through three weeks of hard basic training as pioneer, I, almost untrained, became transferred to the field outfit of the LSSAH. There my training was continued. When I was hardly 18 years old, I participated in the battles on the Normandie-front line.

"In the Eifel Offensive, I belonged to the 3rd Panzer Pioneer Company, 1st Battalion, LSSAH.

"On 20 December 1944, I was wounded in Stoumont and taken prisoner by the Americans on 24 December 1944 in La Gleize.

"All through my military service time I was told always and again that a soldier has to carry through every order, even if it seems impossible to him or even if followed by severe consequences for oneself. A soldier's first duty is obedience, disobedience will be punished severely even with death. I have, therefore, never dared to refuse to carry through an order of a superior. I was not convicted previously neither as a soldier nor as a civilian."

DEFENSE COUNSEL: Guenther Martin Weis.

(Whereupon the accused Guenther Martin Weis read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Guenther Martin Weis, was born on April 1925, as the second son of the hoof-smith Alois Weis and his wife Martha Elsa Weis, born Thunstaedter, in Nezttschkau-Vogtland. I spent my years of childhood with my parents. In my 6th year of life I had to go to school, and until my 14th year of life I was a pupil of a Volksschule. 1937 I joined the German Jungvolk. I learned the profession of a mason, and worked for three years as an apprentice. In January 1943 I was inducted into the Reich Labor Service. There I had to undergo an examination, and then was drafted into the Waffen-SS. My service commenced on 1 March, with the Replacement and Training Battalion Hilversum. There we received a basic training and a special training for tank destroyers. The campaign in Russia forced us into an exceptionally hard and tough fighting. In June 1943 I was transferred to the combat Unit, 14th Company, 3rd Battalion, 2nd Panzer Grenadier Regiment, LSSAH. I took part in the summer offensive, and until my capture I remained always in the same company. On 30 January 1944, I was promoted a Sturmman (Pfc.). During the Eifel Offensive - at the time of the Eifel Offensive I was 19 years old - I was twice injured and I was captured on 24 December 1944, having been severely wounded. All my actions were

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not directed to the welfare of my own person, but towards highest ideals, performance of duty and felicity as I had sworn to my fatherland.

"My parents, as well as my brothers and sisters, were not members of the Party."

DEFENSE COUNSEL: Erich Werner.

(Whereupon the accused Erich Werner read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Erich Werner, was born on the 8th January 1925 in Memleben as the son of the miner Richard Werner and his wife Lina Werner. From my 6 to 14 years of age I visited the elementary school in Memleben and finished it in 1939. I was obliged to get to know the hardness of life very early. In consequence of a mine catastrophe my father became partly unfit for work and through an accident my mother lost the working-energy of one of her arms.

"I was a member of the Hitler Youth, but not of the party, and nobody of my family was a member of the Party either.

"On 20 August 1942 I came to the Waffen SS and received a training as truck-and-tankdriver.

"After a training time of 3 months, I then participated in the campaigns in Russia, Italy, Normandy-Eifel and Hungary. On 18 February 1945 I got wounded in Hungary, and received two shell splinters in the right side of my skull.

"I lost one brother on the Eastern front and my sister was killed through an air-raid.

"On 9th May 1945, I reported myself voluntarily to the American troops in Austria, and during the time from September 1945 until 1 April 1946 I worked voluntarily and without being guarded at the building of an American hospital."

DEFENSE COUNSEL: Paul Zwigart.

(Whereupon the accused Paul Zwigart read his statement in the German language.)

(Whereupon the English translation of the statement was read, as follows:

"I, Paul Zwigart, was born in Freiburg in Breisgau, on March 1922, as the son of the railway worker Karl Zwigart and his wife Theresia. After visiting the eight classes of the elementary school, I learned the trade of an electrician in order to support my sick parents. My father is a serious war invalid of the World War 1. To

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fulfill my duties as acting fighter for my fatherland after the outbreak of the war, at 17 years of age I became a soldier. After a short and hard infantry training I became truck driver, and therefore, I did not participate so frequently in trainings of combat troops and did not participate in the instructions referring to the Geneva Convention.

"I participated as SPW driver in all the heavy and extremely hard battles on all fronts of Europe. I got four direct hits and on the invasion front I was completely buried alive in debris. Because of my nervousness originating from these accidents, I should have been withdrawn from the combat troops, which, however, because of lack in drivers, was always postponed. I spent my young years during the war on the fronts and looked nearly daily into the eyes of death. We were put in action always at those places where the battle was raging the most.

"Shortly before the Eifel Offensive, my native town was attacked by American bombers and I could no longer find out anything about the fate of my parents, which causes me great mental depression.

"On 18 December 1944, there was a very heavy bombing attack against Cheneux, in which I was directly exposed and saved my life only through a lucky chance. Besides this, I was extremely tired, because I did not sleep four days and three nights, and was always repeatedly urged by my superiors. In this condition, and in presence of my superiors, and on instigation of my comrades standing around me, I interpreted it as an order, which was my highest military duty. At that time, in the heat of the battle, I lost my head, I did not have the power of rationalization, but soon thereafter I considered the wrong which I committed. Besides this deed, I never in my life committed any punishable acts, and I am standing before a court the first time now.

"I have nobody else on the world than my old and infirm parents who are waiting for me as for their only son and their supporter.

"I beg this high court to place themselves in my position and bring out a merciful sentence."

DEFENSE COUNSEL: Heinz Hendel.

(Whereupon the accused Heinz Hendel read his statement in the German language.)

(Whereupon the English translation of the statement was read, as follows:

"I was born in Merane, Saxony, on the 22nd August 1915. My father died in 1915 in the First World War. I visited for eight years the elementary school and learned the trade of a cloth dresser. I had a very hard youth. I married in 1939, and have two children. On 24 April

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1940 I was sentenced to two years concentration camp by the Higher SS and Police Court, Berlin, because I made food available to political prisoners. I was thrown out of the SS and the Party, and not readmitted until the end of the war. From June 1940 until July 1940 I was an internee in the Concentration Camp Dachau, and from July 1940 until the end of November 1940 in the Concentration Camp Sachsenhausen. From there I was transferred to the punishment company of the Engineer Battalion of the 3rd SS Armored Division. With this unit I fought in the East, and at the end of October 1941 I was seriously wounded. I participated in 71 assaults. Upon the completion of my punishment time and after my rehabilitation, I was transferred to the 1st SS Armored Division. During my commitment in the 2nd World War I was wounded 7 times, thereof 4 times on my head. During the two years of my punishment, my family did not receive any financial support. At the occupation of Berlin my family's property was confiscated and they were forced to leave house and home within ten minutes. They are now without any means. I appeal to this Court for justice and mercy.

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DEFENSE COUNSEL: Werner Kuehn.

(Whereupon the accused Werner Kuehn read his statement in the German language.)

(Whereupon the English translation of the statement was read as follows:

"I, Werner Kuehn, was born on 23 December 1910 in Saalfeld/Thuringia as a son of the installer Willi Kuehn and his wife. At home I was raised severely. I am a Protestant and I remained a member of this church up to date. I attended the public school for eight years and then worked as a commercial apprentice. I was not a member of the Hitler Youth and I am not married.

It certainly is the highest ideal of a young man to serve his fatherland and therefore I was inducted into the Waffen SS on Sept 5 1939 after having volunteered. I was assigned to the infantry replacement Bn "Germania". With the combat Reg. "Germania" I participated in the campaign in France in 1940 as a rifleman. At the beginning of the Russian campaign I was a driver in the Reg. "Germania". My rank then was that of SS-Sturmman (PFC).

On 19 Jan 1942 I was severely injured near the Mius River, namely: head injury at the right forehead bone, heavy concussion of the brain, injuries on my eyes and in my face. For 18 days I was nearly blind. In a special hospital for eye-diseases five fragments were removed out of my right eye. Since that time I never returned to Russia but only stayed with the replacement units and up to the Rifel Offensive I was not able to participate in any combat.

In May 1942 I offered a request to the SS Infantry replacement Bn for transfer to the Air Force but this was denied with the remark: everybody was to stay on his post where he had been sent to.

On 1 August 1943 I was ordered to a Reserve Officers' course for engineers by this unit. After having finished I was assigned to the pioneer training and replacement Bn 1 as an officers candidate and from there was transferred to the LAM, in Oct 1944. Up to the 22 Dec. 1944 I was a platoon leader of the 3rd platoon in the 9th panzer pioneer Co LAM. As a member of this unit I took part in the Rifel Offensive and thereby was 3 times injured, namely: ear and eardrum injury by bomb hit and artillery fragments, injuries at the left lower leg and both feet frozen to 3rd degree.

In February 45 I was twice buried by debris during bomb attacks in Vienna and thereby I again suffered from a light concussion of the brain. On 28 April 45 during the combats in Austria I was injured for the 5th time by shell fragments in the left lower arm.

At the capitulation in May 45 I voluntarily reported as a prisoner of war to the Americans and I neither destroyed my service record nor ever tried to escape during that time. None of the men then under my command is now an accused before this Court.

(Kuehn)

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"I myself never shot either a prisoner of war or a civilian nor did I ever give such an order to my men. I never would have taken such a responsibility.

Finally I should like to add that my only brother was killed in action with the army and his wife and 3 children were killed by bombs. Likewise I doubt that my parents are still alive, since I did not receive any sign of life after the heavy air raids.

I have a clear conscience and I am not conscious of any guilt by having ever committed any crime as a civilian or a soldier."

DEFENSE COUNSEL: May it please the Court, various accused have presented to you their personal pleas in mitigation for your consideration while deliberating on the sentences in their individual cases. Some have made no pleas due, in a few cases, to a complete reliance on the inadequate evidence as presented against them, while others have felt that you as officers of the United States Army will judge them fairly without any further plea.

At this time, however, the accused have requested that a common plea be entered on behalf of any whom might draw the death penalty. Let it be remembered that these 73 accused are soldiers. It is respectively requested that those few who may be adjudged the death penalty, that they be accorded a firing squad which we feel are the rights and privileges of a soldier, General Meyer, Commanding General of the Division Hitler Youth, was sentenced to death by shooting, in a similar case, by a Canadian Court. It is not believed that this simple soldier's request could be denied by you.

PRESIDENT: Is there anything further to be presented to the Court?

DEFENSE COUNSEL: Nothing further from the Defense.

PROSECUTION: The Prosecution has nothing further to offer.

PRESIDENT: The Court will be closed and notification will be given as to its re-opening. That will not be before next Monday morning. That is all.

(Whereupon the Court, at 1205 hours adjourned subject to recall by the President.)

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Camp Dachau, Germany

16 July 1946

Tk #356-SR-1

(Whereupon Court reconvened at 1330 hours.)

PRESIDENT: The Court will come to order.

PROSECUTION: If the Court please, let the record show that all the members of the Court, all the members of the Prosecution, with the exception of Captain Shumacker, Captain Byrne and Mr. Elowitz, who have been excused by verbal orders of the Commanding General, all the members of the Defense, with the exception of Lieutenant Colonel Dwinell, who has been excused by verbal orders of the Commanding General, and Lieutenant Colonel Sutton, who is sick in the hospital, all of the defendants and the reporter are present.

PRESIDENT: This is for the information of the accused. With respect to the request of the accused that sentences adjudging death by hanging be changed to provide to be shot to death by musketry, this matter has been referred to the Commanding General, U. S. Forces, European Theater.

The Court has been directed to make its sentences conform to current regulations, which prescribe death by hanging.

However, the Court has been authorized to make appropriate recommendation in the matter, and such recommendation will receive the personal attention of the Commanding General.

The Court will make such recommendation.

The spectators in the courtroom are cautioned against making any outburst or disturbance during the announcing of sentences.

Valentin Bersin.

(The accused Valentin Bersin stood before the Court.)

Valentin Bersin, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Friedel Bode.

(The accused Friedel Bode stood before the Court.)

Friedel Bode, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Willi Braun.

(The accused Willi Braun stood before the Court.)

Willi Braun, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Kurt Briesemeister.

(The accused Kurt Briesemeister stood before the Court.)

Kurt Briesemeister, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Willi Von Chamier.

(The accused Willi Von Chamier stood before the Court.)

Willi Von Chamier, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Friedrich Christ.

(The accused Friedrich Christ stood before the Court.)

Friedrich Christ, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Roman Clotten.

(The accused Roman Clotten stood before the Court.)

Roman Clotten, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of ten years, commencing forthwith, at such place as may be designated by competent military authority.

Manfred Coblentz.

(The accused Manfred Coblentz stood before the Court.)

Manfred Coblentz, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Josef Diefenthal.

(The accused Josef Diefenthal stood before the Court.)

Josef Diefenthal, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Josef (Sepp) Dietrich.

(The accused Josef (Sepp) Dietrich stood before the Court.)

Josef (Sepp) Dietrich, the Court in closed session,

at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Fritz Eckmann.

(The accused Fritz Eckmann stood before the Court.)

Fritz Eckmann, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Arndt Fischer.

(The accused Arndt Fischer stood before the Court.)

Arndt Fischer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of fifteen years, commencing forthwith, at such place as may be designated by competent military authority.

George Fleps.

(The accused George Fleps stood before the Court.)

George Fleps, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Heinz Friedrichs.

(The accused Heinz Friedrichs stood before the Court.)

Heinz Friedrichs, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Fritz Gebauer.

(The accused Fritz Gebauer stood before the Court.)

Fritz Gebauer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Heinz Gerhard Goedicke.

(The accused Heinz Gerhard Goedicke stood before the Court.)

Heinz Gerhard Goedicke, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Ernst Goldschmidt.

(The accused Ernst Goldschmidt stood before the Court.)

Ernst Goldschmidt, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hans Gruhle.

(The accused Hans Gruhle stood before the Court.)

Hans Gruhle, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of twenty years, commencing forthwith, at such place as may be designated by competent military authority.

Max Hammerer.

(The accused Max Hammerer stood before the Court.)

Max Hammerer, the Court in closed session, at least two-thirds of the members present at the time the vote

was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Armin Hecht.

(The accused Armin Hecht stood before the Court.)

Armin Hecht, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Heinz Hendel.

(The accused Heinz Hendel stood before the Court.)

Heinz Hendel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hans Hennecke.

(The accused Hans Hennecke stood before the Court.)

Hans Hennecke, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hans Hillig.

(The accused Hans Hillig stood before the Court.)

Hans Hillig, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of ten years, commencing forthwith at such place as may be designated by competent military authority.

Heinz Hofmann.

(The accused Heinz Hofmann stood before the Court.)

Heinz Hofmann, the Court in closed session, at

least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Joachim Hofmann.

(The accused Joachim Hofmann stood before the Court.)

Joachim Hofmann, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hubert Huber.

(The accused Hubert Huber stood before the Court.)

Hubert Huber, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Siegfried Jaekel.

(The accused Siegfried Jaekel stood before the Court.)

Siegfried Jaekel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Benoni Junker.

(The accused Benoni Junker stood before the Court.)

Benoni Junker, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Friedel Kies.

(The accused Friedel Kies stood before the Court.)

Friedel Kies, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Gustav Knittel.

(The accused Gustav Knittel stood before the Court.)

Gustav Knittel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be directed by competent military authority.

Georg Kotzur.

(The accused Georg Kotzur stood before the Court.)

Georg Kotzur, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be directed by competent military authority.

Fritz Kraemer.

(The accused Fritz Kraemer stood before the Court.)

Fritz Kraemer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of ten years, commencing forthwith at such place as may be designated by competent military authority.

Werner Kühn.

(The accused Werner Kühn stood before the Court.)

Werner Kühn, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Oskar Klingelhoefcr.

(The accused Oskar Klingelhoefcr stood before the Court.)

Oskar Klingelhoefcr, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Erich Maute.

(The accused Erich Maute stood before the Court.)

Erich Maute, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Arnold Mikolaschek.

(The accused Arnold Mikolaschek stood before the Court.)

Arnold Mikolaschek, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Anton Motzheim.

(The accused Anton Motzheim stood before the Court.)

Anton Motzheim, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Erich Münkemer.

(The accused Erich Münkemer stood before the Court.)

Erich Münkemer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Gustav Neve.

(The accused Gustav Neve stood before the Court.)

Gustav Neve, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Paul Hermann Ochmann.

(The accused Paul Hermann Ochmann stood before the Court.)

Paul Hermann Ochmann, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Joachim Peiper.

(The accused Joachim Peiper stood before the Court.)

Joachim Peiper, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hans Pletz.

(The accused Hans Pletz stood before the Court.)

Hans Pletz, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by

competent military authority.

Georg Preuss.

(The accused Georg Preuss stood before the Court.)

Georg Preuss, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as Higher authority may direct.

Hermann Friess.

(The accused Hermann Friess stood before the Court.)

Hermann Friess, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to twenty years, commencing forthwith, at such place as may be designated by competent military authority.

Fritz Rau.

(The accused Fritz Rau stood before the Court.)

Fritz Rau, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Theo Rauh.

(The accused Theo Rauh stood before the Court.)

Theo Rauh, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Heinz Rehagel.

(The accused Heinz Rehagel stood before the Court.)

Heinz Rehagel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Rolf Roland Reiser.

(The accused Rolf Roland Reiser stood before the Court.)

Rolf Roland Reiser, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of ten years, commencing forthwith at such place as may be designated by competent military authority.

Wolfgang Richter.

(The accused Wolfgang Richter stood before the Court.)

Wolfgang Richter, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Max Rieder.

(The accused Max Rieder stood before the Court.)

Max Rieder, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Rolf Ritzer.

(The accused Rolf Ritzer stood before the Court.)

Rolf Ritzer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Axel Rodenburg.

(The accused Axel Rodenburg stood before the Court.)

Axel Rodenburg, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Erich Rumpf.

(The accused Erich Rumpf stood before the Court.)

Erich Rumpf, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Willi Schaefer.

(The accused Willi Schaefer stood before the Court.)

Willi Schaefer, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Rudolf Schwambach.

(The accused Rudolf Schwambach stood before the Court.)

Rudolf Schwambach, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Kurt Sichel.

(The accused Kurt Sichel stood before the Court.)

Kurt Sichel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Oswald Siegmund.

(The accused Oswald Siegmund stood before the Court.)

Oswald Siegmund, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Franz Sievers.

(The accused Franz Sievers stood before the Court.)

Franz Sievers, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hens Siptrott.

(The accused Hens Siptrott stood before the Court.)

Hens Siptrott, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Gustav Adolf Sprenger.

(The accused Gustav Adolf Sprenger stood before the Court.)

Gustav Adolf Sprenger, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Werner Sternebeck.

(The accused Werner Sternebeck stood before the Court.)

Werner Sternebeck, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

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Heinz Stickel.

(The accused Heinz Stickel stood before the Court.)

Heinz Stickel, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Herbert Stock.

(The accused Herbert Stock stood before the Court.)

Herbert Stock, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Erwin Szyperski.

(The accused Erwin Szyperski stood before the Court.)

Erwin Szyperski, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Edmund Tomczak.

(The accused Edmund Tomczak stood before the Court.)

Edmund Tomczak, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Heinz Tomhardt.

(The accused Heinz Tomhardt stood before the Court.)

Heinz Tomhardt, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

August Tonk.

(The accused August Tonk stood before the Court.)

August Tonk, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

Hans Trettin.

(The accused Hans Trettin stood before the Court.)

Hans Trettin, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Johann Wasenberger.

(The accused Johann Wasenberger stood before the Court.)

Johann Wasenberger, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Gunther Weiss.

(The accused Gunther Weiss stood before the Court.)

Gunther Weiss, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at

such time and place as higher authority may direct.

Erich Werner.

(The accused Erich Werner stood before the Court.)

Erich Werner, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to life imprisonment, commencing forthwith at such place as may be designated by competent military authority.

Otto Wichmann.

(The accused Otto Wichmann stood before the Court.)

Otto Wichmann, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to be imprisoned for a term of ten years, commencing forthwith at such place as may be designated by competent military authority.

Paul Zwigart.

(The accused Paul Zwigart stood before the Court.)

Paul Zwigart, the Court in closed session, at least two-thirds of the members present at the time the vote was taken concurring, sentences you to death by hanging at such time and place as higher authority may direct.

PRESIDENT: Is there anything further to be presented to the Court?

PROSECUTION: Prosecution has nothing further to offer.

PRESIDENT: The Court adjourns without date.

(Whereupon at 1420 hours the Court adjourned without date.)

This is to certify that the foregoing is a true and correct copy of the transcript of the testimony taken by the officially appointed Court Reporters in the MALMEDY CASE.

*James E. Barton*

JAMES E. BARTON

Chief Reporter for:

Pauline Bemis, Evelyn Cohen,  
Irving J. Hayett, Sylvia Holtzman  
Violet McCullouch, Mabel D. Holt,  
Sylvia Prager, Sally Rose, Roy  
Welch, Dorothy Cornett, Ann Burns,  
Helen Church, Rueben Duskis, and  
Effie Georgatis

## CERTIFICATE OF AUTHENTICATION OF RECORD

The undersigned hereby certify the foregoing is a true and accurate record of the proceedings of a General Military Government Court sitting at Dachau, Germany, beginning 16 May 1946, to 16 July 1946, inclusive, in the case of The United States versus VALENTIN BERSIN, FRIEDEL BODE, WILLI BRAUN, KURT BRIESEMEISTER, WILLI von CHAMIER, FRIEDRICH CHRIST, ROMAN CLOTTE, MANFRED COBLENZ, JOSEF DIEFENTHAL, JOSEF (Sepp) DIETRICH, FRITZ ECKMANN, ARNDT FISCHER, GEORG FLEPS, HEINZ FRIEDRICH, FRITZ GERAUER, HEINZ GERHARD GODICKE, ERNST GOLDSCHMIDT, HANS GRUHLE, MAX HAMMERER, ARMIN HECHT, WILLI HEINZ HENDL, HANS HENNECKE, HANS HILLIG, HEINZ HOFMANN, JOACHIM HOFMAN, HUBERT HUBER, SIEGFRIED JAKEL, BENONI JUNKER, FRIEDEL KIES, GUSTAV KNITTEL, GEORG KOTZUR, FRITZ KRAEMER, WERNER KUHN, OSKAR KLINGELHOEFER, ERICH MAUTE, ARNOLD MIKOLASCHEK, ANTON MOTZHEIM, ERICH MUNKEMER, GUSTAV NEVE, PAUL HERMANN OCHMANN, JOACHIM PEIFER, HANS PLETZ, GEORG PREUSS, HERMANN PRIESS, FRITZ RAU, THEO RAUH, HEINZ REHAGEL, ROLF ROLAND REISER, WOLFGANG RICHTER, MAX RIEDER, ROLF RITZER, AXEL RODENBURG, ERICH RUMPF, WILLI SCHAEFER, RUDOLF SCHWAMBACH, KURT SICKEL, OSWALD SIEGMUND, FRANZ SIEVERS, HANS SIPTRETT, GUSTAV ADOLF SPRENGER, WERNER STERNBECK, HEINZ STICKEL, HERBERT STOCK, ERWIN SZYBERSKI, EDMUND TOMCZAK, HEINZ TOMHARDT, AUGUST TONK, HANS TRETTIN, JOHANN WASENERGER, GUNTHER WEISS, ERICH WERNER, OTTO WICHMANN, PAUL ZWIGART, that the oaths administered by the Court complied with the proper forms as set forth in the Technical Manual for Legal and Prison Officers, Military Government, Germany, and that all of the foregoing proceedings were translated into the German language by the interpreter, because the accused did not understand the English language.

*Josiah T. Dalbey*

JOSIAH T. DALBEY  
Brigadier General, Army of The United States  
President

*Burton F. Ellis*

LT COL BURTON F ELLIS  
Trial Judge Advocate

*Willis M. Everett Jr.*

COL WILLIS M EVERETT JR.  
Defense Counsel

000757

GENERAL MILITARY GOVERNMENT COURT

COMMITMENT

TO : The Officer in Charge of LANDSBERG Prison,

or any other prison or camp to which the prisoners may hereafter be lawfully transferred:

Whereas:

11	Valentin BERSIN	23	Paul Hermann OCHMANN
2	Friedel BODE	24	Joachim PEIPER
3	Kurt BRINSEMEISTER	25	Georg PRUSS
4	Friedrich CHRIST	26	Theo RAUH
5	Josef DIERFENTHAL	27	Heins REHAGEL
6	Fritz SOHMANN	28	Max RIEDER
7	Georg FLEPS	29	Axel RODENBURG
8	Ernst GOLDSCHNIDT	30	Erich RUMPF
9	Max HANDBERER	31	Willi SCHAEFER
10	Willi Heins HENDL	32	Rudolf SCHWABACH
11	Hans HENNIGKE	33	Kurt SICKEL
12	Joachim HOFMANN	34	Oswald SIMONUND
13	Hubert HUBER	35	Franz SINVERS
14	Siegfried JANKEL	36	Hans SIEPTROTT
15	Benoni JUNKER	37	Gustav Adolf SPRENGEN
16	Friedel KIRS	38	Werner STREBECK
17	Werner KUERN	39	Heins TOMHARDT
18	Oskar LINGELHOFFER	40	August TOME
19	Erich MAUTZ	41	Paul ZWIGART
20	Anton NOTZHEIM	42	Heins STICKEL
21	Erich NURKEMER	43	GUNTHER WEISS,
22	Gustav REVE		

have been convicted of the offense of Violations of the Laws and Usages of War and have been sentenced by the General Military Court to death by hanging,

the said sentence to be confirmed at some later date.

Now, therefore, you are hereby authorized to receive the abovenamed prisoners into your custody and detain them in accordance with the sentence so imposed or until further order of this Court or a competent military authority and for so doing this shall be sufficient warrant.

Signed this 17th day of July, 1946

JOSIAH E. DALBY  
Brigade General, United States Army  
Presiding Officer  
Dachau, Germany

*J. P. ...*  
*Col JAGD*

000756

GENERAL MILITARY GOVERNMENT COURT

COMMITMENT

TO : The Officer in Charge of LANDSBERG Prison,

or any other prison or camp to which the prisoners may hereafter be lawfully transferred:

Whereas:

Valentin BERSIN  
Friedel BODE  
Kurt BRUNSMISTER  
Friedrich CHRIST  
Josef DIERENTHAL  
Fritz ECKMANN  
Georg FLEPS  
Ernst GOLDSCHMIDT  
Max HAMMERER  
Willi Heins HENDL  
Hans HENNECKE  
Jochim HOFMANN  
Hubert HUBER  
Siegfried JANKEL  
Benoni JUNKER  
Friedel KISS  
Werner KUERN  
Oskar LINGELHOEFER  
Erich MAUER  
Anton MOTTSCHEIM  
Erich MUECKER  
Gustav REVE

Paul Hermann OCHMANN  
Jochim PEIPER  
Georg PREUSS  
Theo RAUH  
Heins REHAGEL  
Max RIEDER  
Arel RODENBURG  
Erich RUMPF  
Willi SCHAEFER  
Rudolf SCHWABACH  
Kurt SICKEL  
Oswald SIMMUND  
Franz SIEVERS  
Hans SIPPERT  
Gustav Adolf SPRENGER  
Werner STERNBECK  
Heins TOMHARDT  
August TOBK  
Paul ZWIGART  
Heins STICHEL  
GUNTHER WEISS,

have been convicted of the offense of Violations of the Laws and Usages of War and have been sentenced by the General Military Court to death by hanging,

the said sentence to be confirmed at some later date.

Now, therefore, you are hereby authorized to receive the abovesnamed prisoners into your custody and detain them in accordance with the sentence so imposed or until further order of this Court or a competent military authority and for so doing this shall be sufficient warrant.

Signed this 17th day of July, 1946

JOSIAH T. DALBY  
Brigade General, United States Army  
Presiding Officer  
Dachau, Germany

*J. T. Dalby*  
*Col JTAGD*

000756

GENERAL MILITARY GOVERNMENT COURT

COMMITMENT

TO : The Officer in Charge of LANDSBERG Prison.

or any other prison or camp to which the prisoners may hereafter be lawfully transferred:

Whereas:

Valentin BERSIN  
Friedel BODE  
Kurt BRISSEMEISTER  
Friedrich CHRIST  
Josef DIERFENHALL  
Fritz ECKMANN  
Georg FLIPS  
Ernst GOLDSCHMIDT  
Max HAMMER  
Willi Heins HENDEL  
Hans HENNECKE  
Jochim HOPMANN  
Hubert HUBER  
Siegfried JAEKEL  
Benoni JUNKER  
Friedel KISS  
Werner KUHN  
Oskar LINGELHOEFER  
Erich MAUTE  
Anton MOTTENHEIM  
Erich MURKEMER  
Gustav NEVE

Paul Hermann OCHMANN  
Jochim PEIPER  
Georg PREUSS  
Theo RAUH  
Heins REMAGEL  
Max RIEDER  
Axel RODENBURG  
Erich RUFF  
Willi SCHAEFER  
Rudolf SCHWABACH  
Kurt SICKEL  
Oswald SIEGMUND  
Frens SIEVERS  
Hans SIPROTT  
Gustav Adolf SPRENGER  
Werner STIRKEBECK  
Heins TOMHARDT  
August TONE  
Paul ZWIGART  
Heins STICKEL  
GUNTHER WEISS,

have been convicted of the offense of Violations of the Laws and Usages of War and have been sentenced by the General Military Court to death by hanging,

the said sentence to be confirmed at some later date.

Now, therefore, you are hereby authorized to receive the abovesamed prisoners into your custody and detain them in accordance with the sentence so imposed or until further order of this Court or a competent military authority and for so doing this shall be sufficient warrant.

Signed this 17th day of July, 1946

JOSIAH E. DALBY  
Brigade General, United States Army  
Presiding Officer  
Dachau, Germany

*J. E. Dalby*  
Col. J. E. DALBY

000760

GENERAL MILITARY GOVERNMENT COURT  
COMMITMENT

TO : The Officer in Charge of LANDESBURG Prison,

or any other prison or camp to which the prisoners may hereafter be lawfully transferred:

Whereas:

Valentin BERGIN  
Friedel BODE  
Kurt BRILSENREISTER  
Friedrich CHRIST  
Josef DIERFENTHAL  
Frits ECKMANN  
Georg FLEPS  
Ernst GOLDSCHMIDT  
Max HAMMERER  
Willi Heins HENDEL  
Hans HENNECKE  
Joachim HOFMANN  
Hubert HUBER  
Siegfried JANKEL  
Benoni JUNKER  
Friedel KIES  
Verner KUERN  
Oskar LIEBELHOEFER  
Erich MAUTE  
Anton MOERHEIM  
Erich MUNKEMER  
Gustav NEVE

Paul Hermann OGBMANN  
Joachim PEIPER  
Georg FREUSS  
Theo RAUH  
Heins REHAGEL  
Max RIEDER  
Axel RODENBURG  
Erich RUMPF  
Willi SCHAEFER  
Rudolf SCHWABACH  
Kurt SICKEL  
Oswald SINGMUND  
Franz SILVERS  
Hans SIPPROFF  
Gustav Adolf SPRENGER  
Verner STERNBECK  
Heins TOMHARDE  
August TOBE  
Paul ZWIGART  
Heins ZWICKEL  
GUNTHER WEISS,

have been convicted of the offense of Violations of the Laws and Usages of War and have been sentenced by the General Military Court to death by hanging,

the said sentence to be confirmed at some later date.

Now, therefore, you are hereby authorized to receive the abovesamed prisoners into your custody and detain them in accordance with the sentence so imposed or until further order of this Court or a competent military authority and for so doing this shall be sufficient warrant.

Signed this 17th day of July, 1946

JOSIAH E. DALBEY  
Brigade General, United States Army  
Presiding Officer  
Dachau, Germany

000761

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbehl

LANDSBERG

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

To: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig uber-  
wiesen werden wird:

Whereas one **Valentin BERSIN**  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**MALMEDY MASSACRE**

and has been sentenced by the ~~XX~~  
General ~~XXXXXXXXXX~~  
schuldig erkannt und vom ~~XX~~  
Obersten

of **DEATH BY HANGING**  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 1946 .....  
(Date)  
Der Straftritt hat am ..... (Datum) zu erfolgen.

Therefore, you are hereby authorized to receive the above named  
if Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhaengte Strafe verbuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehorde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this **16TH DAY OF JULY** ..... 1946 .....  
Gezeichnet am

*Josiah T. Dalbey*  
.....  
(Presiding Officer - Vorsitzender)  
~~XXXXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XX~~  
\*General  
~~XXXXXXXXXX~~  
~~XX~~  
Colonel  
Dachau Detachment, 7708 War Crimes  
(Address of Court) Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.

000762

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

LANDSBERG

TO: The Officer in charge of  
An den Leiter der (s)

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig uber-  
wiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... FRIEDEL BODE .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

MALMEDY MASSACRE

and has been sentenced by the  
General

schuldig erkannt und vom  
Obersten

DEATH BY HANGING

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 1941 .....  
Der Strafantritt hat am ..... (Date)  
..... (Datum) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe absbuesset hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaendigen Militaerbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16TH DAY of July ..... 1941 .....  
Geschiehet am

*Joseph T. Dalbey*  
.....  
(Presiding Officer - Vorsitzender)  
Brig. Gen. Joseph T. Dalbey  
General  
Oberster

Dechau Detachment, 7708 War Crimes  
(Address of Court) Group

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zuzustreichen.

000765

Legal Form No. 5

UNITED STATES GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einführungsbefehl

\*Prison  
\*Camp  
\*Strafanstalt  
\*Lagers

TO: The Officer in charge of .....  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer andern Strafanstalt oder ~~XXXX~~  
andern Lagers, in welches der Strafgefangene spaeterhin rechtmassig ueber-  
wiesen werden wird: ~~XXXXXX~~

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

WILLI BRAUN

MALMEDY MASSACRE

and has been sentenced by the  
\*Summary  
\*Intermediate Military Court to serve a  
\*General sentence

schuldig erkannt und von  
\*Summary  
\*Intermediate Military Tribunal  
\*General ~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~

of .....  
zu .....  
~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

and to LIFE IMPRISONMENT .....  
und zu einer feldsurale von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
(Date)  
Der Straftritt hat am ..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
prisoner into your custody and detain him in accordance with the sentence  
so impose or until further order of this Court  
Sua iussu gehen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe abgebusst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaeudigen Militaerboehorde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this ..... 194.....  
\*Bezeichnet am

16TH DAY OF JULY  
(Presiding Officer - Vorsitzender)

\*Summary  
\*Intermediate Military Court of  
\*General  
\*Attaches  
Joseph T. Dalbey

XXXXXX, Anlagert, Joseph T. Dalbey  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXX (address of Court)  
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zutreffendes  
Dachau Detachment, 7708 War Crimes Group

000764

Legal Form No. 5

UNITED STATES GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einfuhrungsbefehl

TO: The Officer in charge of ..... \*Prison  
An den Leiter der (s) LANDSBERG \*Camp  
\*Strafanstalt  
XXXXXX

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder ~~XXXXXX~~  
anderen Lagern, in welches der Strafgefangene spaeterhin rechtmassig uber-  
wiesen werden wird:

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the .....  
ist wegen der folgenden Straftat .....  
KURT BRIESEMEISTER

.....  
MALMEDY MASSACRE  
.....

and has been sentenced by the \*Intermediate Military Court to serve a  
\*Summary sentence  
XXXXXX  
schuldig erkannt und vom \*Militaergerichte XXXXXXXX  
XXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXX

of .....  
zu \*DEATH BY HANGING.....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe erbuesset hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaendigen Militaerbehoerde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this ..... 194.....  
Geschiehet 16TH DAY OF JULY 6

*Josiah T. Dalbey*  
.....  
(Type name of Officer - Vorsitzender)  
\*Summary  
\*Intermediate Military Court of  
XXXXXX Brig. Gen. Josiah T. Dalbey  
XXXXXXXXXXXXXXXXXXXXXXXX  
\*Militaergericht  
XXXXXX  
XXXXXXXXXXXXXXXXXXXXXXXX  
(Address of Court)  
Dachau Detachment, 2808 War Crimes  
Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch austreichen.

00076E

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbefehl  
LANDSBERG

Prison  
~~XXXX~~  
Strafanstalt  
~~XXXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred: oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... **WILLI VON CHAMIER** .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung  
**MALMEDY MASSACRE**

and has been sentenced by the ~~XXXXXX~~ .....  
General sentence  
schuldig erkannt und vom ~~XXXXXX~~  
Obersten

of **LIFE IMPRISONMENT** .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafausbeast hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warren t  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16TH day of JULY** ..... 194. **6** .....  
Gezeichnet am

*Josiah T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~  
General  
~~XXXXXX~~  
Oberst  
Dachau Detachment, 7708 War Crimes  
(Address of Court) Group

\*Strike out words not applicable.  
\*Sichtaufreffendes ist durch zuzustreichen.

000766

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbefehl

LANDSBERG

\*Prison  
~~XXXXX~~  
\*Strafanstalt  
~~XXXXXX~~

To: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig ueberwiesen werden wird:

Whereas one  
Der (die) Verurteilte **FRIEDRICH CHRIST**  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**MALMEDY MASSACRE**

and has been sentenced by the ~~XXXXXX~~

schuldig erkannt und vom ~~XXXXXX~~  
General ~~XXXXXX~~  
Obersten ~~XXXXXX~~

**DEATH BY HANGING**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Straftritt hat am ..... (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die ueber ihn verhaengte Strafe ausbuesst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustandigen Militaerbehoerde erhalten werden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

Signed this **16th day of JULY** ..... 194 **6**  
Gezeichnet am

*Josiah T. Dalbey*  
President Officer - (Vorsteher)  
Brig. Gen. Josiah T. Dalbey  
General  
Détachement, 7708 War Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch ausstreichen.





000766

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Legal Form No. 5

Commitment  
Einlieferungsbefehl

LANDSBERG

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be la-  
fully transferred: oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig ueber-  
wiesen werden wird:

Whereas one  
Der (s) Verurteilte ..... JOSEF DIEPENTHAL

has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

MALMEDY MASSACRE

and has been sentenced by the

~~XXXXXX~~  
\*General  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Obersten

schuldig erkannt und vom

of DEATH BY HANGING

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am ..... (Date) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe abgebuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaendigen Militaerbehoerde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this 16TH DAY OF JULY ..... 194.6.....  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
(Prevailing Officer - Vorsitzender)  
\*Brig. Gen. Joseph T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberst

Dachau Detachment, 7708 War Crimes  
(Address of Court) Group

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zustreichen.

000770

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Confinement  
Einfriedungsbeehl

To: The Officer in charge of **LANDSBERG** ..... \*Prison  
An der Leiter der (s) ..... \*Strafanstalt  
..... \*XXXX

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene weiterhin rechtmässig über-  
wiesen worden wird:

Whereas one **JOSEF (SEPP) DIETRICH**  
Der (die) Verurteilte **JOSEF (SEPP) DIETRICH** .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**MALMEDY MASSACRE** .....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
General ~~XXXXXX~~  
schuldig erkannt und von ~~XXXXXX~~  
Oberon

of **LIFE IMPRISONMENT** .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am (Date) .....  
(Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe abzubüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16TH DAY OF JULY** 194. **6**  
Gezeichnet am

*Josiah T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~  
\*General  
~~XXXXXX~~  
\*Oberon

**Dachau Detachment, 7708 War Crimes**  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch zutreiben.

000771

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

To The Officer in charge of  
An den Leiter der (s)

LANDSBERG

#Prison  
~~XXXXX~~  
#Strafanstalt  
~~XXXXX~~

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaeterhin rechtmassig ueberwiesen worden wird:

Whereas one  
Der (die) Verurteilte ..... FRITZ ECKMANN .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

MALMEDY MASSACRE

and has been sentenced by the

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
#General  
~~XXXXXXXX~~

schuldig erkannt und vom

#~~XXXXXXXXXXXXXXXXXXXX~~ Oberen

of ..... DEATH BY HANGING .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden,

The said sentence to commence on ..... 1946 .....

Der Strafantritt hat am ..... (Date) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die ueber ihn verhaengte Strafe abwesst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustaeudigen Militaerbehörde erhalten werden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

Signed this 16th day of JULY ..... 1946 .....  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
(Practising Officer - Vorsitzender)  
#General  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
#General  
~~XXXXXXXX~~

.....  
Detachment, 7708 War Crimes Group  
(Address of Court) .....  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
#Nichtanwendendes ist durch zuzustreichen.

000775

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einfuhrungsbefehl

LANDSBERG

\*Prison  
~~\*Camp~~  
\*Strafanstalt  
~~\*XXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene weiterhin rechtmassig ubewiesen worden wird:

Whereas one  
Der (die) Verurteilte **ARNDT FISCHER**  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung  
**MALMEDY MASSACRE**

and has been sentenced by the

~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
General  
~~XXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Oberer

schuldig erkannt und von

of **FIFTEEN YEARS IMPRISONMENT**  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on **16TH day of JULY** 194**6**

Der Straftritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe abzusuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehörde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this **16TH DAY OF JULY** 194**6**  
Gezeichnet am

*Joseph T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Brig. Gen. Joseph T. Dalbey  
General  
~~XXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

has been  
Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nicht zutreffendes ist durch zutreiben.



000774

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einführungsbefehl

LANDSBERG

\*Prison  
~~XXXXX~~  
\*Strafanstalt  
~~XXXXXX~~

To: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... HEINZ FRIEDRICHS .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung  
MALMEDY MASSACRE  
.....

and has been sentenced by the  
and is  
schuldig erkannt und von  
LIFE IMPRISONMENT  
zu  
and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am ..... (Date) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe abschuesst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this ..... 16TH DAY OF JULY ..... 194.....  
Gezeichnet am

Joseph T. Dalbey  
(Presiding Officer - Vorsitzender)  
Brig. Gen. Joseph T. Dalbey  
\*General  
\*Colonel  
\*Major  
\*Captain  
Dachau Detachment, 7708 War Crimes  
(Address of Court) Group.

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zureichen.

000775

Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einführungsbefehl

Landsberg

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

TO: The Officer in charge of  
An der Leiter der (s)

or an other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
andere Lagere, in welches der Strafgefangene spaeterhin zweckmassig uber-  
wiesen werden wird:

Whereas one **Fritz Gebauer**

Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung  
**Malmedy Massacre.**

and has been sentenced by the ~~XXXXXX~~  
General ~~XXXXXX~~

schuldig erkannt und vom ~~XXXXXX~~  
oberen

of **Life Imprisonment.** .....  
zu .....

and to pay a fine of .....  
und zu einer geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Straftritt hat am ..... (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe abzubueht hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so long this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehoerde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** 194**6** .....  
Gezeichnet am

**Josiah T. Dalbey** .....  
(Presiding Officer - Vorsitzender)  
Brig. Gen. Josiah T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

**Dachau Detachment, 7708 War Crimes**  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nicht zutreffendes ist durch zutreiben.

000776

Legal Form No. 5

MILITARY GOVERNMENT COURT  
ULTIMATIVRICHT

Commitment  
Einlieferungsbefehl

Landsberg

#Prison  
#Camp  
#Strafanstalt  
#XXXXXX

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaterhin zweckmaessig ueberwiesen worden wird:

Whereas one **Heinz Gerhard Goedicke**

Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.**

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
#General

schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXX~~  
#Oberon

of **Life Imprisonment.**  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Date) (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die fuer ihn verhaengte Strafe abgeduldet hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustaeudigen Militaerbehoeerde erhalten werden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194. **6**  
Gezeichnet am

*Joseph T. Dalbey*  
#Commanding Officer - (Verstaeander)  
#Brig. Gen. Joseph T. Dalbey  
#General  
#XXXXXX  
#XXXXXXXXXXXXXXXXXXXX

Dachau Detachment, 7708 War Crimes Group.  
(Address of Court) (Anschrift des Gerichts)

\*Strike out words not applicable.  
#Nichtzutreffendes ist durch zutreiben.

000777

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commiss. 3  
Einführungsbefehl  
**Landsberg-**

\*Prison  
~~xxxx~~  
\*Strafanstalt  
~~xxxx~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin in rechtmässiger Ueber-  
weisung werden wird:

Whereof one  
Der (die) Verurteilte ..... **Ernst Goldschmidt.** .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.** .....  
.....  
.....

and has been sentenced by the ~~xxxxxxx~~  
\*General ~~xxxxxxx~~  
schuldig erkannt und vom ~~xxxxxxx~~  
\*oberen

of **Death by Hanging.** .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am ..... (Date) zu erfolgen.  
..... (Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbusst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194**.6** .....  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
(Presiding Officer - Vorsitzender)  
~~xxxxxxx~~ Brig. Gen. Joseph T. Dalbey  
~~xxxxxxx~~  
\*General  
~~xxxxxxx~~  
~~xxxxxxx~~

.....  
Dachau Detachment, 7700 War Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\* Nichtaufreffendes ist durch zutreffen.

000776

Legal Form No. 5

THE ITALY GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einlieferungsbefehl  
**Landsberg**

Prison  
~~Camp~~  
Strafanstalt  
~~etc.~~

TO: The Officer in charge of .....  
An den Leiter der (s) .....  
or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene nachherhin rechtmässig unter-  
wiesen werden wird:

Whereas one **Hans Gruhle**  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung  
**Malmedy Massacre**

and has been sentenced by the .....  
General .....  
schuldig erkannt und vom .....  
of **Twenty Years Imprisonment**  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von .....  
The said sentence to commence on **16th Day of July** 194**6**  
Der Strafantritt hat am (Date) (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe verbuesst hat oder bis ihm eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaeudigen Militaerhoerde gehalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** 194**6**  
Geschiehet am

*Joseph T. Dalbey*  
Lieut. Colonel, 7708 War Crimes  
Group  
Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zustreichen.



000780

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbehl

TO: The Officer in charge of **Landsberg** ..... \*Prison  
An den Leiter der (s) ..... \*Strafanstalt  
..... \*XXXXXX

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig uberviessen worden wird:

Whereas one **Armin Hecht**  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.**

and has been sentenced by the ~~XXXXXX~~  
\*General ..... \*XXXXXX  
schuldig erkannt und vom ~~XXXXXX~~  
\*Obersten

of **Life Imprisonment.**  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... vorurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die ueber ihn verhaengte Strafe abzubuesst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant oder von einer zustaendigen Militaerbehörde erhalten werden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194**6**.....  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
(President Officer - Vorsitz der)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXX~~  
\*General  
~~XXXXXX~~  
~~XXXXXX~~  
\*Colonel  
Dachau Detachment, 7708 War Crimes  
(Address of Court) Group.  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch zutreiben.

000781

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of Landsberg ~~Prison~~  
An den Leiter der (s) ~~Strafanstalt~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Straftatfänger späterhin rechtmässig über-  
wiesen werden wird;

Whereas one Heinz Hendel  
Der (die) Verurteilte Heinz Hendel  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre

and has been sentenced by the ~~General~~  
schuldig erkannt und vom ~~General~~

of Death by Hanging.  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am ..... (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Straftatfänger in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe abgesessen hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194... 6  
Gezeichnet am

Josiah T. Dalbey  
(Presiding Officer - Vorsitzender)  
~~Brig. Gen. Josiah T. Dalbey~~  
~~General~~  
~~General~~

Dachau Detachment, 7708 War Crimes  
..... Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch durchstreichen.

000782

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

\*Prison  
\*Strafanstalt  
\*Lager

TO: The Officer in charge of Landsberg  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred: oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überweisen worden wird:

Whereas one Hans Hennecke  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

Malmédy Massacre

and has been sentenced by the ~~General~~  
schuldig erkannt und vom ~~General~~  
of Death by Hanging.

zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.6.....  
Der Strafantritt hat am ..... (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court.  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe ausbezahlt hat oder bis Sie eine weitere Anordnung von diesem Gericht erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 194.6.....  
Gezeichnet am

Joseph T. Dalbey  
(Presiding Officer - Vorsitzender)  
~~General~~  
~~General~~  
Oberst  
Dachau Detachment, 7708. War Crimes Group  
(Address of Court) (Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.

000783

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILTARREGICHT

Commitment  
Einlieferungsbeehl

TO: The Officer in charge of .....  
An den Leiter der (s) **Landsberg**

\*Prison  
\*Camp  
\*Strafanstalt  
\*Lagers

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefange spaeaterhin rechtmuessig ueberwiesen werden wird:

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the **Hens Hillig**  
ist wegen der folgenden strafbaren Handlung

.....  
**Malmedy Massacre**  
.....

and has been sentenced by the **Intermediate Military Court** to serve a  
~~.....~~ **sentence**  
~~.....~~ **.....**  
schuldig erkannt und vom **Militaerregimente**  
~~.....~~ **.....**

of .....  
zu **Ten Years Imprisonment**

and to pay a fine of .....  
und zu einer feldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194... ..  
Der Strafantritt hat am **16th Day of July** **6**  
(Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermuechtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefange in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe abschuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warra...  
oder von einer zusaendigen Militaerbehörde erhalten werden. Diese Urkunde  
ermuechtigt Sie zur Vornahme der Handlung.

Signed this ..... 194... ..  
Gezeichnet am **16th Day of July** **6**

**Joseph T. Dalbey**  
(Presiding Officer - Vorsitzender)

~~.....~~ **Gen. Joseph T. Dalbey**  
~~.....~~ **.....**  
~~.....~~ **Militaergericht**  
~~.....~~ **.....**

**Dachau Detachment #708 War Crimes**  
(Anschrift des Gerichts) **Group**

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zurestreichen.

000784

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY TRIEBRICHT

Commitment  
Einlieferungsbeleg

TO: The Officer in charge of ..... Landsberg ..... \*Prison  
An den Leiter der (s) ..... \*Camp  
\*Strafanstalt  
\*Lagers

or an other prison or camp in which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen worden wird:

Whereas one  
Der (die) Verurteilte ..... Heins Hofmann .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre.

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~ Military Court to serve a  
~~XXXXXX~~ General ~~XXXXXX~~  
schuldig erkannt und vom ~~XXXXXX~~  
~~XXXXXX~~ ~~XXXXXX~~  
~~XXXXXX~~

Life Imprisonment

of .....  
zu .....  
and to pay a fine of ..... verurteilt worden.  
und zu einer Geldstrafe von .....

The said sentence to commence on ... 16th day of July ..... 194.6.....  
Der Straftritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

we, therefore, you are hereby authorized to receive the above named  
if Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this ... 16th day of July ..... 194.6.....  
Gezeichnet am .....

*Joseph T. Dalbey*  
.....  
(Providing Officer - Versetzender)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXX~~ ~~XXXXXX~~  
\*General  
\*Militärisches  
\*Militärtribunal  
\*XXXXXX  
Dachau Detachment, 7708 War. Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nicht zutreffendes ist durch zuzustreichen.

000785

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

To: The Officer in charge of Landsberg ..... \*Prison  
An den Leiter der (s) ..... ~~XXXX~~  
..... \*Strafanstalt  
..... ~~XXXXXX~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one Joachim Hofmann  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre .....

and has been sentenced by the ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General .....  
schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Obere(n) .....

of Death by Hanging .....

and to pay a fine of .....  
ur zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe erduldet hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 194.....  
\*Gezeichnet am .....

Joseph T. Dalbey .....  
(Presiding Officer - Vorsitzender)  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Dachau Detachment, 7708 War Crimes  
(Address of Court) ..... Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.



000787

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of Landsberg ..... \*Prison  
An den Leiter der (s) ..... \*Camp  
..... \*Strafanstalt  
..... \*XXXXXX

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one Siegfried Jaekel  
Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
\*General ..... \*XXXXXX

schuldig erkannt und vom ~~XXXXXX~~  
\*Oberon

Death by Hanging.

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194. 6

Der Strafantritt hat am (Date)  
(Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so long this shall be sufficient  
Warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 194. 6  
Gezeichnet am

Joseph T. Dalbey  
\*General  
\*XXXXXX  
\*XXXXXX

Dachau Detachment, 7708 War. Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht anzuheftendes ist durch durchstreichen.

000786

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Anlieferungsbefehl

TO: The Officer in charge of Landsberg ..... \*Prison  
An den Leiter der (s) ..... ~~XXXXXX~~  
..... \*Strafanstalt  
..... ~~XXXXXX~~

or any other prison or camp to which the prisoner may hereafter be lawfully transferred: oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen worden wird:

Whereas one Benoni Junker  
Der (s) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung  
Malmedy Massacre.

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~ .....  
\*General sentence  
schuldig erkannt und vom ~~XXXXXX~~ .....  
\*Oberon

of Death by Hanging.  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Date) .....  
(Datum) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe abgedient hat oder bis (sie) eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrent  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 1946  
Gezeichnet am ..... 194.....

Josiah T. Dalbey  
\*Judge (Judge, Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~ Military Court of  
\*General  
~~XXXXXX~~  
~~XXXXXX~~  
\*Colonel

Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court) .....  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durchgestrichen.



MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Legal Form No. 5

Commitment  
Einlieferungs Befehl

TO: The Officer in charge of  
An den Leiter der (s)

Landsberg

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXX~~

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig ueberwiesen werden wird:

Whereas one

Der (die) Verurteilte Gustav Knittel  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre

and has been sentenced by the ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General sentence

schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberon

of Life Imprisonment  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

D. Strafantritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die ueber ihn verhaengte Strafe abzubueset hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustaeudigen Militaerbehoeerde erhalten worden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 1946  
Gezeichnet am

Josiah T. Dalbey  
\*Brig. Gen. Josiah T. Dalbey

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXXXXXX~~  
\*Oberon  
Dachau Detachment, 7708 War Crimes Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zustrichen.

000491

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILTÄRREGIMENT

Commitment  
Einlieferungsbeleg

To: The Officer in charge of Landsberg ..... #Prison  
An den Leiter der (s) ..... #Strafanstalt  
#Lager

or an other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines andern Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen werden wird:

Whereas one Georg Kotzur  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre  
.....  
.....  
.....

and has been sentenced by the ~~.....~~  
General ~~.....~~  
schuldig erkannt und vom  
Obersten

of Life Imprisonment  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Straftritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbeübt hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194... 6  
Gezeichnet am

Josiah T. Dalbey  
(Presiding Officer - Vorsitzender)  
#Bri g. Gen. Josiah T. Dalbey  
#General  
#Oberst  
#Oberst

Dachau Detachment, 7708 War Grimes Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch durchstreichen.



000796

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einführungsbeehl

Landsberg

#Prison  
~~XXXX~~  
#Strafanstalt  
~~XXXXXX~~

To: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird;

Whereas one  
Der (die) Verurteilte **Werner Kühn**  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmédy Massacre**

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

\*General ~~XXXXXX~~

schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

\*Oberen

of **Death by Hanging.**  
zu

and to pay a fine of .....  
und zu seiner feldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194.....

(Date)

Der Straftritt hat am ..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
dies über ihn verhängte Strafe abgesessen hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July- 194 6**  
Gezeichnet am

*Joseph T. Dalbey*  
(Presiding Officer - Vorsitz der)  
~~XXXXXXXX~~ Brig. Gen. Joseph T. Dalbey  
\*General  
~~XXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zustreichen.

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Legal Form No. 5

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of  
An den Leiter der (s)

Landsberg

\*Prison  
\*Camp  
\*Strafanstalt  
\*Lagers

or any other prison or camp to which the prisoner may hereafter be fully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, zu welchem der Straftatige späterhin nachträglich überwiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... Oskar Klingelhoefer .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

.....  
\*Malmedy Massacre.....  
.....  
.....

and has been sentenced by the ~~summary~~ <sup>summary</sup> Military Court to serve a  
~~.....~~  
schul dig erkannt und vom ~~.....~~ <sup>.....</sup> Militargerichte  
~~.....~~

of Death by Hanging  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
(Date) (Datum) zu erfolgen.  
Der Strafantritt hat am .....

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Straftatigen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe ausbüßend hat oder bis Sie eine weitere Anordnung von diesem Gerichte  
or a competent military authority and for so long this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 1948 .....  
Gezeichnet am .....

Josiah T. Dalbey  
(Presiding Officer - Vorsitzender)  
\*Signature  
~~.....~~  
\*Initials  
~~.....~~  
~~.....~~ Militargericht  
~~.....~~

Dahlan Detachment 7708 War Crimes Group  
(Address of Court)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch austreichen.

000795

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbeehl  
Landsberg

#Prison  
~~XXXX~~  
#Camp  
~~XXXX~~  
#Strafanstalt  
~~XXXX~~  
#Other  
~~XXXX~~

TO: The Officer in charge of .....  
An den Leiter der (s) .....

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig uber-  
wiesen worden wird:

Whereas ..... **Erich Meute**  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
Ist wegen der folgenden strafbaren Handlung

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXX~~ .....  
General ~~XXXXXX~~  
#General ~~XXXXXX~~  
#Colonel ~~XXXXXX~~  
#Lieutenant Colonel ~~XXXXXX~~  
#Oberon

schuldig erkannt und von  
of **Death by Hanging.**  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
(Date)  
Der Strafantritt hat am ..... (Date) ..... erfolgt.

Now, therefore, you are hereby authorized to receive the above named  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaendigen Militaerbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this ..... 16th Day of July 6 ..... 194.....  
Geschiehet am .....

*Joseph T. Dalbey*  
.....  
#Judge, ORG. No. 1 - Vorsitzender  
#Major **Erig. Gen. Joseph T. Dalbey**  
#Lieutenant Colonel  
~~XXXXXX~~  
~~XXXXXX~~  
~~XXXXXX~~

#General  
~~XXXXXX~~  
#Colonel  
~~XXXXXX~~  
#Lieutenant Colonel  
~~XXXXXX~~  
#Oberon  
~~XXXXXX~~  
Dachau Detachment, 7708 War Crimes  
.....Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch streichen.



000797

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Eindiefernunzbefehl

TO: The Officer in charge of .....  
An der Leiter der (s) ..... \*Prison  
\*Strafanstalt

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one .....  
Der (die) Verurteilte ..... **Anton Motzheim** .....  
has been convicted of the offense of .....  
ist wegen der folgenden strafbaren Handlung

... **Malmedy Massacre** .....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General .....  
schuldig erkannt und von ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberon

of **Death by Hanging.** .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe anbezahlt hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
Warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** 194. **6** .....  
Gezeichnet am

*Joseph T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General

~~XXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
Dachau Detachment, 7708 War Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch zuzustreichen.



U.S. MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Legal Form No. 5

Commitment:  
Einlieferungsbefehl

**Landsberg**

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer andern Strafanstalt oder eines andern Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen werden wird:

Whereas one  
Der (die) Verurteilte **Gustav Neve**  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**  
.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
General ~~XXXXXX~~  
schuldig erkannt und vom  
~~XXXXXX~~  
Obersten

of **Death by Hanging.**  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am (Date) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe verbüsst hat oder, bis Sie eine weitere Anordnung von diesem Gericht oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194**6**.....  
Bescheinigt am

**Josiah T. Dalbey**  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~  
General  
~~XXXXXX~~  
~~XXXXXX~~

Charge  
**Dechau Detachment, 7708 War Crimes**  
..... Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
- Nichtzutreffendes ist durch zuzureichen.

000800

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbehl

TO: The Officer in charge of ..... Landsberg ..... \*Prison  
An den Leiter der (s) ~~Strafanstalt~~  
~~Lagers~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene ansonsten rechtmässig über-  
wiesen worden wird:

Whereas one  
Der (die) Verurteilte ... Paul Hermann Ochtmann .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

... Walded. Massacre .....  
.....  
.....

and has been sentenced by the ~~General~~ ~~Strafanstalt~~  
schuldig erkannt und von ~~General~~ ~~Strafanstalt~~  
.....  
.....

of Death by Hanging .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
dies über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this ... 16th Day of July ... 194. 6 .....  
Gezeichnet am

Joseph T. Dalbey .....  
(Presiding Officer - Vorsitzender)  
~~Brig. Gen. Josiah T. Dalbey~~  
~~General~~  
~~Brigade~~  
~~General~~

Dachau Detachment, 7708 War. Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch zutreffen.

ALLIANCE GOVERNMENT COURT  
MILITARY TRIBUNAL

Legal Form No. 5

Commitment  
Einlieferungsbescheid

Landsberg

TO: The Officer in charge  
An den Leiter der (s)

\*Prison  
\*Camp  
\*Strafanstalt  
\*Lager

or an other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaeterhin rechtmassig uber-  
wiesen werden wird;

Whereas one **Joachim Peiper**

Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the ~~International Military Tribunal~~ ~~to~~ ~~the~~ ~~penalty~~ ~~of~~ ~~death~~ ~~by~~ ~~hanging~~

General

schuldig erkannt und vom

~~International Military Tribunal~~  
\*Obersten Kriegesgerichtes

**Death by Hanging.**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Befehl tritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaengte Strafe ausbuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaendigen Militaerbehoerde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this ..... 16th Day of July ..... 194..... 6  
Gezeichnet am .....

*Joseph T. Dalbey*  
Holding Officer - Verurteilter (Name)  
Brig. Gen. Joseph T. Dalbey  
\*General  
\*Oberster Kriegesgerichtes

Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durchs durchstreichen.

MILITARY GOVERNMENT COURT  
MILITARY GOVERNMENT

Legal Form No. 5

Commitment  
Einlieferungsbefehl  
**Landsberg**

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXX~~  
\*Lager

TO: The Officer in charge of .....  
An den Leiter der (s) .....

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaeterhin rechtmassig ubewiesen worden wird:

Whereas one **Hans Pletz**  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.**

and has been sentenced by the ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General ~~XXXXXXXX~~  
schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberon

**Life Imprisonment**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Straftritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhaengte Strafe ausdient hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehorde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194**6**  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
\*Prisoning Officer - Vorsitzender)  
~~XXXXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberon

**Dachau Detachment, 7708 War Crimes**  
.....  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Schlagt-entfendes ist durch zutreiben.

000803

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Commitment  
Einlieferungsbefehl  
**Landsberg**

#Prison  
~~XXXXX~~  
#Strafanstalt  
~~XXXXX~~

To: The Officer in charge of  
An der Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene weiterhin rechtmässig ueberwiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... **Georg Preuss** .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

~~XXXXXX~~  
General ~~XXXXXX~~

schuldig erkannt und von ~~XXXXXXXXXXXXXXXXXXXXX~~  
#Oberst

**Death by Hanging.**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Straftritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of the Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die ueber ihn verhaennte Strafe ausbuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustaeudigen Militaerbehoerde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vernahme der Handlung.

Signed this ..... **16th Day of July** ..... 194.....  
Gezeichnet am

*Joseph T. Dalbey*  
(Practicing Officer - Verurteilter)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
#General  
~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXX~~

Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschluß des Gerichts)

\*Strike out words not applicable.  
\*Stich utreffendes ist durch zustreichen.

000807

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

**Lanisberg**

#Prison

TO The Officer in charge of  
An den Leiter der (s)

~~XXXX~~  
#Strafanstalt  
~~XXXXXX~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one **Hermann Priess**  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**Malmédy Massacre**

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXX~~ ~~XXXXXX~~  
#General ~~XXXXXX~~  
schuldig erkannt und vom ~~XXXXXX~~  
#Oberon

**Twenty Years Imprisonment**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on **16th Day of July** ..... 194**6** .....

(Date)

Der Straftatritt hat am (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbezahlt hat oder bis (bis eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** ..... 194**6** .....

Gezeichnet an

*Joseph T. Dalbey*  
.....  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXX~~  
General  
~~XXXXXX~~  
~~XXXXXX~~

**Dachau Detachment, 7708 War Crimes**  
..... Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch durchstreichen.

000805

ALLIANCE GOVERNMENT MILITARY COURT  
MILITÄRSTRICHTER

Commitment  
Einführungsbefehl

**Landsberg**

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

To: The Officer in charge of .....  
An den Leiter der (s) .....

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene jederzeit rechtmässig ueberwiesen worden wird:

Whereas one **Fritz Rau**  
Der (die) Verurteilte .....  
has been convicted of the offense of .....  
ist wegen der folgenden strafbaren Handlung  
**Malmedy Massacre**

and has been sentenced by the ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~  
General ~~XXXXXX~~  
schuldig erkannt und von ~~XXXXXX~~  
Obersten

of **Life Imprisonment**  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis (sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vernehmung der Handlung.

Signed this **16th Day of July** 194..... 6  
Gezeichnet am

*Jonah T. Dalbey*  
(Practicing Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. **Jonah T. Dalbey**  
~~XXXXXX~~

\*General  
~~XXXXXX~~  
~~XXXXXX~~  
Dachau Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Stich entfallendes ist durch zureichen.

000806

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbehl  
Landsberg

TO: The Officer in charge of .....  
An den Leiter der (s) .....  
\*Camp  
\*Lagers

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Theo Reuh

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung  
\*Malmédy Massacre

.....  
.....  
.....  
.....

and has been sentenced by the \*Intermediate Military Court to serve a  
\*sentence

schuldig erkannt und vom \*Mittleren Militärgerichte  
\*Obere  
**Death by Hanging.**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 19.....

Der Straftritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung. 16th Day of July 6

Signed this ..... 19.....  
Gezeichnet am

*Joseph T. Dalbey*  
\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzutreiben.  
\*Intermediate Military Court of  
\*Dachau Detachment, 7708 War Crimes  
Group

(Address of Court)  
(Anschrift des Gerichtes)



000808

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einführungsbefehl

TO: The Officer in charge of Landsberg ..... #Prison  
An den Leiter der (s) ..... #Strafanstalt

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene weiterhin rechtmässig überlesen werden wird:

Whereas one Rolf Roland Reiser .....  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

... Melody Macgregor .....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXX~~ General ~~XXXXXX~~  
schuldig erkannt und von ~~XXXXXX~~  
~~XXXXXX~~ Obersten

of Ten Years Imprisonment .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on 16th Day of July ..... 1946 .....  
(Date) (Datum)

Der Strafantritt hat am ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 1946 .....  
Gezeichnet am

Josiah T. Dalbey .....  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~  
#General  
~~XXXXXX~~  
#Oberst

Rechan Detachment, 2708. Mar. Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht zutreffendes ist durch zutreiben.

MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Legal Form No. 5

Commitment  
Einlieferungsbefehl  
Landsberg

Prison  
Camp  
Strafanstalt  
Lagers

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen worden wird:

Whereas one **Wolfgang Richter**

Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the ~~General~~ ~~Intermediate Military Court to~~ ~~life~~ ~~imprisonment~~ sentence

schuldig erkannt und vom ~~Mittleren Militärgerichte~~ ~~Obere~~

**Life Imprisonment**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
(Date)  
Der Strafantritt hat am ..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe ausbueset hat oder bis Sie eine weitere Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustandigen Militaerbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung

16th Day of July 6

Signed this ..... 194.....  
Gezeichnet am .....

*Joseph T. Dalbey*  
~~Colonel~~ ~~Major~~ ~~Colonel~~ ~~Joseph T. Dalbey~~  
~~Intermediate Military Court of~~  
~~General~~  
~~Mittleres Militärgericht~~  
Daham Detachment, 7708 War Crimes Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch austreichen.

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Legal Form No. 5

Commitment  
Einlieferungsbes. 1  
Landsberg

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen werden wird:

Whereas one **Max Rieder**  
Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
General ~~XXXXXX~~

schuldg erkannt und vom ~~XXXXXX~~  
Oberen

**Death by Hanging.**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am ..... (Date)  
..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

16th Day of July, 6

Signed this ..... 194.....  
Gezeichnet am

*Josiah T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

**Drehan Detachment, 7708 War Crimes**  
..... Group  
(Address of Court)  
(Anschrift des Gerichtes)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zuzustreichen.



MILITARY GOVERNMENT COURT  
MILITÄRGERICHT

Legal Form No. 5

Commitment  
Einlieferungsbehl

TO: The Officer in charge of Landsberg ..... \*Prison  
An den Leiter der (s) ..... \*Strafanstalt  
..... \*Lager

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderer Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtswässig überwiesen werden wird:

Whereas one  
Der (die) Verurteilte .... Axel Rodenburg .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

..... Malredy Vasaevs .....  
.....  
.....

and has been sentenced by the ~~.....~~  
General .....  
schuldig erkannt und vom ~~.....~~  
Obersten

of Death by Hanging.  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Straftritt hat am ..... (Date) ..... zu erfolgen.  
..... (Datum) .....

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe abgesessen hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so long this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 194... 6  
Gezeichnet am

Josiah T. Dalbey  
(Presiding Officer - Verurteilter)  
\*Brig. Gen. Josiah T. Dalbey  
\*General  
\*.....  
\*.....  
Dachau Detachment, 7708 War Crimes  
(Address of Court) ..... Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Sichtentreffendes ist durchzustreichen.

000876

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbehl

TO: The Officer in charge of Landsberg ..... ~~Prison~~  
An den Leiter der (s) ..... ~~Strafanstalt~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin nach massig über-  
wiesen werden wird:

Whereas one Erich Rumpf  
Der (s) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

- Malmedy Massacre .....
- .....
- .....

and has been sentenced by the ~~General~~  
schuldig erkannt und vom ~~General~~  
.....  
Oberon

of Death by Hanging.  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am ..... (Date) ..... (Place) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July ..... 194.....  
Gezeichnet am

Joseph T. Dalbey  
(Proceeding Officer - Verurteilter)  
~~Brig. Gen. Joseph T. Dalbey~~  
.....  
General  
.....  
.....

.....  
Dachau Detachment, 7708 War Grimes  
..... Group  
(Address of Court)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch auszuschneiden.

000814

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY BRUCHI

Commitment  
Einlieferungsbehl

Prison  
~~XXXX~~  
Strafanstalt  
~~XXXXXX~~

TO: The Officer in charge of Landsberg  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin rechtmassig ober-  
wiesen werden wird:

Whereas one Willi Schaefer  
Der (die) Verurteilte .....  
has been convicted of the offense of .....  
Ist wegen der folgenden strafbaren Handlung

Malmedy Massacre

and has been sentenced by the ~~XXXXXX~~  
General XXXXXX

schuldig erkannt und vom ~~XXXXXX~~  
Obersten

Death by Hanging.

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
(Date)  
Der Straftritt hat am ..... (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhangte Strafe abzubuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warra t  
oder von einer zustaeundigen Militaerbehörde erhalten werden. Diese Erkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194 6  
Gezeichnet am

Josiah T. Dalbey  
Commanding Officer - Vorsitzender  
~~XXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXX~~  
General  
~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

Dachau Detachment, 7708 War Crimes  
Group  
(Address in Court)  
(Anschriit des Gerichts)

\*Strike out words not applicable.  
\*Sichtentreffendes ist durch zutreiben.

000816

Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commissar  
Einlieferungsbefehl

**Landsberg**

TO: The Officer in charge of ..... Prison  
An den Leiter der (s) ..... Strafanstalt

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene nachherhin rechtmässig überwiesen werden wird:

Whereas one **Rudolf Schwambach**  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the .....  
General .....  
schuldig erkannt und vom .....  
Scharen

**Death by Hanging.**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194...  
Der Strafantritt hat am ..... (Datum) ...

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe abzusitzen hat oder bis Sie eine weitere Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** 194... 6  
Gezeichnet am

*Josiah T. Dalbey*  
Presiding Officer - Vorsitzender  
~~Brig. Gen. Josiah T. Dalbey~~

General  
Dachau Detachment, 7708 War Crimes Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Sichtaufreffendes ist durch zutreiben.

000817

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Comandant  
Einlieferungsbehl

Landsberg

Prison  
~~XXXXX~~  
Strafanstalt  
~~XXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may have been fully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin nicht anders über- wiesen werden wird:

Whereas one **Kurt Sichel**  
Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

.....  
.....  
.....

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXX~~ ~~XXXXXX~~  
\*General] ~~XXXXXX~~  
schuldig erkannt und vom ~~XXXXXX~~  
~~XXXXXX~~  
\*Oberon

**Death by Hanging.**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am .....  
(Date) (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe ausgedient hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so long this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July** 194 **6**  
Gezeichnet am

*Josiah T. Dalbey*  
.....  
\*General  
~~XXXXXX~~  
~~XXXXXX~~

**Dachau Detachment, 7708 War Crimes**  
.....  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Wichttautreffendes ist durch zutreiben.

000817

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY PRISON

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of Landsberg ~~Prison~~  
An den Leiter der (s) ~~Strafanstalt~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred: oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaeterhin rechtmaessig uber-  
wiesen werden wird:

Whereas one Oswald Siegmund  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung  
Malmedy Massacre

.....  
.....

and has been sentenced by the ~~General~~  
schuldig erkannt und vom ~~General~~  
.....  
.....

of Death by Hanging.  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am (Date) .....  
(Day/Mo) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhaengte Strafe ausdient hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehörde erhalten werden. Diese Dekunde  
ermachtigt Sie zur Vornahme der Handlung.

16th Day of July 194 6

Signed this .....  
Gezeichnet am .....

*Joseph T. Dalbey*  
Brig. Gen. Joseph T. Dalbey

~~General~~  
~~General~~  
Dached Detachment, 7708 War Crimes  
Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zustreichen.

MILITARY GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einlieferungsbehl

Landsberg

\*Prison  
~~XXXX~~  
\*Strafanstalt  
~~XXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin zweckmassig uber-  
wiesen werden wird:

Whereas one  
Der (die) Verurteilte ..... **Franz Sievers** .....  
has been convicted of the offence of  
Ist wegen der folgenden strafbaren Handlung

**Mélmédy Massacre.**

and has been sentenced by the ~~XXXXXX~~  
\*General ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
schuldigt erkannt und vom ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Oberrichter

**Death by Hanging.**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 1946

Der Strafantritt hat am (Date) (Datum) an erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhangte Strafe abgeschlossen hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehörde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Signed this ..... **16th Day of July** 1946 .....  
Gezeichnet am

*Josiah T. Dalbey*  
\*General  
\*Chief of Staff  
\*Adjutant General  
\*Quartermaster  
**Dachau Detachment, 7708 War Crimes**  
Group

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durchzustreichen.

000876

IN 1 Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbehl

Landsberg

Prison  
~~Strafanstalt~~  
~~Strafanstalt~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene spaeterhin rechtmassig ubewiesen werden wird:

Whereas one **Hans Siptrott**  
Der (die) Verurteilte .....  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.**

and has been sentenced by the ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~  
General ~~XXXXXX~~ ~~XXXXXX~~  
schuldig erkannt und vom ~~XXXXXX~~ ~~XXXXXX~~  
Obersten

**Death by Hanging.**

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am ..... (Date) ..... (Datum) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufnehmen, bis er (sie) die ueber ihn verhaengte Strafe abgeleistet hat oder bis Sie eine weitere Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zustandigen Militaerhoerde erhalten werden. Diese Urkunde ermachtigt Sie zur Vornahme der Handlung.

16th Day of July 6

Signed this ..... 194.....  
Gezeichnet am .....

*Joseph T. Dalbey*  
(Presiding Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey

~~XXXXXX~~  
General  
~~XXXXXX~~  
~~XXXXXX~~

Detached Detachment, 7708 War Crimes  
(Address of Court) ..... Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.

000820

Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY WRIGHT

Government  
Einlieferungsbefehl

TO: The Officer in charge of ..... \*Prison  
An den Leiter der (s) **Landsberg** \*Camp  
\*Strafanstalt

or any other prison or camp to which the prisoner may be or after he has been fully transferred: oder irgend einer anderen Strafanstalt oder Lager anderen Lagern, in welches der Strafgefangene späterhin charakteristisch überwiesen werden wird: \*Lagers

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the **Verbrechen Adolf Sprenger**  
ist wegen der folgenden strafbaren Handlung

.....  
**Malmedy Massacre.**  
.....

.....  
and has been sentenced by the **Summary**  
Intermediate Military Court to serve a **Intermediate Military Court** to serve a  
.....  
schul dig erkannt und vom **Mittleren Militärgericht** .....  
.....

of .....  
zu **Death by Hanging.** .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am ..... (Date) zu erfolgen.  
(Datum)

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so long this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this ..... 194.....  
Gezeichnet am **16th Day of July 6**

*Joseph T. Dalbey*  
Prison Officer - Vorsitzender  
.....  
Intermediate Military Court of  
**7708 War Crimes**  
.....  
.....  
.....

\*Strike out words not applicable.  
\*Sichtausbreifendes ist durch austreichen.  
**Dachau Detachment 7708 War Crimes Group**  
(Anschrift des Gerichts)

000821

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY WARRANT

Commitment  
Ein Landesberg Gefängnis

TO: The Officer in charge of .....  
An den Leiter der (s)

~~XXXX~~  
\*Prison  
~~XXXX~~  
\*Strafanstalt  
\*Lagers

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtswesig über-  
wiesen werden wird:

Werner Sternebeck

Whereas one  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist ~~schuldig~~ ~~erschossen~~ strafbaren Handlung

.....  
.....

~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXX~~  
and has been sentenced by the ~~Intermediate~~ Military Court to ~~serve a~~

~~XXXXXX~~ sentence  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
schuldig erkannt und vom ~~Militären Militärgerichte~~  
Death by Hanging ~~erkannt~~

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
Der Strafantritt hat am ..... (Date) ..... (Datum) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe verbüsst hat oder bis er eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese runde  
ermächtigt Sie zur Vornahme der Handlung **16th Day of July 6**

Signed this ..... 194.....  
Gezeichnet am .....

*Joseph T. Dalbey*  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Summary  
~~XXXXXX~~ Intermediate Military Court of .....  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*Initials  
\*Detachment, 5708 War Crimes  
\*Group

\*Strike out words not applicable.  
\*Sichtaufreffendes ist durch austreichen.

000822

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY PROCEEDING

Commitment  
Landsberg  
Einlieferungsbefehl

XXXXX  
\*Prison  
\*Strafanstalt  
\*Lagers

TO: The Officer in charge of .....  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene spaterhin zuhauselich uber-  
wiesen werden wird: n **Heinz Stickel**

Whereas one  
Der (die) Verurteilte .....  
has been ~~sentenced~~ **condemned** to the sentence of  
ist wegen der folgenden strafbaren Handlung

.....  
.....

.....  
.....  
.....

and has been sentenced by the ~~Summary~~ Military Court to serve a  
schuldig ~~condemned~~ **by** ~~Summary~~ **Heinz Stickel**  
\*Munichen  
\*Militarischen Militargerichte  
\*Oberan

of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....  
De - Strafantritt hat am .....  
(Date) (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court.  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhaengte Strafe ausbuesst hat oder bis Sie eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehorde am ..... 194..... Diese Ermachtigung  
ermachtigt Sie zur Vornahme der Handlung.

Signed this ..... 194.....  
Gezeichnet am

*Joseph T. Dalbey*  
XXXXXX Brig. Gen. Joseph T. Dalbey  
XXXXXX  
\*Summary  
\*Munichen  
\*Militarischen Militargerichte  
\*Oberan  
Detachment, 7708 War Crimes  
Group

\*Strike out words not applicable.  
\*Sichtaufreffendes ist durch zustreichen.





000825

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einkieferungsbefehl

TO: The Officer in charge of Landsberg ..... \*Prison  
An den Leiter der (s) ..... ~~XXXX~~  
..... \*Strafanstalt  
..... ~~XXXXXX~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmäßig über-  
wiesen werden wird;

Whereas one Edmund Tomczak  
Der (die) Verurteilte .....  
has been convicted of the offense of .....  
Ist wegen der folgenden strafbaren Handlung

Malmedy Massacre. .....  
.....  
.....

and has been sentenced by the ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General ..... ~~XXXXXXXX~~

schuldig erkannt und vom ~~XXXXXXXXXXXXXXXXXXXX~~  
\*Oberst

of Life Imprisonment. .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194.....

Der Strafantritt hat am (Date) .....  
(Date) ..... zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbüßt hat oder bis die eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194... 6.....  
Gezeichnet am

*Josiah T. Dalbey*  
.....  
(Presiding Officer - Vorsitzender)  
~~XXXXXXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

District Detachment, 7708 War Crimes  
..... Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nicht auftreffendes ist durch Ausstreichen.

000826

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commandant  
Einleitbefehlsbefehl

**Landsberg**

\*Prison  
\*Strafanstalt  
\*XXXX

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtmässig überwiesen werden wird:

Whereas one  
Der (die) Verurteilte **Heins Tomhardt**  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre**

and has been sentenced by the  
\*General  
schuldig erkannt und vom  
\*General

of **Death by Hanging.**  
zu

and to pay a fine of .....  
und zu einer feldstrafe von ..... verurteilt worden.

The said sentence to commence on .....  
Der Strafantritt hat am (Date) (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence imposed or until further order of this Court  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die ueber ihn verhaengte Strafe abzusuesst hat oder bis eine andere weitaere Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zusaendigen Militaerbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this **16th Day of July**, 194**6**  
Geschiebet am

*Joseph T. Dalbey*  
\*General  
\*XXXXXX  
\*XXXXXX

Dachau Detachment, 7708 War Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Sichtaufreffendes ist durch zustreichen.

000827

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbehl

TO: The Officer in charge of Landsberg Prison  
An den Leiter der (s) ~~Strafanstalt~~

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin rechtswirksam überwiesen werden wird:

Whereas one August Tonk  
Der (die) Verurteilte .....  
has been convicted of the offence of .....  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre.

and has been sentenced by the ~~General~~  
schuldig erkannt und vom ~~Obere~~

Death by Hanging.

and to pay a fine of .....  
wurde zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194...  
Der Straftritt hat am (Date) (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe abzubüßen hat oder bis Sie eine weitere Anordnung von diesem Gericht oder von einer kompetenten militärischen Autorität erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194...  
Gezeichnet am

Josiah T. Dalbey  
Presiding Officer - (Vorsitzender)  
~~Brig. Gen. Josiah T. Dalbey~~  
General

Dachau Detachment, 7708 War Crimes Group  
(Address of Court) (Anschrift des Gerichts)

\*Strike out words not applicable.  
Nichtzutreffendes ist durch zurestreichen.

000826

Form No. 1

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of Landsberg ..... ~~Prison~~  
An den Leiter der (s) ..... ~~Strafanstalt~~

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one Hans Trettin .....  
Der (des) Verurteilte .....  
has been convicted of the offense of .....  
ist wegen der folgenden strafbaren Handlung

Malmady Massacre .....  
.....  
.....

and has been sentenced by the ~~General~~ .....  
schuldig erkannt und vom ~~General~~ .....  
Oberon

of Life Imprisonment .....  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt werden.

The said sentence to commence on ..... 194.....  
(Date)  
Der Strafantritt hat am (Datum) erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ausbezahlt hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 1946 .....  
Gezeichnet am

Joseph T. Dalbey .....  
(Presiding Officer - Vorsitzender)  
~~Brig. Gen. Joseph T. Dalbey~~  
~~General~~  
.....  
.....

Dachen Detachment, 7708 War Crimes  
(Address of Court) ..... Group  
(Bezeichnung des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.

000826

Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY JUSTICE

Commitment  
Einführungsschein  
Landsberg

\*Prison  
~~XXXXX~~  
\*Strafanstalt  
~~XXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred; oder irgend einer anderen Strafanstalt oder eines  
anderen Lagers, in welches der Strafgefangene späterhin rechtmässig über-  
wiesen werden wird:

Whereas one **Johann Wasenberger.**  
Der (die) Verurteilte .....  
has been convicted of the offense of .....  
ist wegen der folgenden strafbaren Handlung

- Malmedy Massacre.** .....
- .....
- .....
- .....

and has been sentenced by the ~~XXXXXX~~  
~~XX~~  
General ~~XXXXXX~~ ~~XXXXXX~~  
schuldig erkannt und vom ~~XX~~  
Obersten

**Life Imprisonment.**  
of .....  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194...  
(Date)  
Der Strafantritt hat am (Datum) zu erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafe ab Verbüsst hat oder bis ihm eine weitere  
Anordnung von diesem Gerichte  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vernehmung der Handlung.

Signed this 16th Day of July 194... 6  
Gezeichnet am

*Joseph T. Dalbey*  
Officer in Charge - Vorsitzender  
Maj. Gen. Joseph T. Dalbey  
~~XX~~  
\*General  
~~XXXXXXXXXX~~  
~~XX~~

Dalbey Detachment, 7708 War Crimes  
Group  
(Address of Court)  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch durchstreichen.

MILITARY GOVERNMENT COURT  
MILITÄRREGIMENT

Form No. 5

Commitment  
Einführungsbefehl

TO: The Officer in charge of Landsberg Prison  
An den Leiter der (s) Strafanstalt  
or any other prison or camp to which the prisoner may hereafter be law-  
fully transferred: oder irgend einer anderen Strafanstalt oder eines  
andere Lagere, in welches der Strafgefangene späterhin noch versetzt über-  
wiesen werden wird:

Whereas one Gunther Weiss  
Der (die) Verurteilte  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung  
Malmady Massacre.

and has been sentenced by the ~~XXXXXX~~  
General ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ sentenced to  
schuldig erkannt und vom ~~XXXXXX~~  
Obersten

of Death by Hanging.  
zu

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194...  
Der Strafantritt hat am (Date) (Tag) ... erfolgen.

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die über ihn verhängte Strafbewehrung hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient  
warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde  
ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194... 6  
Gezeichnet an

Joseph T. Dalbey  
(Residing Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey

~~XXXXXX~~  
\*General  
~~XXXXXX~~  
~~XXXXXX~~  
Chief  
Dachau Detachment, 7708 War Grimes  
(Address of Court) Group  
(Address of Court) (Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zuzustreichen.

000831

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY TRIBUNAL

Commitment  
Einlieferungsbefehl

TO: The Officer in charge of Landsberg Prison  
An den Leiter der (s) ~~XXXX~~ Strafanstalt  
~~XXXX~~

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene späterhin in dieser Sache überwiesen werden wird:

Whereas one Erich Werner  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

Malmedy Massacre.

and has been sentenced by the ~~XXXX~~  
~~XXXX~~ General ~~XXXX~~  
schuldig erkannt und vom ~~XXXX~~  
~~XXXX~~ Oberen

of Life Imprisonment  
zu .....

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194...  
(Date)

Der Straftritt hat am .....  
(Datum) ..... angetreten.

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Auf Grund des genannten Urteils sind Sie ermächtigt, den (die) genannten Strafgefangenen in die Strafanstalt (das Lager) aufzunehmen, bis er (sie) die über ihn verhängte Strafe ab Verbüsst hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so long there shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Erlaube ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194...  
Gezeichnet am .....

Josiah T. Dalbey  
Prilling Officer - (Präsident)  
~~XXXX~~ Brig. Gen. Josiah T. Dalbey  
~~XXXX~~  
General  
~~XXXX~~  
~~XXXX~~

Dachau Detachment, 7708 War Crimes  
(Address of Court) Group  
(Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffende ist durch zutreffende.

000832

Final Form 105

MILITARY GOVERNMENT COURT  
MUNICH, GERMANY

Commitment  
Einlieferungsbefehl  
Landsberg

\*Prison  
~~XXXX~~  
\*Strafstaft  
~~XXXXXX~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may hereafter be lawfully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Straftatfänger jederzeit nachmassig ubewiesen werden wird:

Whereas one **Otto Wichmann**  
Der (die) Verurteilte .....  
has been convicted of the offence of  
ist wegen der folgenden strafbaren Handlung

**Malmady Massacre.**

and has been sentenced by the ~~XXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General ..... \*XXXXXX  
schuldig erkannt und vom ~~XXXXXX~~  
\*Oberon

**Ten Years Imprisonment.**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... **16th Day of July** ..... 194... **6**

Der Strafantritt hat am ..... (Date) ..... (Datum) ..... erfolgen

Now, therefore, you are hereby authorized to receive the above named  
Auf Grund des genannten Urteils sind Sie ermachtigt, den (die) genannten  
prisoner into your custody and detain him in accordance with the sentence  
so imposed or until further order of this Court  
Straftatfangeren in die Strafanstalt (das Lager) aufzunehmen, bis er (sie)  
die uber ihn verhaengte Strafe abgebusst hat oder bis Sie eine weitere  
Anordnung von diesem Gericht  
or a competent military authority and for so long this shall be sufficient  
warrant  
oder von einer zustandigen Militaerbehörde erhalten werden. Diese Urkunde  
ermachtigt Sie zur Vornahme der Handlung.

Witness this ..... **16th Day of July** ..... 194... **6**  
Gezeichnet am

*Joseph T. Dalbey*  
.....  
(President Officer - Vorsitzender)  
~~XXXXXX~~ Brig. Gen. Joseph T. Dalbey  
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~  
\*General  
~~XXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~

.....  
Dachau Detachment, 7708 War Crimes  
..... Group  
(Address of Court) (Anschrift des Gerichts)

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durch zustreichen.

000835

Legal Form No. 5

MILITARY GOVERNMENT COURT  
MILITARY FORM

Commitment  
Einlieferungsbehl

Landsberg

Prison  
~~Strafanstalt~~  
~~Strafanstalt~~

TO: The Officer in charge of  
An den Leiter der (s)

or any other prison or camp to which the prisoner may be fully transferred; oder irgend einer anderen Strafanstalt oder eines anderen Lagers, in welches der Strafgefangene nach dem Urteil überwiesen werden wird.

Whereas one **Paul Zwigart**  
Der (die) Verurteilte  
has been convicted of the offense of  
ist wegen der folgenden strafbaren Handlung

**Malmedy Massacre.**

and has been sentenced by the ~~General~~ sentence

schuldig erkannt und vom ~~General~~  
Obersten

of **Death by Hanging.**

and to pay a fine of .....  
und zu einer Geldstrafe von ..... verurteilt worden.

The said sentence to commence on ..... 194 .....

Der Strafantritt hat am (Date) (Datum) ..... 194 .....

Now, therefore, you are hereby authorized to receive the above named prisoner into your custody and detain him in accordance with the sentence so imposed or until further order of this Court  
Strafgefangenen in die Strafanstalt (das Lager) aufnehmen, bis er (sie) die über ihn verhängte Strafe abgesessen hat oder bis Sie eine weitere Anordnung von diesem Gericht  
or a competent military authority and for so doing this shall be sufficient warrant  
oder von einer zuständigen Militärbehörde erhalten werden. Diese Urkunde ermächtigt Sie zur Vornahme der Handlung.

Signed this 16th Day of July 194 6  
Gezeichnet am

*Josiah T. Dalbey*  
Executive Officer - Vorsitzender  
Brig. Gen. Josiah T. Dalbey  
~~General~~

~~General~~  
~~Colonel~~  
~~Major~~  
Dachau Detachment, 7708 War Crimes Group  
(Address as above)  
(Anschrift des Gerichts)

Strike out words not applicable.  
Nichtzutreffendes ist durch streichen.