

MILITARY GOVERNMENT COURT

CASE RECORD.

VOLUME V - Pages 979 - 1123 Incl.

Case No. 6-24 Prosecutor LT COL HURTON F ELLIS  
 \_\_\_\_\_ Military Court. Defence Counsel COL WILLIS M EVERETT JR.  
 \*General Interpreter \_\_\_\_\_  
 Place DACHAU, GERMANY  
 Date 0830 hours 31 MAY 1946 Reporter \_\_\_\_\_  
 TO 1200 hours 1 JUNE 1946 Incl. \_\_\_\_\_  
 Members of Court:

BRIG GENERAL JOSIAH T DALBY  
COL PAUL H WELLAND  
COL LUCIEN S BERRY  
COL JAMES G WATKINS  
COL WILFRED H STEWARD  
COL RAYMOND C CONDER  
COL A H ROSENFELD

Accused VALENTIN BERSIN, ET AL  
 Address \_\_\_\_\_ Sex \_\_\_\_\_ Age \_\_\_\_\_

	First Charge	Second Charge
Plea <u>VALENTIN BERSIN, ET AL</u>	<u>Not Guilty</u>	
Findings <u>Val</u>	<b>CLASSIFICATION CANCELLED</b> By authority of JAG br dtd 4 Aug 1950	
Previous Convictions		

Sentence {  
 Imprisonment { Term \_\_\_\_\_  
 Beginning \_\_\_\_\_ 194  
 Fine { Amount \_\_\_\_\_  
 To be paid before \_\_\_\_\_ 194 **WB**  
 or in case of default of payment to serve a \*further  
 term of \_\_\_\_\_  
 imprisonment.

Charge Sheet and Record of Testimony are annexed hereto.

\_\_\_\_\_  
 (Signature of member of court.)

REVIEW

Action of Reviewing Authority \_\_\_\_\_

\_\_\_\_\_  
 (Signature of reviewing authority)

\*Strike out words not applicable.

**RECORD OF TESTIMONY**

in trial of

THE UNITED STATES                      versus                      VALENTIN BERSIN, ET AL

by

GENERAL MILITARY GOVERNMENT COURT

tried at

DACHAU, GERMANY

BEGINNING 16 MAY 1946

VOLUME V

31 MAY 1946 - 0830 hours to 1 JUNE 1946 - 1200 hours; Pages 979 to 1123, incl.

T E S T I M O N Y

<u>WITNESSES:</u>	<u>Direct</u>	<u>Cross</u>	<u>Redirect</u>	<u>Recross</u>	<u>Court</u>
FRANSEE, WALTER			979	983	
WILLEMS, ANNA	987	989			
COLINET, ANTOINE	991	997			
PERL, 1ST LT. WILLIAM R.			1000,1014		1011
DELCOURT, HENRI	1015	1022			
ANDRE, ACHILLE	1027	1033			
MAHL, ERNST	1037	1045			
GARTNER, REINHARD	1053	1062	1065		
THON, HARRY			1066,1103	1109	
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ZIMMER, HEINZ	1109	1115			1122

E X H I B I T S

<u>No.</u>	<u>Description</u>	<u>Marked</u>	<u>Offered</u>
P-78	German Statement - Hans Hennecke	1002	1002
P-78-A	English Translation of P-78	1002	1002
P-78-B	Affidavit of Hans Hennecke identifying ERICH MAUTE	1011	1011
P-78-C	Affidavit of Hans Hennecke identifying Joachim Peiper	1011	1011
P-78-D	Affidavit of Hans Hennecke identifying Rolf Ritzer	1011	1011
P-78-E	Affidavit of Hans Hennecke identifying Erich Rumpf	1011	1011

THE UNITED STATES                      versus                      VALENTIN BERSIN, ET AL

E X H I B I T S

<u>Number</u>	<u>Description</u>	<u>Marked</u>	<u>Offered</u>
P-79	German Statement - Manfred Coblens	1067	1068
P-79-A	English Translation of P-79	1068	1068
P-80	German Statement - Manfred Coblens dated 15 April 1946	1070	1071
P-80-A	English translation of P-80	1071	1071
P-80-B	Picture Affidavit of Manfred Coblens identifying Gustav Knittel	1074	1074
P-81	Photograph of a grave	1093	1094
P-82	German Statement - Knittel, Gustav	1104	1105
P-82-A	English translation of P-82	1106	1106
P-83	Photograph of a house	1112	1115

CAMP DACHAU, GERMANY

31 MAY 1946

MORNING SESSION

(Whereupon the Court reconvened at 0830.)

PRESIDENT: The Court will come to order.

PROSECUTION: If it please the Court, let the record show that all the members of the Court, all the members of the Prosecution, all the members of the Defense with the exception of Dr. Hartkorn, and Dr. Wieland who are absent on business of the accused, the reporter and all the defendants are present.

PRESIDENT: The record will so show.

PROSECUTION: The Prosecution calls as its next witness Walter Fransee.

WALTER FRANSEE, called as a witness for the Prosecution, being first duly sworn, testified further through an interpreter as follows:

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION: (CAPT. BYRNE)

Q Will you state your name?

A Walter Fransee.

Q Are you the same Walter Fransee who has previously testified before this Court?

A No.

Q Did you not testify before this Court a few days ago?

A Yes.

Q To what organization did you belong during December 1944 and January 1945?

A 9th Panzer Pioneer Company, 1st Panzer Regiment, 1st Panzer Grenadier Division L.S.S.A.H.

(Fransee-redirect)

ta 103  
5/31 IJH 2

Q I call your attention to the late afternoon of 17th December 1944 and ask you if you remember where you were at that time?

A We entered Engelsdorf towards the evening.

Q About what time of day was that?

A It was about after 4 o'clock.

Q What sort of vehicle were you riding in at that time.

A I was in an SPW, the first platoon leader.

Q Who was your platoon leader?

A Untersturmfuehrer, 2nd Lt., Hering.

Q Do you recall what other people were in that vehicle?

A Yes.

Q Would you name them?

A Bath, the driver; Fritz Popkulis, Spaecher and Untersturmfuehrer Hering.

Q What was your duty in the vehicle?

A I was a radio operator.

Q After you arrived in the village of Engelsdorf, did you have occasion to see or particularly notice a non-commissioned officer?

A We had parked for a short while outside Engelsdorf when a Tech. Sgt. approached our vehicle.

Q Would you recognize that Tech. Sgt. if you saw him again?

A Yes.

Q Would you look at the prisoners in the dock on your left and see if you can identify that man among the prisoners seated there?

A Could I get up? The number is covered up.

Q Yes.

A Number 41.

PRESIDENT: Will number 41 stand up?

(Whereupon the accused did as directed.)

ta 103  
5/31 IJH 3

QUESTIONS BY PROSECUTION: ( CAPT. BYRNE )

Q Do you know the name of the man that you have identified as number 41?

A His name is Paul Ochmann.

Q On 17 December did you know his name?

A No.

Q When did you learn his name?

A Only when I was confronted with him in Schwaebisch Hall.

Q Did he tell you what his name is?

A Yes.

Q Did he give his rank?

A Yes. He stated that he was Hauptscharfuhrer, Master Sgt., Paul Ochmann.

Q When did you first see Ochmann?

A I saw him for the first time on that particular day in December.

Q Where was he at the time you saw him?

A He approached our vehicle.

Q What did he do then, if anything?

A He talked to Lt. Hering and asked for one man to shoot eight PW's.

Q What did Lt. Hering say?

A Lt. Hering told him to go over to the next vehicle to Sturmman Sues and he will get some target practice out of that.

Q Did you see whether or not Ochmann went to the vehicle for Sues?

A Yes.

Q What did he do?

(Fransee-redirect)

ta 103  
5/31 IJH 4

A He went to the next vehicle and talked a few words to Pfc Sues. Thereupon he got down and took his machine pistol with him. Then both of them went into a house located on our right. Shortly thereafter they walked passed our vehicle again with eight prisoners of war and walked towards Malmedy.

Q Did you pay any particular attention to the house you have described, on the right side of the road?

A I remember that the house an attachment with it which looked somewhat like a garage.

Q Was that beside the house?

A I don't remember that anymore.

Q Did you notice the driveway into the garage?

A That driveway was where the eight PW's came from.

Q Was the driveway level?

A It was on the same level as the street.

Q Did you notice whether the garage was a part of the house or adjoining the house?

A No. It was part of the house.

Q Did you see where Ochmann and Sues went with the eight prisoners?

A I saw them go pass my vehicle in the direction towards Malmedy and then they disappeared in the column.

Q Do you know what they did with the eight prisoners?

A In a short while, PFC Sues returned and reported to Lt. Hering that the eight prisoners of war had been shot.

CAPT. BYRNE: You may cross examine. Pardon me, just one more question.

QUESTIONS BY PROSECUTION: (CAPT. BYRNE)

Q Do you know what Company Sues belonged to?

A He was a member of the 1st platoon of the 9th Pioneer Company.

ta 103  
5/31 IJH 5

Q Who was the Company commander?

A Obersturmfuehrer, 1st Lt., Erich Rumpf.

CAPT. BYRNE: You may cross examine.

RECROSS EXAMINATION

QUESTIONS BY DEFENSE: (CAPT. NARVID)

Q How far away was your vehicle from the house?

A It was on the half right about 15 meters away.

Q After the prisoners passed your vehicle did you hear any shooting?

A No.

Q How long were you there?

A How long Sturmman Sues was gone?

Q No. How long were you in the same position in Engelsdorf?

A At least twenty minutes.

Q If the prisoners were shot in the neighborhood of the house, could you have heard the shots?

A I hardly think so because I had my earphones with the rubber insulators on which cut out any noise from the outside pretty well.

Q When you recognized Ochmann in Schwaebisch Hall, with how many men were you confronted before you recognized him?

A I was confronted with him by himself.

Q Before you were confronted with him were you told that he was the man that shot prisoners of war in Engelsdorf?

A No.

Q Do you mean to say that the moment you saw him in Schwaebisch Hall you knew that he was the man that you saw in Engelsdorf?

A Yes.

(Fransee-recross)

ta 103  
5/31 IJH 6

Q How was he dressed in Engelsdorf?

A He had a field grey coat and I don't remember his trousers because they were covered up by the coat and he had a black cap on for headgear.

Q You did not know whether he had hair or not, that is, whether he was bald or not?

A No. He had a hat on.

Q When you saw him in Schwaebisch Hall, did he have his hat on then?

A He was forced to put it on.

Q When Suess came back to the vehicle did he speak to you or did he speak to Lt. Hering?

A Suess talked to Lt. Hering.

Q At that time, you also had your earphones on, did you not?

A At the moment when Suess returned I pushed the earphones up some.

Q Why?

A So that I should be able to hear what Suess would report.

Q Did you always take your earphones off when somebody talked to Lt. Hering?

A I habitually had one earphone raised up for the simple reason that I wanted to hear any orders which Lt. Hering might give me.

Q But Lt. Hering had no orders for you, at that time, did he?

A No.

Q Why were you particularly interested in that conversation?

A Because Pfc Suess had left together with Tech. Sgt. Oehmann with the eight prisoners of war and so I was particularly interested in what Suess had to report.

Q Were you not particularly interested in knowing whether the prisoners of war had been shot?

(Fransee-recross)

ta 103  
5/31 IJH 7

A I wasn't particularly interested but I was curious.

Q Since you were curious didn't you remove your earphones to hear the shooting?

A No.

Q Do you know the place where they were shot?

A No.

CAPT. NARVID: That is all.

QUESTIONS BY DEFENSE:( DR. PFISTER )

Q Did you know 1st Lt. Rumpf?

A Yes.

Q Where was 1st Lt. Rumpf when that questions was asked about shooting the eight prisoners of war in your vehicle?

A I did not see Lt. Rumpf at that instant.

Q Did Private Rumpf remove himself from his vehicle without notifying his commanding officer Rumpf to that effect?

PROSECUTION: If the Court please, Dr. Pfister is not representing Lt. Rumpf. I would like to inquire why he is cross-examining the witness.

DR. PFISTER: That must be a mistake on the part of the Prosecution as to the fact that I am not representing Lt. Rumpf. I am representing Rumpf. However, I did not start representing this person until after the trial started upon agreement with Colonel Everett.

COLONEL EVERETT: May it please the Court, I will submit a subsequent list which I just learned about in which Dr. Pfister does represent Lt. Rumpf and Dr. Hertkorn represents Muenkemer.

PROSECUTION: If the Court please, may I request the Defense to keep us currently advised so that we will know who is presently representing who?

(Fransee-recross)

ta 103  
5/31 IJH 8

DEFENSE COUNSEL: That will be done.

PROSECUTION: Thank you.

DR. PFISTER: The witness has not yet answered my last question. May the question be read?

(Whereupon the question was read as follows:

"Did Private Rumpf remove himself from - -)

DR. PFISTER: (Interposing) That was Private Sues.

(Whereupon the question was read as follows:

"Did Private Sues remove himself from his vehicle without notifying his commanding officer Rumpf to that effect?")

THE WITNESS: He received the order from his platoon leader.

DEFENSE COUNSEL: Nothing further on recross examination.

CAPT. BYRNE: No redirect examination.

PRESIDENT: Any questions by the Court. Apparently not.

The witness is excused.

(Whereupon the witness was excused and withdrew from the courtroom.)

CAPTAIN BYRNE: The prosecution calls as its next witness Anna Willems.

ANNA WILLEMS, called as a witness for the prosecution, was sworn and testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY CAPTAIN BYRNE:

Q Will you speak loud so everyone in the court room can hear you?

A Yes, sir.

Q What is your name?

A Anna Willems.

Q Where do you live?

A In Ligneuville, Belgium.

Q And what is your occupation?

A Housewife.

Q Did you live in Ligneuville, Belgium on on the 17th December 1944?

A Yes.

Q Calling your attention--strike that, please. Do you know a woman named Maria Locheu?

A Yes.

Q Do you know where she lives?

A Yes.

Q With reference to your home where is her home?

A Diagonally across.

Q Calling your attention to the late afternoon of 17 December 1944, did anything unusual happen in the vicinity of your home?

A Yes.

Q Will you tell the court what it was?

A About 2:30 or 3 o'clock a German tank came by our house and then we went into the cellar. And about 4 o'clock American prisoners-

of-war came past our house.

DR. LEILING: That statement isn't quite correct, she said "panzers".

QUESTIONS BY CAPTAIN BYRNE: (Cont'd)

Q Was there one tank or more than one tank?

A Several.

Q And then what happened?

A We were in the cellar and then there were American prisoners-of-war in front of the entrance.

Q Did you notice about how many prisoners were there?

A About 20.

Q Did you see these prisoners yourself?

A Yes.

Q At the time you saw them were you inside or outside your home?

A In the cellar.

Q How were you able to see them?

A There is a big double door at our entrance and at both sides of it the prisoners-of-war were standing, that is on the outside.

Q Would you describe the entrance to the cellar, please?

A There is a big double door with glass panes on top and the wall on the outside, that is at a slight angle with the street.

Q When you say at a slight angle with the street, do you mean that the driveway was higher or lower than the street?

A Slightly lower.

Q Did the American prisoners remain in the entrance to your driveway?

A They stayed for about an hour.

Q And then what happened to them?

A We heard some shooting, and I went up to the bedroom and there I heard another shot. And I looked out the window and I saw one other

prisoner-of-war lying on the right side of the road going toward Malmedy. There was a German soldier there and he kicked him with his foot and he rolled down the mountain.

Q Was this in the vicinity of Maria Lochen's?

A Yes.

Q About how far from that house?

A I can't say that.

Q With reference to the length of this room, was it as far away or farther away than the distance I have described?

A Until about, well, you might say 10 meters from the house.

Q How many prisoners-of-war did you see near that house at that time?

A The next morning we looked and there were eight men lying there.

Q Do you know whether they were living or dead?

A They looked dead, dead bodies.

Q What kind of uniforms were they wearing?

A They were wearing American uniforms.

Q Had you seen American uniforms before that time?

A Yes.

CAPTAIN BYRNE: You may examine.

CROSS EXAMINATION

QUESTIONS BY CAPTAIN HARVID:

Q You say you saw one American lying on the road from your window, that is you saw him from your window?

A Yes.

Q And you saw a German kick him?

A Yes.

Q How do you know he was an American prisoner-of-war?

A Because he was wearing an American uniform.

Q But you don't know whether he was a prisoner-of-war?

A Yes.

Q How do you know it?

A Because they had been standing in front of our house with their hands up/

Q Did you see any Germans near these American soldiers?

A Yes.

Q How many did you see?

A One German.

Q When was that?

A Between four and four-thirty.

Q When you were in the cellar you stated you saw about 20 Americans in front at the entrance?

A Yes.

Q Did you see any Germans there at that time?

A I heard one, he said, "You pig, why didn't you stay in America?"

Q Did you see the American soldier have any weapons?

A No.

Q Did you see any German dead at Engelsdorf?

A Yes.

Q How many?

A I didn't count them.

Q But there were many?

A (No response.)

Q As a matter of fact there was a lot of fighting in your town at that time, wasn't there?

A There were about 45 minutes of it, from two until about a quarter to three.

Q Was there any shooting there about four?

A No.

Q Why did you go to the cellar then?

A Because at about 2:30 we had got one shot into our kitchen, and we all went to the cellar then.

Q How long did you remain in the cellar?

A Two or two and a half hours.

Q When you were in the cellar, I believe you testified before that you heard shooting, didn't you?

A Yes.

Q And when you saw the Americans in front of the cellar did you hear any shooting too?

A No.

Q You actually didn't see any American prisoners-of-war shot at Engelsdorf?

A No others, no.

Q Did you personally see any American prisoners-of-war shot?

A No.

CAPTAIN HARVID: That is all.

DEFENSE COUNSEL: Nothing further.

PRESIDENT: Any questions by the court?

Apparently there are none. The witness is excused.  
(Whereupon the witness was excused and withdrew.)

CAPTAIN BYRNE: This concludes the Ligneuville incident for the benefit of counsel.

PROSECUTION: If the court please, the prosecution calls as its next witness Mr. Colinet who will testify about Stavelot incidents and other incidents in the vicinity.

LT COL CRAWFORD: May it please the court, this witness will testify in French and it will be translated in French, German and English.

ANTOINE COLINET, called as a witness for the prosecution, was sworn and testified through an interpreter as follows:

(Whereupon the questions, answers and other proceedings were interpreted to the accused and the German counsel.)

(Colinet - Direct)

DIRECT EXAMINATION

QUESTIONS BY LT COL CRAWFORD:

Q Mr. Colinet, will you speak loud enough so that the court and all members of the prosecution and the defense can hear you?

A Yes.

Q What is your name?

A Colinet, Antoine.

Q Where do you live?

A Stavelot.

Q In what country is Stavelot located?

A Belgium.

Q Are you a citizen of Belgium?

A Yes.

Q What is your occupation?

A Factory worker.

Q What was your occupation in December 1944?

A Restaurant owner.

Q Where were you on the morning of 18 December 1944?

A In Stavelot.

Q Where in Stavelot?

A In the cellar.

Q Where is this cellar located?

A In my cafe.

Q Who was in the cellar with you?

A My father, Mr. Tombeux, Mrs. Tombeux, their two children, my child, my wife and myself.

Q How old was your child at that time?

A Approximately 18 months.

Q Did you leave the cellar?

A Yes.

Q Where did you go?

A We came out of the cellar. We passed in between the tanks from one street side to the other and went up to the hospital.

Q When you got on to the street what did you see?

A Four German tanks.

Q What were the tanks doing?

A They were stopped.

Q What did you do with respect to the tanks?

A We said, "Good day", to a man who was standing out of the tank tower and he answered us back by smiling and a sign by the hand.

Q When you say, "We", who do you mean?

A We were all together.

Q Where was your child?

A I carried it myself.

Q Where did you go after you went by the first tank?

A In the door of the hospital.

Q What happened then?

A It is then that the one who was out of the tower started firing upon us.

Q What did you do?

A We started to run.

Q Was there anybody hit by this firing?

A Yes, my wife, Mr. Tombeux, Mrs. Tombeux and my father.

Q What was the result of the wounds that they received?

A My father got wounded in the shoulder, Mrs. Tombeux in her legs, Mr. Tombeux and my wife were wounded respectively in the stomach and in the chest.

Q Are those four people alive to-day?

A No; my father and Mrs. Tombeux are still living; my wife and Mr. Tombeux are dead.

Q When did Mr. Tombeux and your wife die?

A On 18 December.

Q Of what did they die?

A Of the wounds of the firearms.

Q Was this the same firing that you are talking about coming from the man standing at the lead tank?

A Yes.

Q At the time your wife was hit was she in front of you, behind you or by the side of you?

A She was approximately six meters behind me.

Q When she was hit, what did you do?

A I turned myself around.

Q What did you see?

A My wife had fallen down and she cried to me, "Save the little girl".

Q And what did you see with regard to the tanks when you turned around?

A The man in the tower had the firearm in his hand.

Q What kind of a weapon was it?

A Machine pistol.

Q How was he holding that gun?

A Like that (indicating).

LT COL CRAWFORD: Let the record show that the witness holds his lefthand in front of his body and his righthand next to his body at the level of the hip.

Q When you turned around and saw your wife, did you see anyone else?

A No.

Q Where did you go from there?

A To Henri.

Q Did anyone go with you?

A No. I carried my little girl there and put my father in the cellar.

Q After your wife was hit and you took your little girl to Henri, when was the next time you saw your wife?

A Approximately six minutes later.

Q What happened at that time?

A I tried three times to go and get my wife, but every time he fired upon me.

Q After your wife, Mr. Tombeux, your father and Mrs. Tombeux were hit did the firing cease?

A Yes.

Q Will you give the court a description of the uniform that the man standing at the lead tank and who fired upon you was wearing?

A The uniform was gray; he was wearing a garrison cap, had silver braid around his collar and a silver braid around his shoulder.

Q Did you make any examination of your child that day?

A At the hospital.

Q What did you find from that examination?

A A bullet in the blanket

Q What was the size of that bullet?

A It was 9 mm.

Q Was there any holes in the blanket?

A There was just one hole, and the bullet had lodged in the blanket.

Q Was the child injured?

A No.

Q Had that hole and that bullet been in that blanket when you left the cellar at your cafe on that morning?

A No.

Q How far from the Ambleve River bridge is your cafe located?

A Approximately 40 meters.

Q Did you see from which direction those tanks came that morning?

#104

31-T-10

A No.

Q Prior to the tank opening fire on you, or the man in the tank opening fire on you had any of the people with you committed any hostile acts toward the Germans?

A No.

Q What time of the day did you leave the cellar?

A At 9:05.

LT COL CRAWFORD: You may examine.

Suffe  
Barten  
# 105  
31 B 1

CROSS EXAMINATION:

QUESTIONS BY DEFENSE: (Lt Col DWINELL)

- Q When your family was fired upon how were you dressed ?  
A Like this - in civilians.  
Q What color was your clothing ?  
A Brown  
Q Did you have a hat on ?  
A No  
Q How was your father dressed ?  
A With overcoat and hat  
Q What color was the overcoat ?  
A Blue  
Q Just prior to the time your family was fired upon, had there been much fighting in the streets ?  
A No.

QUESTIONS BY DEFENSE:(Capt.NARVID)

- Q How far away were you from the tank where the man stood up and fired ?  
A Thirty meters.  
Q And could you see his face clearly ?  
A Surely, because we passed approximately 2 meters next to him.  
Q Would you be able to recognize this man if you saw him again ?  
A No.  
Q And yet you say you saw him clearly ?  
A But I still did not have time to observe the features of his face.  
Q About how many tanks would you say passed through the town that afternoon ?

PROSECUTION:(Lt Col Crawford) I object to that, if the Court please: This witness has not testified about any other period other than immediately after 9 o'clock that morning.

PRESIDENT: Objection sustained.

(Antoine Colinet-cross)

# 105

31 8 2

Q What time of day did you say it was when you passed the four tanks ?

A Between 9. 05 and 9. 15

Q When you were in the cellar, did you hear the movement or noise of many tanks ?

A Yes

Q Did you hear any firing ?

A No.

Q Did you notice any markings on the tanks ?

A Yes

Q Could you tell from what particular unit these tanks were ?

A No.

QUESTIONS BY DEFENSE:(Dr RAU)

Q Do you know how many tanks had passed by when you were in the cellar ?

A No! we just saw the four which had stopped.

Q Did you discuss the proper behavior at the time when the troops were in the town with the men in your town ?

PROSECUTION:(Lt Col CRAWFORD) I object to that.It is not proper Cross-examination.

PRESIDENT: Objection sustained.

Q Why were you in the cellar and not in your apartment ?

A Because they started to demolish the houses and as a matter of fact when we left our cellar the house was burning already.

DEFENSE:(Dr RAU). I would like to ask the Court to take notice of the fact that this witness stated at first that no shot had been fired when he left the cellar.

PROSECUTION:(Lt Col CRAWFORD). May it please the Court, I would like to point out that this is argumentative and not proper at this time.

PROSECUTION: If the Court please, may I request that the Chief Defense Counsel instruct the German Counsel what is proper (Colinet- cross)

Cross Examination and not to argue their case at this time.

DEFENSE: May it please the Court, the Prosecution has consistently put words into the mouths of their witnesses. We have not objected for the simple reason that we are attempting to allow the court to make the decision as to what is proper and what is improper. I think that the German Counsel have conducted themselves entirely properly. Once in a while a question is asked that possibly does not pertain to the issues, or is a little different from our practice, and I think we are only trying to seek the truth in the matter, and that is why we have not interposed more objections and have tried to allow everything to go in.

LAW MEMBER: There is no question in the mind of the Court that the interrogations so far have been conducted in a most proper manner, with certain exceptions, and the Court believes that those instances have been due simply to a misunderstanding of Anglo-American practices as distinguished from the continental practices. In the Anglo-American practice, questions which are purely argumentative are not permitted in Cross-Examination, but such questions, particularly if pointing out a discrepancy in testimony, are a matter for argument at the conclusion of the trial. The Court will ask the Counsel to try and refrain from that type of question during examination.

DEFENSE:(Dr RAU) I would like to apologize to the Court. It was in the heat of battle.

QUESTIONS BY DEFENSE:(Dr RAU)

Q Do you know what the agreement was between the inhabitants of your city concerning the behavior of the fighting troops when they arrived ?

PROSECUTION:(Lt Col CRAWFORD). I object to that question on the grounds that it is not proper Cross-examination. That matter was not gone into on direct-examination.

PRESIDENT: Objection sustained.

(Colinet-cross)

31 8 4

Q Why did you go on the street after the German tanks were driving on the streets and the firing took place ?

A Because the house was on fire.

Q Why did you go running through the tanks and did not hide somewhere ?

A Because there were parts of houses which had already fallen into the street.

QUESTIONS BY DEFENSE: (Lt Col DWINELL).

Q Where in Stavelot is your house located ?

A In the bottom of the town - in the lower part of the town.

Q Is it in the South, North-East or West of the town ?

A In the South.

DEFENSE: No further questions.

PROSECUTION. No redirect.

PRESIDENT: There appear to be no further questions and the witness is excused.

(Whereupon the witness was excused and withdrew).

PROSECUTION: The Prosecution recalls as its next witness 1st Lt. Perl.

1st Lt WILLIAM R PERL, was recalled as a witness for the Prosecution: was reminded that he was still under oath and testified further through an interpreter as follows:

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION(Lt Col CRAWFORD).

Q Are you the same Lt Perl who has heretofore testified in this case ?

A Yes sir.

Q I will ask you whether or not, in the course of your assignment as investigator in the Malmedy case at IP #2, Schwabisch Hall, Germany, you ever had occasion to interrogate one Hans Hennecke ?

A Yes sir.

(Perl-redirect)

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3185

Q Is Hans Hennecke one of the accused in the case on trial now before this Court ?

A Yes sir.

Q Would you know Hans Hennecke if you saw him again ?

A Yes sir.

Q Take a look at the defendants seated at your left and see if he is present ?

A Yes sir he is. His number is 23.

PRESIDENT: Will number 23 stand up ?

(Whereupon the accused arose)

PRESIDENT: Sit down.

Q During your interrogation of Hans Hennecke, did he make a statement ?

A Yes sir.

Q Was it oral or written ?

A Oral first, then a written one.

PROSECUTION:(Lt Col CRAWFORD). I hand the reporter a statement and request that it be marked Prosecution's Exhibit P-78 for identification.

(Whereupon the document referred to was marked Prosecution's Exhibit P-78 for identification, by the reporter.)

QUESTIONS BY PROSECUTION:(Lt Col. CRAWFORD)

Q I hand you statement marked Prosecution's Exhibit P-78 for identification, and ask you to state what that is ?

A That is the statement written and signed by Hans Hennecke and the two sketches made and signed by Hans Hennecke.

Q Are those the sketches referred to in the statement and made a part thereof ?

A Yes sir.

Q Is the Hans Hennecke that you testified made and signed Prosecution's Exhibit P-78; the same Hans Hennecke you have just (Perl-redirect)

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identified ?

A Yes sir

Q Was that statement signed in your presence ?

A Yes sir.

Q Was it sworn to ?

A Yes sir.

Q Who administered the oath ?

A I did.

Q Was this statement made voluntarily ?

A It was

Q Was any force used to obtain this statement ?

A No sir.

Q Did you make any threats or promises to obtain this statement ?

A No sir.

Q Did you use any harsh, cruel or inhuman treatment to obtain this statement ?

A No sir.

Q Was any ceremony used to obtain this statement ?

A Yes it was.

Q What ceremony was that ?

A The ceremony we call " The Fast Procedure".

PROSECUTION: (Lt Col CRAWFORD). The Prosecution offers in evidence , statement identified by the witness as Prosecution's Exhibit P-78 for identification to be attached to the record and marked Prosecution's Exhibit P - 78 and made a part thereof.

DEFENSE: (Lt Col DWINELL) Objection to the evidence on the grounds previously stated.

PRESIDENT: Objection over-ruled. The Exhibit offered by the Prosecution is admitted into evidence and will be marked Prosecution's Exhibit P-78.

PROSECUTION: The Prosecution offers in evidence true and correct English translation of its Exhibit P-78 and request that it be marked Prosecution's Exhibit P-78-A. 1002  
(Perl-redirect)

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DEFENSE; There is no objection on behalf of the Defense.

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PRESIDENT: There being no objection, the Exhibit offered by the Prosecution is admitted into evidence and will be marked Prosecution's Exhibit P-78-A.

PROSECUTION: (Lt Col CRAWFORD). The Prosecution requests permission to read Prosecution's Exhibit P-78-A to the Court.

PRESIDENT: Granted.

PRESIDENT: The Court will recess until 1020 hours.

(Whereupon the Court recessed at 0950 hours)

(Perl-redirect)

(Whereupon the Court reconvened at 1020 hours.)

PRESIDENT: Court will come to order.

PROSECUTION: If the Court please, 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 Shumaeker, absent on business of the Prosecution, all the members of the Defense are present with the exception of Mr. Strong, Dr. Hertkorn, Dr. Wieland and Dr. Rau, absent on business of the Defense, all the defendants and the reporter are present.

1st LIEUTENANT WILLIAM R. PERL, recalled as a witness for the Prosecution resumed the stand and testified as follows:

PROSECUTION: Lieutenant Perl, you are reminded you are still under oath.

LT. COLONEL CRAWFORD (Reading Prosecution's Exhibit P-78A):

"I am adding the following to the statements which I have made so far:

"1. On the 18th December 1944 I drove with my tank through the village of STAVELOT approximately between 9 and 10 o'clock in the morning. My tank had the number 101. This means 1st Company, 1st vehicle because it was the tank of the Company Commander Obersturmfuehrer KREMER. KREMER himself had been wounded immediately before the incidents described herein and I had taken over the company and at the same time I had taken over his tank.

"At this time, the crew of my tank consisted of Rottenfuehrer MUSMAEKER (Driver), Sturmman Willy GELFERT (radio-man), Rottenfuehrer EHRHARD (Gunner) and Rottenfuehrer KNOERRINGER (assistant gunner).

"When I reached the spot which is marked with No. 1 on the sketch No. 1 which I have made and attached to this statement, my tank was travelling very slowly at walking pace. We had been driving all the time through the village at walking pace because the road was rather narrow. Speaking of walking pace, I mean a speed of not more than 3 kilometers per hour.

"At this time I was standing in the turret of the tank. The turret was open and I was looking at the road. On each side of the road stood, on the places marked Nos. 6 and 7, approximately 4 to 5 women and they were looking at the tanks as they drove by. Suddenly and without having received an order, radio-man Sturmman Willy GELFERT started firing with the radio-man's machine gun

at the women who were standing on the right of the street approximately 20 meters away.

"He first fired to the right approximately 3 short bursts. Two women on the right side ran into the doorway of a house, and two or three more were hit and collapsed. Those bursts to the right side were fired in short sequence. Altogether I estimate no more than 20 shots were fired to the right side. All this happened rather fast and even if I would have wanted I would not have been able to prevent any of these bursts fired to the right side.

"Then - again without my orders GELFERT turned the machine gun to the left and opened fire at the women on the left side. I would have been able to forbid him this shooting to the left because between the stopping of the firing to the right side and the beginning of the shots to the left, approximately five seconds passed. According to my recollection it was not more than 5 seconds, but it might have been a little longer because the radio man's machine gun is handled in such a way that it has to be aimed through the optical glass which has a scale and the changing of the cupola from the right to the left, and new aiming takes probably at least 5 seconds.

"When I stated just now that I had been in a position to forbid Sturmann GELFERT from shooting to the left, I meant by that only that I would have had the technical possibility because there was sufficient time to forbid him to do this.

"Due to the policy which as I knew it had to be followed in this campaign I could not announce such an order forbidding this although it would have been technically possible. Of course I could have shouted to him "Cease Fire" as soon as he started firing to the right. However, this would have meant to act against the order which had been issued by Obersturmfuehrer KREMSER in front of the assembled company. This order essentially stated that no prisoners of war should be made, and that in the spirit of the old fighting Waffen SS panic and terror should be spread amongst the enemy as well as amongst the civilian population.

"For this reason and because Obersturmfuehrer KREMSER had expressly stated that this order was a Regimental order, I omitted to shout "Cease Fire" to Sturmann GELFERT.

"If I would have shouted to GELFERT "Cease Fire", he would doubtless have stopped firing, but my crew would not have understood why I could forbid something to them that had been ordered to them from higher up.

"GELFERT shot to the left approximately 3-4 bursts again altogether approximately 20 rounds. Here too I saw how two or three women collapsed having been hit. All the two or three had obviously been hit in the chest because they collapsed in this way which is typical in the case of shots in the chest, namely, forward with the same motion which is shown by people who have been hit in the chest. Also, on the left side approximately

2 women succeeded in escaping into a house, I can remember distinctly the scenes described, but I cannot remember to have seen how women were running from the right side to the left side, and I also cannot remember to have seen a child either to the left or right. I am certain I did not see a child because I like children and in this case would have shouted to GELFERT "Cease Fire" and thus would have saved the child in spite of the punishment which would have been certain for me.

"During the whole scene described herein, my tank travelled slowly on, as I said before, at a speed of approximately 3 kilometers an hour at the most. The women who had been standing on the left side stood there too, obviously out of curiosity. They had made neither friendly or hostile remarks, nor had they undertaken any hostile actions, but all of these women were just out of curiosity looking at the tanks as they passed by.

"We continued without stopping, also after this I never spoke about this incident to GELFERT. Upon the objection that the crew of a tank is not allowed to shoot unless its commander orders "Feuer Frei" (Fire Free), I state that I had taken over this tank only a few minutes before and that obviously Obersturmfuehrer KREMER had given the "Feuer Frei" to the weapons. I concluded this from the fact that GELFERT shot without my having issued the order "Feuer Frei".

"For a better understanding of this incident described by me, I have made a drawing which I have marked I, and attached this to my statement. On this drawing the legend is:

1. My tank
2. Row of houses to the left
3. Row of houses to the right
4. Bridge
5. Single house at which I took over KREMER'S tank
6. The women on the right side.
7. The women on the left side
8. Tank travelling in front of me and which was just about to turn the corner
9. The tank behind me following me at a distance of about 10 meters

"In the tank in front of me travelled Unterscharfuehrer MEYER as its commander. Already before this 6 to 7 tanks of my company had passed the village.

"As almost 15 months have passed since this incident happened, it is of course possible that I cannot remember all the particulars as far as one or the other local (geographical) details is concerned. However, I still see distinctly before my eyes the road and the collapsing women to the right and to the left as I described the incident, and I also remember with certainty that I did not issue the order for this shooting, and also that the shooting to the right happened so fast that I could not have prevented it and that I did not prevent the following shooting to the left only because I myself was under orders.

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"2. On the 22nd or 23rd of December 1944, I was ordered in LA GLEISE by Obersturmbannfuhrer PEIPER to order Obersturmfuhrer RUMPF to have American prisoners of war shot by members of RUMPF's company.

"At this time I was at my CoP. I believe it must have been approximately at noon in the same basement, but in another room in the basement the CoP. of the 1st Bn was located, I heard somebody in a loud voice call from the other CoP. "RUMPF, RUMPF". I shouted back, "RUMPF is not here" but I supposed that the one who called believed that RUMPF was in my CoP. I went over into the room of the Bn CoP. as I thought that I could not simply shout to the other room because I knew that the regimental commander Obersturmbannfuhrer PEIPER was in the other room. I do not know any more whether the one who shouted before was PEIPER. In the room of the Bn CoP. the following named persons were present; Obersturmbannfuhrer PEIPER, Sturmbannfuhrer POETSCHKE and Untersturmfuhrer ROLF REISER who at this time was the Adjutant of the 1st Battalion. Furthermore, the Administrative Officer of the 1st Bn Untersturmfuhrer STEINDINGER, Obersturmfuhrer BUCHHEIM, Communications Officer of the 1st Bn, and possibly one or two other persons whom I cannot recall.

"Obersturmbannfuhrer PEIPER said to me at once when I entered the room, "Run after RUMPF and tell him that he should send an execution detail for the shooting of PW's. I asked them "Where should this execution detail report?" Instead of PEIPER to whom I had addressed my question, POETSCHKE answered (I can still remember distinctly the words he used) - he said; "Over there to you - my den is already crowded enough."

"After that, I ran out of the house to reach RUMPF who had left shortly before. I met RUMPF approximately 10 meters in front of the house, and told him that on PEIPER's orders he should send an execution detail for the shooting of PW's and I also told him that this execution detail should report to me. Obersturmbannfuhrer PEIPER as well as I, spoke simply about "PW's", and I did not mention expressly "American PW's" because we were fighting at this time only Americans, and it was clear by the word "PW's" that only American "PW's" could be meant.

"After I had passed this order to RUMPF, I returned to Obersturmbannfuhrer PEIPER and reported to him that I had executed his order. I cannot recall any more with which words I did this. On the occasion Untersturmfuhrer REISER ordered to dispatch for the same shooting an execution detail from my company too. Here too I can remember the exact words. Untersturmfuhrer REISER told me "Hein, you too dispatch one detail - one non-oom and a few men for this shooting." "Hein" is the nickname by which I am called by my friends.

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"The order just described, namely, that I too had to dispatch men for the shooting of PW's was issued to me by Untersturmfuehrer REISER shortly after I had reported to Obersturmfuehrer FEIPER that I had passed his orders on to RUMFF. When I was just about to leave this room (Bn C. P.) I had to pass the Adjutant (Untersturmfuehrer REISER) who was sitting at a table near the entrance. It was at this moment, when I passed the table which stood at the entrance, that REISER issued to me the described order.

"I then returned to my C.P., and sent a messenger, possibly Rottenfuehrer Willy BARNES to Untersturmfuehrer DIECHSIER with the order to have DIECHSIER report to me immediately with some men. I cannot recall any more whether I gave the word already to the messenger for what purpose I needed these men.

"After five minutes at the most, firstly this execution detail arrived which had been sent by Obersturmfuehrer RUMFF. Only a non-com of the 9th Panzer Pioneer Company entered by my room. He reported that he came with his execution detail on orders of Obersturmfuehrer RUMFF.

"This non-com reported, and he also mentioned his name. When interrogated I have been asked if I can remember his name but firstly I could not remember it. Later on, four names were mentioned to me, and I have been asked whether this non-com of the 9th Panzer Pioneer Company had mentioned any of these names. Of the four names mentioned to me by the interrogation officer, the name MAUTHE struck me, and without being able to state it with certainty, I believe that the non-com of the 9th Panzer Pioneer Company mentioned this name. This non-com had -- I would call -- French features, dark hair, strong eyebrows, and a longish face. His complexion was light. Yesterday I was confronted by a German soldier and his name was not mentioned, and I can state with almost full certainty that this soldier was the non-com of the 9th Panzer Pioneer Company who reported to me with his execution detail in LA GLEIZE. In case I should be mistaken in the person -- but I do not assume this at all -- there would have to exist a strong similarity between them, because the man brought to me looked exactly like the non-com of the 9th Panzer Pioneer Company who at this time reported to me. This man, when I was confronted with him, gave his name and rank as SS Unterscharfuehrer Erich MAUTE.

"I had this non-com waiting in my room and went over to the C.P. of the 1st Bn. In doing this, I saw on the stair-case three or four men waiting who had come with this non-com of the 9th Panzer Pioneer Company. I still remember that they stood up when they saw me.

"In the Bn. C.P. Untersturmfuehrer REISER was sitting at the same table at the entrance, but Obersturmfuehrer FEIPER and Sturmbannfuehrer POETSCHKE were not present any more. At this time I asked REISER, "Vaeterchen, the execution detail of the 9th Company is here -- where should I send it?" REISER answered, "To DIEFENTHAL". I asked, "Where is DIEFENTHAL?" Untersturmfuehrer REISER said, "I do not know, send them to FEIPER's C.P.. GRUHLE will know where DIEFENTHAL is". "Vaeterchen" is REISER's nickname.

"I can remember distinctly this conversation which I

have repeated here word for word.

"After this I returned to my C.P. and ordered the non-com to report with the execution detail to DIERFENTHAL, and I advised him that he would find out about DIERFENTHAL's whereabouts at PEIPER's C.P. After this, the man from the 9th Panzer Pioneer Company left.

"A few minutes later Unterscharfehrer DRECHSLER came into my room. He too had men on an execution detail waiting outside. I told him that for the purpose of shooting prisoners of war he had to report with his men to Hauptsturmfuehrer DIERFENTHAL, and that he would find out the whereabouts of DIERFENTHAL at PEIPER's C.P. DRECHSLER asked me where PEIPER's C.P. was and therefore I sent my Company troop leader Hauptscharfehrer Helmut PIDUN with DRECHSLER. I still remember that PIDUN previous to his leaving, had Rottenfehrer KOEHLER get him his machine pistol. Then PIDUN left with DRECHSLER and with DRECHSLER's men. I cannot remember any more who at this time besides DRECHSLER belonged to the shooting detail of my Company.

"After half an hour to three-quarters of an hour, Hauptscharfehrer Helmut PIDUN returned and said, "We shot a lot of prisoners of war". I cannot remember with absolute certainty whether these were the exact words that PIDUN used, but in any case, it was clear from his words that a lot of prisoners of war had been shot by people whom he described as "we". I still remember the expression "lot" and that because of his report, I was convinced that the shooting details I had sent out according to my orders had completed the execution and that PIDUN too had shot with them. DRECHSLER did not report back to me, but he made his report through PIDUN as PIDUN was higher in rank and it was his job to report back.

"Of course, the men of the 9th Panzer Pioneer Company did not report back because I was not their superior officer. I only dispatched them to the place. During all this time I did not leave the basement in which the Battalion and my C.P. was located.

"For a better understanding of the described happenings in LA GLEIZE, I have made a drawing which I have marked II. On this drawing is indicated:

1. Place where I passed this order to RUMFF.
2. Steps.
3. Table at which Untersturmfuehrer REISER was sitting.
4. Entrance to the school.

"I would like to add that either on the evening of the happenings at LA GLEIZE described herein, or on the next day -- in any case after them -- Untersturmfuehrer REISER told me that it was possible to distinguish from the numbers in the paybooks of the prisoners, the soldiers who had volunteered. Untersturmfuehrer REISER also stated, "PEIPER intends to have all those shot who volunteered against the Nazis". As Untersturmfuehrer REISER made this remark after the described happenings in LA GLEIZE, he must have referred to another shooting.

"I have made this statement consisting of 18 handwritten pages voluntarily, and of my own free will, uninfluenced by

force, threats, duress, or promises of any kind.

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"I swear before God that the facts stated herein are true and I am prepared to repeat them under oath in any court of justice."

"(signed) Hans HENNECKE  
SS Untersturmfuehrer  
13 March 1946"

"Witnessed:  
Raphael Schumacher,  
Captain, C.M.F."

"Sworn to and subscribed before me this  
13th day of March 1946 at Schwabisch Hall,  
Germany."

WILLIAM R. PERL  
1st Lt., M.I., O-565149,  
Investigator-Examiner  
War Crimes Branch  
USFET"

(Whereupon the foregoing statement was read to  
the court and the accused in the German language.)

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Fls Evelyn

LT. COL. CRAWFORD: Prosecution offers in evidence four picture affidavits signed by Hans Hennecke as to Erich Maute, Joachim Feiper, Rolf Ritzer and Erion Rumpf as Prosecution's Exhibits 78-B, 78-C, 78-D and 78-E respectively.

DEFENSE COUNSEL: On behalf of the Defense there is no objection to the picture affidavits or necessity for reading same. It is further admitted that these are the photographs of the accused Maute, Feiper, Ritzer and Rumpf.

PRESIDENT: There being no objection, the exhibits offered by the Prosecution are admitted in evidence and will be marked Exhibits P-78-B, P-78-C, P-78-D and P-78-E respectively.

(Whereupon the documents referred to were marked and received in evidence as Prosecution's Exhibits P-78-B, P-78-C, P-78-D and P-78-E respectively, are attached hereto and made a part of this record.)

LT. WILLIAM R. PERL, a witness recalled for the Prosecution, resumed the stand and testified further through an interpreter as follows:

#### RECROSS EXAMINATION

QUESTIONS BY DEFENSE (LT. COL. DWINELL):

Q Lieutenant Perl, how many times was Hennecke interrogated prior to 13 March?

A He had been interrogated before by Mr. Elowitz as to other incidents, as to the Crossroads incident I do not know how often.

Q Prior to the 13th of March how many times did you interrogate him?

A I believe four, to five times.

Q On direct examination you spoke of a ceremony used to

(Perl-Recross)

to obtain his statement. What form did that ceremony take?

A The same form which was described before, as the ceremony of the fast procedure.

Q Is that what has been referred to as the "sonnell" procedure?

A Yes, sir.

Q Was the "sonnell" procedure a form of mock trial?

A Yes, sir.

Q Was there a table with a cloth and crucifix and candles?

A Yes, sir.

Q How many of these ceremonies was Hennecke required to submit to?

A I am almost certain it was only one.

Q At the ceremony were there people behind the table posing as a court?

A There were three persons, three members of our unit sitting at a table without asking hardly any, didn't ask any questions at all. Then there was Mr. Thon on one side of the table as he is sitting here, on the same side, and I was sitting on the other side and he played the bad boy and I played the good boy.

Q How were the members of the court dressed?

A They wore American uniforms.

Q Were they wearing officers' uniforms?

A Yes, they were wearing American officers' uniforms independent of their actual rank.

Q What part in the ceremony did Mr. Thon play?

A Whenever Hennecke said something he shouted, "That's a lie, that's not true, that's a lie" and insisted that Hennecke should get a minus, while I insisted that he should get pluses.

Q Mr. Thon acted as a so-called prosecutor at the trial?

A I don't think an actual prosecutor would act like that.

Q Did he act in the role of a prosecutor in his manner, in the place that he took in the courtroom?

A If the role is so called at a mock trial, then Hennecke was induced to believe that Mr. Thon was a kind of prosecutor.

Q Did you pose as Hennecke's defense counsel?

A After the trial Hennecke told me, "As you are my defense counsel I will tell you the truth." At this occasion I told him, "I am not your defense counsel, as there is no defense counsel in the fast procedure. However, as you see, I am taking care of your case." By this I was speaking the truth because I took care of his case.

Q At the trial did the supposed prosecutor bring in some witnesses to testify?

A Mr. Thon brought Eckmann, the accused Eckmann in, from whom we had got the lead on the information on the whole Stavelot incident, which was unknown until that trial.

Q During the procedure, didn't you continually object to some of the evidence that was being offered?

A I did not exactly object but I called the witnesses liars.

Q So that you led Hennecke to believe that you were representing him at the trial?

A Yes, sir.

Q Did you advise Hennecke that he must write a statement dictated by you so that you could properly defend him at that mock trial?

A No, sir.

Q Did you tell Hennecke that if he did not cooperate with you that the supposed court would continue in his absence and pronounce judgment against him?

A I never asked him to cooperate. I just told him to tell the truth and I never told him that the court would pass judgment in his absence.

Q Didn't you tell Hennecke that the court, referring to the mock court, would sentence him to death?

A No. The moment the mock trial was over its purpose was fulfilled and I didn't speak about the mock trial any more.

Q What was the purpose?

A There were two purposes. The main purpose was for me to gain his confidence so he should tell me the truth. The second purpose was to make him see that if he wants to speak the truth it is the chance to speak the truth.

Q At that time was Hennecke a prisoner of war?

A I don't know whether he was discharged then already.

Q If he had not been discharged, then he would have been a prisoner of war, is that right?

PROSECUTION: I object to that question.

PRESIDENT: Objection sustained.

LT. COL. DWINELL: No further questions.

DEFENSE COUNSEL: Nothing further from the Defense on recross.

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD):

Q Lieutenant Perl, did you ever tell Hennecke that he was being tried?

A No, sir.

Q Did you ever tell him that you were defending him?

A Just the contrary. Before this ceremony I didn't speak about it at all to him and after the ceremony when he first addressed me as his defense lawyer, stating that he would tell the truth now, I told him that I am not his defense lawyer.

LT. COL. CRAWFORD: No further questions.

DEFENSE COUNSEL: Nothing further.

PRESIDENT: Are there any questions by the Court? Apparently none. The witness is excused.

(Whereupon the witness was excused and returned to the Prosecution table in the courtroom.)

LT. COL. CRAWFORD: Prosecution calls as its next witness Henri Delcourt.

HENRI DELCOURT, a Belgian civilian, called as a witness for the Prosecution, being first duly sworn, testified through an interpreter as follows:

(Whereupon the questions, answers and other proceedings were translated into the French and German languages.)

DIRECT EXAMINATION

LT. COL. CRAWFORD: Ask the witness to speak loudly so that everyone in the courtroom can hear.

(Whereupon the interpreter did as instructed.)

THE WITNESS: Yes, sir.

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD):

- Q State your name.
- A Delcourt Henri.
- Q Where do you live?
- A At Ster, Stavelot.
- Q In what country is that located?
- A Of Belgium.
- Q Are you a citizen of Belgium?
- A Yes.

(Delcourt-Direct)

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Q Where were you on the 19th of December 1944?

A At Ster.

Q Who was with you?

A The families of Ster.

Q Did you see any soldiers that day?

A Yes.

Q How were they dressed?

A They were German soldiers in camouflage.

Q Where did you see these German soldiers?

A At the farm Gaspard.

Q Where is the farm Gaspard located?

A At the entrance of the Village of Ster.

Q What did these German soldiers do?

A They assembled us by beating us with their rifle butts.

Q How many were there in your group?

A At that moment we were six.

Q How many German soldiers were there?

A About 40.

Q Where did you go from there?

A They took us in the direction of Renardmont, while taking all the civilians along which they encountered on the street on their way down.

Q Then where did you go?

A They made us come back a short stretch of the road, made us go cross-country down to the shed.

Q How many were with you at that time?

A 21 persons.

LT. COL. CRAWFORD: Ask the witness to step over to the map Prosecution's Exhibit number 3.

(Whereupon the interpreter asked the witness to step over to the map Prosecution's Exhibit Number 3.)

(Delcourt-Direct)

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Q Will you locate Ster on Prosecution Exhibit  
No. 3?

A (Indicating) Right here.

Q Point out Stavelot.

(Whereupon the witness did as directed.)

Q Will you point out Renardmont?

(Whereupon the witness did as directed.)

Q Now on that map indicate the Gaspar farm?

(Whereupon the witness did as directed.)

Q Is that on the southeast edge of Ster?

A West.

Q Now trace on the map prosecution exhibit  
3 just the route you followed from the Gaspar farm.

A He went down to there, then came back on  
a short stretch, went across country to the point  
indicated at the joint of the two roads.

Q Is that the location of the shed that you  
are now indicating?

A Yes.

Q Would you point out the village of  
Parfondruy?

A Right here (Indicating).

LT. COL. CRAWFORD: Let the record show  
that the witness has indicated a house on the southwest  
outskirts of Ster as being the Gaspar farm, that the  
route taken by the group was through Ster up the road  
to Renardmont, beyond Renardmont a short distance  
and then back to Renardmont, across the field to a  
point where the road coming southwest from Renardmont  
intersects the Ster Parfondruy road.  
(Delcourt - Direct)

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD CONTD)

Q When the group arrived at the shed that you have testified about, what did they do?

A They made us enter the shed by using their rifle butts.

Q What do you mean by they?

A The Germans, the Boches.

Q What happened after you were on the shed?

A They installed a big machine gun in the entrance.

Q What happened then?

A Then they put the bullets in the machine gun.

LT. COL. CRAWFORD: Is there a correction in the translation?

INTERPRETER: No, he didn't mention the word "blank".

Q What happened then?

A They started to fire the machine gun and there were seven behind the machine gun on the outside who still fired rifle shots into the group.

Q At the time the firing started where were you standing in the shed?

A At the entrance of the shed.

Q How far was the machine gun away from you?

A One meter and a half.

Q How many machine gun bursts were fired?

A About two machine gun belts.

Q Were you injured?

A Yes.

Q Where?

(Delcourt - Direct)

10B, 3sp

A On the leg.

Q After the firing ceased, what happened?

A I do not know. I had escaped.

Q What are the dimensions of this shed?

A Approximately two and a half meters wide and about four meters long.

Q Is the shed standing there today?

A No.

Q What happened to it?

A Burned down.

Q When did it burn?

A Right after they killed the victims.

Q Had you left the shed before the fire started?

A No.

Q What had happened in the shed from the time that the machine gun fire stopped and you left?

A Three bursts entered the shed and finished off the ones with pistol shots.

Q Then what happened?

A Others came in, put straw over the corpses and put the fire upon them.

Q What happened to the straw?

A It burned.

Q Was the straw burning when you left?

A Yes.

Q At the time you left did you see any bodies in the shed?

A At that moment I saw three.

Q Had you seen any more than three?

A No, I didn't, but the Americans later on told me that there were 18.

(Delcourt - Direct)

Q Can you name the people who were in the shed with you?

A Yes.

Q Name them please.

A Mr. and Mrs. Rousseau, Jules Wilhelm, Leon Wilhelm, Henri Tombeux, Achille Andre, Albert Gaspard, Leon Blause, Leon Hourront, Alfonse Verdin, Emil Verdin, Jean Verdin, Huber Delcourt, Isabelle Jourdan and her fiance, Emil Legrand, Franz Legrand.

Q Is that all that you can name?

A That is all the names I can remember right now of course including myself.

Q How many of the people that were in the shed at the time the machine gun fire started are alive today?

A Eight.

Q Will you name those eight?

A Yes.

Q Who are they?

A Achille Andre, Henri Tombeux, Jules Wilhelm, Isabelle Jourdan and her fiance, Jean Verdin, Jean Legrand and myself.

Q Are they the only people that got out of that shed alive?

A Yes.

Q What time of day did you first see the Germans?

A At about 2:30.

Q Did you see any action on the part of any Belgian civilians?

A None.

Q Did any Belgium civilians in your presence  
(Delcourt - Direct)

resist the action of the Germans?

LT. COL. DWINELL: I think counsel is leading his witness.

LT. COL. CRAWFORD: We will withdraw the question.

LAW MEMBER: Rephrase it.

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD CONTD)

Q Why was this group of Belgian civilians gathered up and taken to the shed?

A For no reason -- because they had a pleasure to kill.

LT. COL. CRAWFORD: You may inquire.

LT. COL. DWINELL: Defense moves to strike the testimony from the record because prosecution has not connected any of the accused or any of their units, nor has any of the testimony referred to any of the incidents that are alleged in the charges.

LT. COL. CRAWFORD: If it please the Court--

LAW MEMBER: I don't think there is any further argument necessary in the matter. It's very clear that the incident is in the vicinity of Stavelot as alleged in the charges, and therefore within the purview of the charges. The Court is definitely certain that the prosecution is using this evidence as introductory evidence to some connection with the accused or their units. If there is no such connection, the defense has the right to object at a later day. The motion to strike is denied.

CROSS EXAMINATION

QUESTIONS BY DEFENSE (LT. COL. DWINELL)

Q How far is Ster from Stavelot?

A Three kilometers.

Q How far is the farm Gaspard from Stavelot?

A Three kilometers.

DEFENSE COUNSEL: May it please the Court, the defense is somewhat of a quandry as to who is involved. We have counsel here representing three groups as well as German counsel who represent certain individuals, and if it may please the Court, we would like for the prosecution to return the witness to the stand after they have introduced sufficient evidence to know who will cross examine him.

PROSECUTION: If the Court please, I don't believe there is any doubt but what the three generals Dietrich, Kraemer and Pries are involved as well as Colonel Peiper, and to be more specific the second company of the reconnaissance battalion commanded by the accused Coblenz as well as his immediate superior Knittel at least are involved by this incident.

LAW MEMBER: The Court appreciates the fact that defense counsel are divided into various groups. However, there must be one defense counsel who can for the benefit of everybody involved cross examine this witness. Kindly proceed with the examination.

QUESTIONS BY DEFENSE (CAPT. NARVID)

Q Mr. Delcourt, how many Germans accompanied the civilians to the shed?

A Approximately 40.

Q You mean to say this small shed was

\*(Henri Delcourt - Cross)

surrounded by 40 Germans?

A At that time there was only one in front of the machine gun and seven behind him which means outside in front of the entrance.

Q In other words, there were only eight Germans that you saw.

A Fire at that time, yes.

Q How close was the nearest German to you when you were standing in the shed?

A Right at the machine gun at one and a half meters.

Q And how many meters away from you were the other seven who were standing with rifles?

A Behind the machine gun.

Q You could see their faces clearly, couldn't you?

A Yes.

Q Would you be able to recognize any one of them right now?

A Maybe.

Q Take a look at the accused to your left and see if you can identify anyone of those present at that scene.

A The one over there, number 57.

Q With respect to the man you just recognized number 57, where did you see him?

A I saw him at the shed. I saw him all the way. They led us down to it.

Q Was he firing the machine gun?

A No, he had a pistol.

(Henri Delcourt - Cross)

108,8sp

Q Was he standing at the shed?

A Yes.

Q Didn't you testify before there were seven men with rifles?

A Yes, just at the entrance.

Q Where was the man with the pistol standing?

A He was behind the ones which were at the entrance.

Q Was he dressed as an officer or as an enlisted man?

A He had a silver band around his collar.

Q How many others had that same insignia?

A There were three of them.

Q And was that insignia similar in all the three cases?

A I did not pay any close attention, but I did notice it around the collar.

Q Do you know the SS insignia?

A Yes.

Q Was that the SS insignia?

A On the helmet, yes.

Q How about on the collar?

A I didn't notice it.

Q Did you notice any insignia with respect to rank?

A No.

Q In other words, all of the men there were dressed alike and had similar appearances as far as insignias.

Q Yes, they were dressed the same way, in (Henri Delcourt - Cross)

108,9sp

camouflaged suits.

Q You didn't recognize any particular units to which these men belonged, did you?

A No.

CAPT. NARVID: No further questions.

PRESIDENT: The Court will recess until 1330 hours.

(Whereupon the Court recessed at 1200 hours.)

AFTERNOON SESSION

(Whereupon the Court reconvened at 1330 hours 31 May 1946.)

PRESIDENT: The Court will come to order.

PROSECUTION: If the Court please, let the record show that all members of the Court; all members of the Prosecution, with the exception of Mr. Elowitz, who is absent on business of the Prosecution; all members of the Defense, with the exception of Dr. Leer, Dr. Hertkorn and Dr. Wieland, who are absent on business of the Defense; all of the defendants, and the reporter are present.

If the Court please, we have a new interpreter to swear.

(Whereupon Michael Shaw, an American civilian, was sworn as an interpreter.)

HENRI DELCOURT, a witness for the Prosecution, resumed the stand and testified further through an interpreter as follows:

LT. COL. CRAWFORD: Mr. Delcourt, you are reminded that you are still under oath.

WITNESS: Yes, sir.

LT. COL. CRAWFORD: You are the same Henri Delcourt who has heretofore testified in this case?

WITNESS: Yes.

CROSS EXAMINATION (Continued)

QUESTIONS BY DEFENSE (Dr. Leiling):

- Q What did you yourself do when the machine gun fire started?  
A I had thrown myself to the ground already before it started.  
Q How was the machine gun mounted? Low or high?  
A Approximately 50 centimeters from the ground.  
Q At what instant did you walk off?  
A When the shed had been fired.  
Q Did you see the dead bodies in the shed?  
A I saw three.  
Q What did they look like?

A You could well see that they were dead.

Q Were they seriously injured?

A Yes.

Q Disfigured?

A Yes.

Q To what extent?

A They were covered with blood and wide openings in their heads.

DR. LEILING: No further questions.

DEFENSE: Nothing further.

LT. COL. CRAWFORD: No further questions.

PRESIDENT: Any questions by the Court?

There appear to be none. The witness is excused.

(Whereupon the witness was excused and withdrew.)

LT. COL. CRAWFORD: The Prosecution calls as its next witness Mr. Andre.

ACHILLE ANDRE, called as a witness for the Prosecution, was sworn and testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION (Lt. Col. Crawford):

Q State your name.

A Achille Andre.

Q Where do you live?

A At Ster Stavelot.

Q Where is Ster Stavelot located?

A At the west of Stavelot.

Q In what country is Ster Stavelot located?

A The Province of Liege, altogether Belgium.

Q Are you a Belgian citizen?

A Yes.

Q Where were you on the 19th of December, 1944?

A In my house.

Q Did you see any soldiers that day?

A I saw German soldiers.

Q How were they dressed?

A They were camouflaged in American.

Q What do you mean, they were camouflaged in American?

A They had camouflaged suits which were in yellow, which were resembling the American suits.

Q What time of day did you first see these German soldiers?

A Approximately two thirty.

Q How many of them were there?

A Approximately 30 to 35.

Q Was there anyone with these soldiers?

A An officer.

Q Where were the soldiers when you first saw them?

A They were at my place.

Q What did the German soldiers do there?

A They took me and put me together with the other men in the group.

Q How many men were there?

A There were approximately already 15.

Q After you were with the group, where did you go?

A They took us in the direction of Renardmont.

Q What happened on the way to Renardmont?

A They took us back a certain distance up the road we had come down to Renardmont.

Q Then where did you go?

A They made us cross through open country.

Q After you went through the open country, where did you go?

A They took us into the shed.

Q When you arrived at the shed, how many Belgian civilians were there in the group?

21.

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- Q What happened at the shed?
- A They made us enter into the shed by using their rifle butts.
- Q How did they use their rifle butts?
- A They took them by the end and beat us like that.
- Q How many people were forced into the shed?
- A 21.
- Q What happened after they were in the shed?
- A One man kneeled next to the machine gun and he started to fire two belts.
- Q Where was the machine gun sitting?
- A At the entrance of the doorway.
- Q With relation to the machine gun, where were you standing?
- A In the back.
- Q What happened after the machine gun was set up?
- A He started to fire in between the group.
- Q Was anyone hit by this fire?
- A Yes. There were already many who had fallen.
- Q Why did they fall?
- A Because they were hit.
- Q Can you name the people who were in the shed with you?
- A Yes. Alfonse Verdin, Leon Blaise, Albert Gaspard, Hubert Delcourt, Leon Hourront, Henri Delwalque, Louis Gaspard, Emil Verdin, Jules Rousseau, Mrs. Rousseau, Joseph Vitrier, myself, Jean Verdin, Henri Delcourt, Henri Tombeux, Franz Legrand, Jules Wilhelm, Leon Wilhelm, Armand Deporter. That is all the names I remember.
- Q After the machine gun firing started, how many shots were fired?
- A 2500 shots.
- Q Then what happened?
- A Some had fallen. Others were gasping, of which one was right next to me.
- Q What did you do?

A I hit the ground and was playing dead.

Q How long did you lay there?

A A quarter of an hour -- fifteen minutes.

Q During that fifteen minutes, what happened?

A One came back and finished off the ones who were still gasping, with pistol shots.

Q How many pistol shots were fired?

A Five or six.

Q After the pistol firing was over, did you hear any sounds in the shed?

A Nothing whatsoever.

Q Then what happened?

A I started to look around underneath my arm.

Q What did you see?

A I saw a man coming back with straw and small wood.

Q What did the man do with the straw and wood?

A He extended it between all the corpses.

Q Then what did he do?

A He put a fire to it.

Q How long after the fire started did you remain in the shed?

A Two or three minutes.

Q How did you leave the shed?

A Somebody whistled, and shortly after we noticed that all the Germans had gone. That is when we escaped by way of the back door.

Q How many escaped?

A Eight.

Q Can you name those people?

A Myself, Henri Tombeux, Henri Delcourt, Jean Verdin, Jules Wilhelm, Isabelle Jourdan, Armand Depoter, and the fiance of Isabelle Jourdan.

Q When you left the shed, did you see anybody in the shed?

A I saw them all.

Q How many?

A 13.

Q Did you see any wounds on any of the bodies?

A There were still some which were still losing blood.

Q You testified that Henri Delcourt was in the shed. Is he the man who just left the courtroom as you came in?

A Yes.

Q With respect to the soldiers that took you from your home and forced you in the shed, was there any difference in those German soldiers? In other words, was it the same group?

A Always the same.

Q Are you familiar with German uniforms?

A Yes.

Q Do you know the difference between officer uniforms and enlisted men uniforms?

A I can't distinguish their rank, but I definitely saw that the officer's uniform was much prettier than the others.

Q Did you see any officers in that group of German soldiers during the afternoon that you have testified about?

A There was one.

Q How was he dressed?

A He was wearing boots up to his knees.

Q What color boots?

A Black.

Q What else did you notice of his uniform?

A Field glasses and his pistol, and his gloves.

Q Was he the only person in the group with field glasses?

A The only.

Q How tall was he?

A Meter 75 to meter 77.

109-7

Q How much would he weigh?

A 75 kilos.

Q What color were his eyes?

A That I didn't notice.

Q Did you notice any insignia on his uniform?

A He had silver around the lower part of his collar.

LT. COL. CRAWFORD: You may inquire.

CROSS EXAMINATION

QUESTIONS BY DEFENSE: (LT. COL. DWINELL)

Q Did you notice the color of his uniform collar?

A No.

LT. COL. DWINELL: That is all.

QUESTIONS BY DEFENSE: (DR. WIELAND)

Q Were there any American troops in Ster-Stavelot?

A No. Not at all.

Q On December 19 there were not any American troops in Ster-Stavelot at all?

A None at all.

Q Don't you know that there were severe battles taking place near the crossing of the river Ambleve?

A You could see the fire from Ster.

Q Then fighting did take place?

A Yes.

Q Who was leading this fighting?

A They were firing from both sides all morning long.

Q Who was on the other side? Not the German side but the side of their opponents?

A The Americans.

Q Didn't the civilian population participate in this fighting too?

A Not at all.

Q Are you sure of this or did you just hear that?

LT. COL. CRAWFORD: May it please the Court, the Prosecution objects to that question, it is argumentative.

PRESIDENT: Objection is sustained.

QUESTIONS BY DEFENSE: (DR. WIELAND)

Q Did you know that there was a resistance movement among the civilian population?

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LT. COL. CRAWFORD: May it please the Court, Prosecution objects to that on the ground that it was not brought out on direct examination. The witness testified to no such thing.

PRESIDENT: The objection is sustained.

DR. WIELAND: In that case I will come back to this witness later.

QUESTIONS BY DEFENSE: (DR. PFISTER)

Q Where were you when the Germans moved into your town?

A In my house.

Q Were you upstairs in your house or in the cellar?

A No. I was behind my house.

Q Did you leave the house when you observed that the Germans had occupied the town?

A No.

Q If I remember correctly, you stated that the Germans moving into the town were wearing American camouflage suits?

A I saw well that they were German soldiers wearing the American camouflage suits since I had seen killed Americans which were wearing the same suits.

Q How did you know that those were Germans wearing the camouflage suits?

A Because they were wearing steel helmets with the SS on it.

Q Did all the troops that moved in wear these camouflage suits?

A Yes. All except the officer.

Q Did these troops, namely these six men who were standing outside the shed during the shooting, also wear camouflage suits?

A Yes.

Q In spite of the camouflage suits were you able to recognize the insignia on the collar?

A I didn't pay attention to the collar. I only looked at the helmet.

(Andre-cross)

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ta 110  
5/31 IJH 3

Q One further question, when the Germans moved into the town, did you hear the noise coming from the tanks?

A Not at all.

Q Did you see any tanks?

A A few days after but not that day.

Q Did you see any tank reconnaissance cars?

A No.

Q Were you injured during the course of the shooting in the shed?

A No. I wasn't touched.

DR. PFISTER: That is all.

QUESTIONS BY DEFENSE:(DR. LEILING)

Q Why did you leave your house in the first place when the Germans moved in? Why didn't you stay there?

A I was doing my work that I was doing every day.

Q How did you know that two belts of ammunition were shot in your direction?

A Because when they first started firing the belt had already been introduced in the machine gun and later a second case was opened up.

Q What was the material that the shed you were in was built of?

A All in wood.

Q You said that a soldier brought straw in and set fire to it, what did he set fire to it with?

A With matches.

Q You stated that you left the shed three minutes after the fire started by going out the door, is that correct?

A Yes.

(Andre-cross)

1035

ta 110  
5/31 IJH 4

Q How did you get out of the shed?

A I saved myself with the others.

Q No. I mean, did you get up or did you crawl out?

A I was running half way up.

Q Did you leave very quickly?

A Oh, yes.

Q Were you then still able to count the dead?

A Oh, yes.

Q Could you go through the door when the shed was already  
burned down?

A Not all together.

Q Only the door was still standing?

A There was no door.

Q Didn't you say that you left by the back door?

LT. COL. CRAWFORD: May it please the Court, this cross-  
examination is going pretty far afield and seems to me immaterial.  
In fact it is nearer argument.

PRESIDENT: The objection is overruled.

THE WITNESS: Yes.

DR. LELLING: That is all.

LAW MEMBER: Will you read the last question and answer?

(Last questions and answer read by the reporter.)

PRESIDENT: Any other questions by the Defense?

DEFENSE COUNSEL: Nothing by the Defense.

LT. COL. CRAWFORD: No further questions by the Prosecution.

PRESIDENT: Any questions by the Court? Apparently not,  
the witness is excused.

(Whereupon the witness was excused and withdrew from the  
courtroom.)

LT. COL. CRAWFORD: The Prosecution calls its next  
witness Ernst Mahl.

(Andre-cross)

ta 110  
5/31 IJH 5

ERNST MAHL, called as a witness for the Prosecution  
being first duly sworn, testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION: (LT. COL. GRANFORD)

Q Will you state your name?

A Ernst Mahl.

Q Speak up loudly enough so that everyone in the Court can  
hear you. What rank did you hold from 16 December 1944 to 13  
January 1945?

A SS Mann, private.

Q What was your organization?

A Leibstandarte Adolf Hitler.

Q What regiment and battalion?

A Reconnaissance battalion.

Q What company?

A Headquarters company.

Q What platoon?

A Pioneer platoon.

Q Who was your battalion commander?

A Sturmbannfuehrer, Major Knittel.

Q Who was your company commander?

A Obersturmfuehrer, 1st Lt., Gols.

Q Who was your platoon commander?

A Untersturmfuehrer, 2nd Lt., Droge.

Q Were you in the "ifel offensive?

A Yes.

Q What date did the "ifel offensive begin?

A On 16 December 1944.

Q What date did your company reach Stavelot?

A 19 December, in the afternoon.

(Mahl-direct)

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Q Had you been to Stavelot before you reached Stavelot on the 19th?

A No.

Q In what direction did you approach Stavelot on the 19th?

A East.

Q As you approached Stavelot did your company make any stops?

A Yes. Outside of Stavelot.

Q Why did you stop?

A I can't say that. Later on we had an air raid.

Q Prior to the air attack did you see any Americans?

A No.

Q During the air attack did you see any Americans?

A Yes. We had some prisoners of war.

Q Where were these prisoners of war?

A They were with us during the time of the air raid.

Q What was done with these Americans?

A They were shot after the air raid.

Q Just where, with relation to your vehicle, were these Americans?

A Outside Stavelot.

Q Were there any of them by your vehicle?

A One man was in my vehicle.

Q Where did you next see that man?

A I later saw him at that building.

Q How far was the building from your vehicle?

A About 300 meters.

Q Did you ever go near that building?

A Yes. After the air raid.

Q When you got to the building, who else did you see there?

A I saw a group of officers and men.

ta 110  
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Q Where were they standing?

A Next to the house.

Q Where were the Americans with regard to these officers?

A To the right side of the house.

Q How many Americans were there?

A Six to eight.

Q What were the Americans doing?

A They were sitting next to the house.

Q Were there any German soldiers around them?

A I didn't understand the question.

Q Withdraw the question. What were the officers at the house doing?

A They were holding a conversation.

Q Could you tell what they were talking about?

A About the prisoners of war or something I think.

Q On what do you base that statement?

A They were pointing to the prisoners of war every once in a while.

Q Who all was in this group of officers?

A Obersturmfuehrer Wegner, 1st Lt. Coblenz, 2nd Lt. Droege, one 2nd Lt. from the 2nd Company and one Captain who was our Doctor.

Q What did you see happen after that?

A I saw Sgt. Wolf and other men take these prisoners from the house to the woods and as they -- after they disappeared in the woods I heard shooting.

Q What type of gun did you hear firing?

A Machine pistols, I think.

Q How many bursts did you hear?

A Four or five.

(Mahl-direct)

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ta 110  
5/31 IJH 8

Q How many shots to each burst?

A Five to ten.

Q When Unterscharfuhrer Wolf went with the prisoners to the woods what kind of weapon was he carrying?

A I can't state that.

Q What type of weapons were the other three men carrying?

A I can't state that either.

Q How long after the group entered the woods was it before you heard the firing?

A Immediately thereafter.

Q Did you see anyone come out of the woods?

A No.

Q When did you next see Wolf again?

A About a half hour later.

Q Where was that?

A Not far away from the house.

Q Where did your company go after this incident?

A We drove through Stavelot later.

Q Then where did you go?

A To a little town.

Q What did you do in the little town?

A We spent the night.

Q Where did you go the next morning?

A Back to Stavelot.

Q Did you make any stops on the way to Stavelot?

A Yes. At a railroad bridge.

Q Will you tell the Court what that bridge looks like?

A It consisted of two railroad bridges meeting each other at an angle.

Q What goes under the bridges?

A Our vehicles stopped there. . . . .

ta 110  
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Q Is there a road under the bridge or just what?

A Yes, a road.

Q What happened under the bridges?

A Under the bridge I saw Lt. Droege shoot two Belgian civilians coming along the road from Stavelot.

Q What were the Belgian civilians doing?

A Nothing.

Q Why did Lt. Droege shoot them?

A I can't tell you that.

Q How old were these men?

A They were two elderly men.

Q What did Droege say after he shot the two civilians?

A If I remember correctly, "That's what is to be done to everybody".

Q Is that the statement that Lt. Droege made?

A When he also gave the order to clean out all the houses and shoot everything that's inside.

Q Where did you go from there?

A Along the railroad tracks.

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Q How far along the railroad tracks did you go?

A About half an hour.

Q Did you leave the railroad tracks after half an hour?

A Yes, we made a left turn.

Q During this time on what were you traveling?

A We were walking.

Q After you turned left off the railroad what did you see?

A We got into a little patch of woods.

Q Did you go through the woods?

A I don't know that any more.

Q What was the next thing you came to?

A To a town.

Q What happened in the town?

A Well, the order that Untersturmfuehrer Droege had given us was executed there, was carried out there.

Q What did you do?

A I walked together with Corporal Bertz and went into about four houses on the edge of town but nobody was in them any longer.

Q At that time how many German troops were in the town?

A I can't tell you that any more either, only that the Second Company was still among them.

Q Was your headquarters company there too?

A Well, I am from the Pioneer Platoon of the Headquarters Company. I don't know whether the other platoon went to.

Q The engineer platoon was there too, was it?

A The Pioneer Platoon, yes.

Q Did you see any officers in this little town?

A My platoon, Lt Droege and then as the only high ranking officer 1st Lt Coblenz.

Q Do you know who the commanding officer in the second company is?

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(Mahl - Direct)

A 1st Lt Coblenz.

Q Who was near Lt Coblenz when you saw him in this little village?

A He had some men around him.

Q Anyone else?

A I later saw him with a group of Belgium civilians.

Q How many?

A About fifteen or twenty.

Q Where did you go from there?

A I got to a shed then located on the right side of the road.

Q What happened at this shed?

A I then heard from some comrades of mine that Belgium civilians had been shot in that shed.

Q What did you see about the shed that called it to your attention?

A I believe I am able to remember seeing smoke rise.

Q Did you see any civilians near this shed?

A No.

Q Did you see any officers near that shed?

A Lt Droege, my platoon leader, and then 1st Lt Coblenz.

Q Where did you go after you left the shed?

A To a collecting point.

Q What units did you see at this collecting point?

A Only the Pioneer Platoon.

Q After you arrived at the collecting point where did you go?

A We then went out to reconnoiter an enemy artillery position.

Q Where did you spend that night?

A In the second or third house outside Stavelot.

Q How long did you remain in that house?

A Until the next morning.

Q Then where did you go?

A We then made an attack and took about three more houses until just before the railroad station.

Q What part of Stavelot were you in?

A Left side of the road.

Q Were there any other German units in Stavelot at that time?

A Yes, the second company.

Q Where was the second company?

A I saw some of them on the right side of the road.

Q How long did you remain in Stavelot?

A Until December 22, 1944.

Q What happened on that date?

A We were captured in the morning.

Q Where were you at the time you were captured?

A In a cellar.

Q Who else was captured with you?

A Eight of my comrades and then 1st Lt Coblenz and 2nd Lt Droege.

Q Would you know Lt Coblenz if you saw him again?

A I am not sure.

Q Would you look at the defendants sitting to your left and see if Lt Coblenz is among those?

A Yes.

LT COL CRAWFORD: If the court please, may the witness stand up?

PRESIDENT: Go right ahead.

A I am not sure, 57.

Q How long has it been since you have seen Coblenz?

A December 1944.

Q Was the Coblenz that was captured with you on 22 December 1944 the man that you knew at that time as the commanding officer of the second company and whom you testified you saw before Stavelot at

at the time a group of officers were discussing six or eight prisoners-of-war?

A Yes.

Q Is he the same man that you saw at the small village with the civilians and again in the shed?

A Yes.

Q Who was Droege's commanding officer?

A The company commander 1st Lt Golz.

Q Who was Golz's commanding officer?

A Major Knittel.

Q Would you know Major Knittel if you saw him again?

A I can't be sure about that either.

Q Would you know the battalion surgeon if you saw him again?

A I don't know that either.

Q Do you know Alfred Shairer?

A Yes.

Q Do you know Reinhard Gärtner?

A Yes.

Q Who are they?

A Comrades of mine from the Pioneer Platoon.

Q Do you know whether or not they have been captured?

A Yes, they were captured.

Q When?

A At the same time as I was.

Q Were they in the same cellar that you and Lt Coblenz were captured in?

A Yes.

LT COL CRAWFORD: No further questions.

CROSS EXAMINATION

QUESTIONS BY LT COL DWINELL:

Q Did the German troops take the City of Stavelot sometime

after 19 December?

A I don't know.

Q On the 19th of December you were on the outskirts of the city, is that correct?

A It might have been the 18th or 19th, I can't say for sure.

Q On the day that you saw Lt Goblens at a conference about prisoners just where were you?

A I walked past the house along the road.

Q With respect to the town of Stavelot where was it, on the outskirts of town or in the town itself or just where?

A On the outskirts of Stavelot.

INTERPRETER ROSENSTOCK: Correct that answer, outside of Stavelot.

Q You had undergone quite a bit of heavy artillery fire that day, isn't that correct?

A Yes.

Q The American artillery fire was continuous the entire day; isn't that correct?

A I don't think it was quite as bad toward evening; it slowed down some.

Q That is true of the 20 December, is it not?

A Yes.

Q That was true of 21 December, was it not?

A Yes.

Q Going back to 19 December, just what were your duties in the headquarters company?

A We then returned from that town back to the railroad bridge--

Q You have not answered my question. What were your specific duties with the headquarters company on the 19 December?

A I can only say that I was as a pioneer.

Q On the 19 December when you saw Lt Coblentz in a conference about some prisoners were you in a vehicle, were you on the road or were you in a field?

A On the road.

Q What were you doing?

A I was walking along the road.

Q Had there been heavy air attacks that day?

A Yes.

Q How long just before you saw Lt Coblentz had there been an air attack?

A Immediately thereafter.

Q Was there heavy street fighting?

A I can't say.

Q Was the artillery coming from the flank?

A I don't know that either.

Q Nevertheless you distinctly remember Lt Coblentz and several officers gathered in a group in a field having a conference during this particular period of combat; is that correct?

A Yes.

LT COL DWINELL: No further questions.

CROSS EXAMINATION (Cont'd)

QUESTIONS BY DR PFISTER:

Q Do you know what the location of Coblentz's company was on 1 and 19?

A Where the whole reconnaissance battalion was.

Q Answer my question.

A Where all of us were, where I was, where the headquarters company was.

Q Do you know where the unit commanded by Coblentz was located on 19 December?

A In the town near Stavelot, that is he had returned from a town where we had spent the night.

MR PFISTER: I would like to request the court to be permitted that I take the witness to the map so he can show us that on the map.

(Whereupon the witness and German counsel walk to the map on the wall in the court room.)

A We were coming from here (pointing on map).

Q Will you please give the name?

A We stopped outside of Stavelot at about here during the air raid.

Q Was that Coblenz's group?

A The whole reconnaissance battalion.

Q Was that on the 19th?

A I don't know whether that was on the 18th or 19th.

Q How long did you stay there?

A We stopped at 2 o'clock.

Q On the 19th?

A I don't know whether it was the 18th or 19th and drove through Stavelot in the evening at 8 o'clock.

Q Then what was the location of Coblenz's group on the 20th?

A At this town here (pointing on map).

Q What is the name of it?

A I can't say.

Q Was it south, east, west or north of Stavelot?

A West I think.

Q Was it a rather big town?

A I think so, I can't say for sure.

Q On the 20th you were not in Stavelot proper then?

A In the first few houses outside Stavelot.

Q Where was Coblenz's group?

A It was at the same place; he was in the same village.

Q What was the distance between the first houses of this village and the first houses of Stavelot?

A Four or five hundred meters.

Q What was the location of Coblenz's group on December 21, 1944? I would like to help you there—one day afterwards.

A In the first few houses outside Stavelot.

Q Did the group of Coblenz then remain in those first few houses outside Stavelot the 20 and 21?

A I don't know about the whole company, but one platoon was to our right.

Q Which platoon?

A I don't know.

Q Do you know when Coblenz's group left that location?

A I think it was the day prior to their capture.

Q What was the date of that day?

A The 21st.

Q Do you know that, or do you just assume that?

A I just assume that.

DR. PFISTER: No further questions over here. I ask permission of the court to continue.

PRESIDENT: Go ahead.

(Whereupon the witness resumed his seat on the witness stand.)

Q Do you know whether the group Coblenz or part of this group were wearing American camouflage suits?

A I can't say.

Q Did you make any observations at all during those few days to the effect as to how members of that group were clothed?

A I don't know.

Q But still you do know what the location of that group was during those days?

A Yes, sir.

Q Did you see it?

A Yes.

Q Do you know Coblenz from seeing him or from hearing about him?

A I last saw him in December 1944.

Q How many times?

A Three times.

Q You saw him a total of three times then?

A Yes.

Q On what occasions was that?

A Once while advancing and twice shortly before my being captured.

Q What occasion?

A Once in the cellar when we were being captured, and then when he was together with that group of Belgium civilians.

Q Where was he located together with that group of Belgium civilians?

A In town.

Q Where were those Belgium civilians collected?

A Not far away from the shed.

Q Did you definitely recognize Coblenz?

A Yes.

Q How?

A By his size and I also saw him talking to 2nd Lt Droege.

Q All right, you say that you entered the shed?

A No.

Q I must tell you that you said in prior interrogation that you entered the shed.

A I didn't say that.

DR. PFISTER: I withdraw the question. That is all.

DEFENSE COUNSEL: Dr. Leiling.

CROSS EXAMINATION (Cont'd)

QUESTIONS BY DR. LEILING:

Q Did Droege give this order you mentioned simultaneously with the shooting of these two civilians or afterwards?

A Afterwards.

Q What was the reason for that order?

A I don't know.

Q Weren't you surprised or shocked about these shootings?

A I don't remember that to-day either.

Q During all these days didn't you do anything but watch while civilians were being made and shot?

LT COL CRAWFORD: That is improper cross examination.

LAW MEMBER: What is the basis of the objection?

LT COL CRAWFORD: It is argumentative cross examination.

PRESIDENT: Objection overruled, proceed with the questioning.

A I entered Stavelot on the evening of the 19th and I spent the night in the second house on the left side of the road, and on the morning of the next day we went three houses down.

DR LEILING: I don't care for this answer.

PRESIDENT: Any other questions by the prosecution?

DEFENSE COUNSEL: Nothing further for the defense.

PRESIDENT: Prosecution?

LT COL CRAWFORD: No further questions.

PRESIDENT: Any questions by the court? There appear to be none. The witness is excused.

(Whereupon the witness was excused and withdrew from the court room.)

PRESIDENT: The court will take a recess until 1535.

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(Whereupon the court at 1500 hours took a recess.)

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(Whereupon the Court reconvened at 1530 hours.)

PRESIDENT: The Court will come to order.

PROSECUTION: Let the record show that all members of the Court, all members of the Prosecution with the exception of Captain Shumacker who is absent on business of the Prosecution; all members of the Defense are present with the exception of Wieland, Dr Leer and Dr Hertkorn who are absent on business of the Defense. All the Defendants and the Reporter are also present.

PROSECUTION:(Lt Col CRAWFORD) The Prosecution calls as its next witness Reinhard Gartner.

REINHARD GARTNER, a witness for the Prosecution was duly sworn and testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION:(Lt Col CRAWFORD).

Q State your full name ?

A Reinhard Gartner

Q What was your rank between the 16th December 1944 and the 13th January 1945 ?

A SS Rottenfuehrer

Q What was your organization at that time ?

A Headquarters Company, Reconnaissance Unit, ISSAH Battalion.

Q Who was your Company commander ?

A Obersturmfuehrer Goltz.

Q Who was your Battalion commander :

A Sturmbannfuehrer Knittel.

Q Were you in the Eifel offensive ?

A Yes

Q When did the Eifel offensive begin ?

A 16 December 1944.

Q Prior to the beginning of the Eifel offensive was there a company meeting held ?

(Gartner-direct)

# 112

A Yes

31 8 2

Q When and where was that meeting held ?

A The meeting was held in the Blankenheimer forest.

Q On what date ?

A 16 December 1944.

Q Who spoke at that meeting ?

A Obersturmführer Golts talked at the meeting.

Q What did Obersturmführer Golts tell you about the offensive ?

A Essentially Obersturmführer Golts told us that this push would be of great importance and that we would have reinforcements and would be helped by the Air Force and also by the Unit Skorzeny. He further said that we were to take care of everything in front of our barrels. These words I can only give you now by their meaning and not verbatim.

Q There is a point about the translation - I would like to ask you again, what statement did Obersturmführer Golts make concerning anything in front of your barrels ?

A We would mow down everything that would appear before our barrels.

Q On what date did your company reach Stavelot ?

A During the night of 18th to 19th December.

Q Before you reached Stavelot did you see any Americans ?

A Yes

Q How many

A According to my estimate a group of about 8 to 10 men.

Q Where were these Americans ?

A They were approximately one kilometer out of Stavelot.

Q What were they doing when you saw them ?

A They came from the meadow moving towards the road.

Q In what position were they holding their hands ?

A They had not raised arms - they were already under guard and being moved to the road.

(Gartner-direct)

# 112

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Q Were there any firearms on these men ?

A No

Q Where were these men taken ?

A They were marched along the road on which we were moving forward.

Q Did you see these men again ?

A No, I did not see them later on.

Q Do you know what happened to these American prisoners of war that you saw that day.

A I heard from my comrade that they were shot.

Q Where were you when you heard this ?

A I was already in the basement in which I was taken prisoner.

Q Who told you about that ?

A I can no longer remember.

Q Did you go beyond Stavelot ?

A Yes

Q Where did you spend that night of 18th to 19th December ?

A In a village the name of which I can no longer remember.

Q Where did you go next morning ?

A Next morning we went the same way back in the direction of Stavelot.

Q Did you make any stops that morning ?

A Yes

Q Where did you stop ?

A By the Railroad bridge.

Q Can you describe to the court that railroad bridge ?

A Yes. The bridge had two diverting rails through which one could see the sky.

Q What was under the bridge ?

A Under the bridge lies the road.

Q What, if anything, happened at the bridge ?

A Our platoon shot two civilians at this bridge.

(Gartner-direct)

# 112

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Q Who is your platoon leader?

A Untersturmfuehrer Droege.

Q What were these civilians doing ?

A They came from the opposite direction and intended or wanted to pass by the bridge.

Q Did they have any arms ?

A No.

Q How far were you from Droege when he shot these civilians ?

A Two or three meters.

Q How far were the civilians from Droege when he shot them ?

A Also two or three meters.

Q What did he shoot them with ?

A With an American gun.

Q How many shots did he fire ?

A One into each man.

Q Where did he shoot them - I mean in what part of the body did he shoot them ?

A I don't know.

Q What did the two civilians do after the firing ?

A They fell down at once.

Q Did you get any closer to the bodies of the two civilians ?

A No.

Q Do you know whether or not they were dead ?

A I don't know that.

Q How old were these two civilians ?

A Possibly 40 to 45.

Q What else happened at the railroad bridge.

A Nothing else, we marched on from there.

Q Did you leave your vehicle there ?

A Yes

Q On what did you travel as you marched ?

A We went by foot along the railroad.

(Gartner-direct)

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Q How far did you go along the railroad ?

A We marched along the railroad about 400 to 500 meters.

Q In what direction did you turn ?

A We turned off the railroad to the left and came to a village from there.

Q What happened in the village ?

A When we came to the village the first time I saw Untersturmfuehrer Wolf of the Reconnaissance Battalion and was told to find the location of the American Artillery position.

Q Did you receive any orders prior to leaving the bridge up to the time that you arrived at this village ?

A Before we arrived at the village we were told that the village had to be cleaned up and the civilians were to be shot.

Q Who told you that ?

A Wolf.

Q How long were you away from this village ?

A I was gone for about one to one and a half hours.

Q Then where did you go ?

A I got back to the village.

Q Did you observe any civilians when you were in the village ?

A Yes

Q Did you observe any the first time you were in the village ?

A Yes.

Q Where were they ?

A They were in and out of their houses.

Q Did you observe any civilians when you came back to the village ?

A Yes.

Q Where were they ?

A Those were the dead civilians which I saw on the street.

Q How many ?

A Possibly eight to ten

(Gartner-direct)

- Q Did you see any civilians walking around ?
- A No, I saw none.
- Q What time did you leave that village ?
- A It must have been around the noon hours.
- Q What time did you return to the village ?
- A In the afternoon - it could have been 2 or 3 o'clock.
- Q Where did you go from there ?
- A From there we went out to the main street which goes in the direction of Stavelot.
- Q What happened there ?
- A I heard shooting later on when I was in the basement and I heard that the civilians had been shot.
- Q Did you see any other German troops at this place ?
- A Yes.
- Q From what units were they ?
- A Headquarters Company and part from the 2nd Company platoon of the Heavy Weapons Company.
- Q What were these troops doing in the village ?
- A They also moved towards the road leading to Stavelot.
- Q What time did they move up the road towards Stavelot ?
- A It was already in the late afternoon hours.
- Q Did you see any officers at this place ?
- A Yes.
- Q Who did you see there ?
- A Sturmbannfuehrer Knittel with some other officers of the Battalion.
- Q Where was Knittel when you saw him ?
- A He came out of a building which was about half a kilometer from the first buildings of Stavelot, in company with some other officers.
- Q You testified that Knittel was the Commanding Officer of the Battalion is that the same Knittel you saw that afternoon ?
- (Gartner- direct)

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A Yes he is the same one

Q How many times did you see Knittel ?

A During the offensive once, and that was at the place mentioned.

Q How many times before the offensive did you see Knittel ?

A Before the offensive I marched. In the Rifel offensive I saw him once or twice in my vehicle.

Q Was he riding in your vehicle ?

A No.

Q Would you know Knittel if you saw him again ?

A Yes.

Q Will you look at the defendants seated at your left and see if he is amongst them ?

A Yes. He is number 31.

PRESIDENT: Will number 31 stand up ?

(Whereupon the accused arose )

PRESIDENT: Sit down.

Q What time on the night of 19th December did you enter Stavelot ?

A It was in the evening between 7 and 8 o'clock. I can no longer remember exactly.

Q Was it light or dark ?

A It was already dark.

Q What other units went into Stavelot at the same time you did ?

A At that time I only saw a platoon of the 2nd Company.

Q With respect to your position, where were those platoons ?

A We occupied the house on the left-hand side of the road and as far as I can remember the platoon was on the right-hand side.

(Gartner-direct)

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31-01-

Q When you speak of left and right, do you mean the road going into Stavelet from the two bridges?

A Yes.

Q Did you hear any firing in Stavelet that night?

A Yes.

Q What type of weapon was being fired?

A Machine pistol and rifle shots.

Q Which side of the street did that firing come from?

A That came from the right hand side of the street.

Q Was it burst or single shots?

A Bursts and single shots.

Q Was there an attack on the German forces going on at that time?

A With the exception of artillery fire.

Q Was your position under fire by artillery at that time?

A Yes.

Q Was your position under attack by infantry at that time?

A No.

Q Do you know the reason for this small arms firing?

A No, I don't.

Q Did anyone ever tell you the reason for the small arms firing?

A No.

Q Where did you go the next morning?

A We occupied more of the road and pushed ahead until we came close to the railroad station where we occupied some houses where we pulled guard for the next few days.

Q What units were across the street from you during the next few days?

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A I only observed units -- detachments of the 2nd Company on the other side of the street.

Q When were you captured?

A On the 22nd December 1944.

Q Who was captured with you?

A Eight comrades of mine were captured with me.

Q Do you know Ernst Mahl?

A Yes.

Q Do you know Richard Losinski?

A Yes.

Q When were they captured?

A Also on the 22nd of December.

Q Who else was captured with you?

A Alfred Schairer, Leithold, Liebersbach, Zagler, Sciers.

That is all of them.

Q Do you know the name of the commanding officer of the 2nd Company Reconnaissance Battalion?

A Yes.

Q What is his name?

A Obersturmfuehrer Coblenz.

Q Did you see Obersturmfuehrer Coblenz on the 22nd December 1944?

A Yes.

Q How long have you been in the Reconnaissance Battalion?

A I was in the Reconnaissance Battalion since the 1st of December 1940.

Q After you were captured, how many times did you see Coblenz?

A Just one time.

Q How long were you with him after you were captured?

A One day after I was taken prisoner.

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Gartner - Direct

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31-0-3

CROSS EXAMINATION

QUESTIONS BY DEFENSE (Lt. Colonel Dwinell):

Q Did you say on the 19th of December about a kilometer outside of Stavelot you saw some American prisoners in a field, is that correct?

A Yes.

Q What were you doing at the time?

A I was in the vehicle.

Q Was the vehicle moving?

A In the direction of Stavelot.

Q How fast was the vehicle moving?

A That was 10 kilometers.

Q At the rate of 10 kilometers per hour?

A Yes.

Q What kind of vehicle was it?

A An SPW.

Q What position in the vehicle did you occupy?

A At the time I was rifleman.

Q Do you know where Ernst Mahl was at the time?

A He was in a different vehicle, but at that time I could not see him.

Q Was the road under artillery fire at that time?

A Also, but we had an air attack at that time.

Q How far away from you were the group of prisoners, American prisoners you referred to?

A 15 meters distant.

Q You say you were a rifleman. What were your duties?

A To watch for air attack or ground attack. Ground attacks primarily.

Q Did you have any concern about air attack at all?

A No.

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Q You said you had been subjected to an air attack at the time you saw these prisoners, is that right?

A Yes.

Q Weren't you paying more attention to that?

A No.

QUESTIONS BY DR. LEILING:

Q When you were at the railroad bridge you mentioned, was that at a peaceful time or during the fighting?

A That was during the advance.

Q Did you know what those two civilians were doing there?

A I don't know.

Q Are you sure that Droege gave the order to shoot the civilians only after the incident at the railroad bridge?

A Yes.

Q Consequently no order existed prior to the shooting of civilians?

A In answer to that I can only say the company commander pointed to that.

Q Who was that?

A Obersturmfuehrer Droege.

Q Of what time are you speaking?

A I do not understand you.

Q When did Droege say so?

A When the company was instructed before we advanced on the Eifel offensive.

Q Do you know whether or not the Pioneer platoon was shot at when it moved through Stavelot?

A No, it was not subjected to fire.

Q At what exact time of day did you see Knittel?

A It must have been between 6:00 and 7:00 o'clock. It was already dark.

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Q How did you know that Knittel had a conference?

A Because I was standing so close to him that I overheard it.

Q Did you say that he had a conference in the house?

A No, I mentioned that he came out of his house and I saw him standing outside of it with some of his officers with whom he had a conference.

QUESTIONS BY IR PFISTER:

Q Did I understand you correctly when you said some time ago that you heard during the night machine pistol shots?

A Yes.

Q Approximately how far were you away from the fire that you heard?

A The width of a street.

Q On which night was this?

A The night from the 19th to 20th.

Q Do you know whether or not German units moved through Stavelot during that night?

A Not during that night.

Q Do you know whether or not troops were moving back during that night?

A That I don't know.

Q How significant do you consider the shooting? How much importance do you attach to the shooting?

A I cannot attach any importance to the shooting, except that I was on guard in the building and could not pay attention to it.

Q Were there fights?

A I don't know, I was on guard, and we were being subjected to artillery fire.

Q Was that in Stavelot?

A Yes.

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Q You said sometime ago you were never shot at in Stavelot?

A No directly in Stavelot, no.

QUESTIONS BY DR. RAU:

Q Why did you leave your vehicles underneath the bridge and moved on foot along the railroad?

A Apparently it was better that we were to be used as infantry and that the vehicles were not being used.

Q What did Untersturmfuehrer Droege say about the shooting of the two civilians?

A He did not utter a word about the shooting of the two civilians.

Q Weren't you rather surprised about this?

A Of course.

Q And didn't you give any thought to the matter as to why they were shot?

A I did give the matter some thought.

Q Didn't the soldiers talk about it?

A No.

Q Do you know anything about an attempt that was to be made on the bridge by these two civilians?

A I know nothing about that.

PROSECUTION: I object. That is not proper cross.

PRESIDENT: Objection sustained.

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION (Lt. Colonel Crawford):

Q Do you know any reason for the small arms fire on the right hand side of the street during the night of the 19th?

A I can give no reason since I only heard it.

Q What did you hear?

A When I was on guard that night in the building I only heard bursts and single shots.

Q Did anyone ever tell you why that firing was going on across the street night?

A No, nobody ever told me why.

LT. COLONEL CRAWFORD: No further questions.

DEFENSE: Nothing further.

PRESIDENT: Witness excused.

(Whereupon the witness was excused and withdrew.)

PROSECUTION: Prosecution at this time recalls Mr. Harry Thon. Mr. Thon you are reminded you are still under oath.

HARRY W. THON, an American civilian, recalled as a witness for the Prosecution testified as follows:

(Whereupon the questions, answers and other proceedings were interpreted to the German counsel and the accused.)

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION(Lt. Colonel Crawford):

Q Are you the same Harry Thon who has heretofore testified in this case?

A I am, sir.

Q During the time you were assigned as investigator in the Malmedy case in Schwabisch Hall, Germany, did you have occasion to interrogate one Manfred Coblentz?

A Yes, I did.

Q Is he one of the accused in the case now in hearing before this Court?

A Yes, sir. He is.

Q Could you identify him?

A Yes, I can.

Q Look at the defendants seated to your left and see if he is among those present.

A He is and he is wearing Number 9.

Thon - Redirect

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LT. COLONEL CRAWFORD: Will the Court please ask  
Number 9 to stand.

PRESIDENT: Number 9 stand up. Sit down.

Q During the interrogation did Coblenz make a state-  
ment?

A Yes, sir. He made several statements.

Q Were they oral or written?

A They were oral first and then they were written.

LT. COLONEL CRAWFORD: I hand the reporter an  
instrument and request it be marked Prosecution's Exhibit  
Number 79 for identification.

(Whereupon the document referred to was marked  
Prosecution's Exhibit 79 for identification by the reporter.)

Q I hand you a statement that has been marked for  
identification Prosecution's Exhibit Number 79 and ask you to  
state what that is.

A This is the written statement of Manfred Coblenz and  
it is signed by him.

Q Do you know whose handwriting that statement is in?

A This is Coblenz's handwriting.

Q Is that the same Manfred Coblenz who you heretofore  
identified?

A Yes, sir.

Q Is the statement sworn?

A No, it is not, sir.

Q Was that statement made voluntarily?

A Yes, it was.

Q Was any force used to obtain this statement?

A No, sir.

Q Did you make any threats or promises to obtain that  
statement?

A No, sir.

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Q Did you use any harsh, cruel or inhuman treatment to obtain this statement?

A No, sir.

LT. COLONEL CRAWFORD: Prosecution offers in evidence an instrument that has been marked Prosecution's Exhibit Number 79 for identification and asks that it be attached to the record and made a part thereof as Prosecution's Exhibit Number 79.

LT. COLONEL DWINELL: This being an unsworn statement, the objection previously made will not be made at this time.

PRESIDENT: There being no objection, the exhibit offered by the Prosecution will be put in evidence and will be marked Prosecution's Exhibit "P-79".

(Whereupon the document referred to, having been previously marked and identified was received in evidence as Prosecution's Exhibit "P-79" and is attached hereto and made a part of the record.)

LT. COLONEL CRAWFORD: I hand the reporter a true and correct English translation of Prosecution's Exhibit "P-79" and ask that it be admitted into evidence as Prosecution's Exhibit "P-79A".

(Whereupon the document referred to was marked Prosecution's Exhibit "P-79A by the reporter.)

DEFENSE: No objection by the Defense.

PRESIDENT: There being no objection, the exhibit offered by the Prosecution will be admitted in evidence and will be marked Prosecution's Exhibit "P-79A".

(Whereupon the document referred to, having been previously marked and identified was received in evidence as Prosecution's Exhibit "P-79A" and is attached hereto and made a part of the record.)

LT. COLONEL CRAWFORD: Prosecution asks permission to read Prosecution's Exhibit "P-79A" and also for the witness to read "P-79".

PRESIDENT: Granted.

#113  
O-31-10

LT. COLONEL CRAWFORD (Reading):

"I, Manfred COELENZ, declare under oath:

"1). After the push through STAVELOT, Belgium and following heavy low flying attacks, I reached with the mass of the Company, a bomb crater about 2 km west of STAVELOT, at nightfall on the 18 December 1944. As I could not drive around this crater, I ordered the company to level off the crater's edge in order to fulfill my mission to follow the advanced panzer point as quickly as possible. At the same moment, my commanding officer, Stubaf. KNITTEL, coming from the advanced panzer point, drove into the crater. He rebuked me and ordered the quickest work possible. In the meantime, when it had become dark already Stubaf. KNITTEL arrested a man who came from the West, uncovered him as a spy and had him shot.

"2). The battalion attacked STAVELOT on the 19 December 1944, doing that in the flank with two platoons of my company, under my command and from the West with one platoon with tank support and after joining inside the village, to take the bridge. On account of American infantry, and above all, on account of concentrated artillery fire, I was forced to withdraw.

"By my appearance on the flank, however, the 3rd platoon succeeded in the occupation of the western houses in STAVELOT. After having reported to the Commanding Officer, I received the order to join the 3rd platoon by darkness and reinforced by the Pi-Platoon of the Battalion, men of the Pi-Company and 2 tanks, to attack again the next day. During the attack I reached the ground in front of the station extremely favorable to the enemy. Here we received heavy infantry fire, and further on, anti-tank gun and tank fire. A mine field blocked the road and heavy artillery fire opened up. A further attack was impossible. I was on the left side of the street. On account of the artillery fire continuing until the evening, it was impossible to establish communications with the 3rd platoon on the right side of the street. Only in the evening did platoon leader Ustuf. SIEBERT report his own situation and informed me that a Rttf. of his platoon was shot from the rear during the attack, that is, by civilians, who then fled from a shed. Thereupon, fire was opened up and the civilians were shot.

/s/ Manfred COELENZ"

(Whereupon the statement was read in the German language.)

Tk #114-SR-5/31-1      QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD):

Q    Mr. Thon, did you at a subsequent date take a statement from Manfred Coblenz?

A    I had the statement dictated to Manfred Coblenz.

Q    Prior to that dictated statement, had Manfred Coblenz made any statements to you?

A    Yes, sir, he made oral statements to me.

Q    That was dictation given to Coblenz based upon that oral statement?

A    This statement that was dictated to Coblenz are his oral statements.

LT. COL. CRAWFORD: I hand the reporter a statement and ask that it be marked for identification Prosecution's Exhibit P-80.

(Whereupon the document referred to was marked Prosecution's Exhibit P-80 for identification.)

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD):

Q    I hand you an instrument that has been marked for identification Prosecution's Exhibit 80 and ask you to state what that is?

A    Yes, this is Coblenz' written statement which is signed by him.

Q    Do you recognize the handwriting on that statement?

A    Yes, sir, it is the same handwriting as in the other statement of Coblenz.

Q    Is the Coblenz whose handwriting you have identified on Prosecution's Exhibit Number 80 for identification, the same Manfred Coblenz as wearing number 9 in the courtroom today?

A    Yes, sir, he is the same Manfred Coblenz.

Q    Was that statement taken under oath?

A    Yes, sir, it is.

(Thon-Redirect)

Tk #114-SR-5/31-2

Q During your interrogation of Manfred Coblens, did you use any force?

A No, sir.

Q Were the oral statements he made to you made voluntarily?

A Yes, sir, he did.

Q Did you use any harsh, cruel, or inhumane treatment to obtain these statements?

A No, sir.

LT. COL. CRAWFORD: Prosecution offers in evidence statement marked Prosecution's Exhibit Number 80 for identification, same to be made a part of the record and marked Prosecution's Exhibit Number 80.

LT. COL. DWINELL: The Defense objects to the evidence on the grounds previously stated.

PRESIDENT: The objection is overruled. The exhibit offered by the Prosecution is admitted in evidence and will be marked Prosecution's Exhibit Number P-80.

(Whereupon the document referred to, having been previously marked and identified, was received in evidence as Prosecution's Exhibit No. P-80, is attached hereto and made a part of the record.)

LT. COL. CRAWFORD: Will you mark this Prosecution's Exhibit P-80-A, please?

(Whereupon the document referred to was marked Prosecution's Exhibit No. P-80-A by the reporter.)

LT. COL. CRAWFORD: Prosecution offers in evidence an instrument that has been marked Exhibit P-80-A, as being a true and correct English translation of Prosecution's Exhibit Number P-80.

DEFENSE: No objection on behalf of the Defense.

PRESIDENT: There being no objection, the exhibit offered by the Prosecution is admitted in evidence and will be

(Non-Redirect)

Tk #114-SR-5/31-3 marked Exhibit P-80-A.

(Whereupon the document referred to, having been previously marked, was received in evidence as Prosecution's Exhibit No. P-80-A, is attached hereto and made a part of the record.)

LT. COL. CRAWFORD: Prosecution requests permission to read Prosecution's Exhibit P-80-A and the witness to read Prosecution's Exhibit P-80.

PRESIDENT: Granted.

(Whereupon Lt. Col. Crawford proceeded to read Prosecution's Exhibit P-80-A as follows):

"I, Manfred COBLENZ, having been first duly sworn upon oath state the following:

I was Company Commander of the 2./A.A./ 1. SS Pz. Div. (Trans. Note: 2nd Co., Reconnaissance Battalion, 1st SS Panzer Division) during the BIFEL Offensive in December 1944. On the 16th XII 1944 I received verbal orders via messenger to go to the Kommandeur, Sturmbannfuehrer Gustav KNITTEL, at the battalion Command Post (house near railroad station GLAADT) to receive orders. All company commanders of the battalion, the commanders of the attached batteries and Pioneer Company (Trans. Note: Combat Engineer Company) and the Adjutant were present. The Kommandeur, who was very late in arriving, having received the orders at division, gave us the attack order for the BIFEL offensive, which started on the 16th XII. 1944.

This order contained:

1. The enemy
2. The explanation of the tactical employment of the 6th SS Pz. Army by referring to the map.
3. Mission of our own division.
4. Mission of the battalion
  - a.) For the approach march and first commitment
  - b.) Presumable commitment of Bn. in coming phases.
5. Support of heavy artillery and mortar, increased activity of the Air Corps.
6. Employment of the group 'Greif'.
7. Directive for the campaign in regard to:
  - a) Strongest concentration of forces, rigor of the fight.
  - b) Absolute necessity for reaching the objective (1. Maas bridges; 2. probably Luettich or Antwerpen.)
  - c) Personal sacrifices of officers and men to the ultimate and in this connection reminded us of the bitter sorrow brought upon German women and children at home by heavy air attacks.

(Coblenz statement)

- d) This campaign should and must be successful in order to put an absolute end to the suffering.
- e) The statement that civilians who oppose with weapons in their hands will not be considered as regular troops.
- f) The statement that the armored group after the attack by the Volksgrenadier Div. will push far into enemy territory and therefore, long, open flanks could be created and that the armored group can get into a critical state and can be cut off. Nevertheless, the order to push ahead without looking to the left and right is to be carried out.
- g) The statement that in compelling emergencies prisoners of war could be shot.

In accordance with the orders I received from Sturmbannführer KNITTEL, I passed on a digest of this order to my platoon leaders the same evening and to the whole company the next morning. The platoon leaders to whom I transmitted this order were Uscha. GILBERT of the 1st platoon, Ustuf. FARNY, of the 2nd platoon, Ustuf. SIEBERT, of the 3rd platoon, and Uscha. JAKOB of the 4th platoon.

I spoke to the platoon leaders and I remember saying to them at that time that prisoners of war would be shot only in a compelling emergency.

On the 21st XII. 44, the Americans attacked the part of the town west of STAVELOT Station which was occupied by my reinforced company. I was in the first house on the left side of the street. The Americans employed a reinforced combat patrol at this house. They were able to work their way up to about 30 meters but because I had the better position, repulsed them after heavy fire fight and through hand grenades. The enemy disengaged himself and received for this heavy enemy artillery support. The artillery fire continued with short interruptions until the evening. The general situation was very critical.

On account of this commitment in which I took part, I couldn't, seen from a tactical point of view, personally intervene on the righthand side of the street. This was caused by the terrain unfavorable to me, which gave the enemy excellent observation and the slightest movements were put under heavy machine gun and mortar fire; above all, the sharpshooters were the most dangerous. Foreseeing this on the day before, I gave the order to the leader of the 3rd platoon, Ustuf. SIEBERT to act on his own on the righthand side of the street.

During my action on the lefthand side of the street I also heard loud battle noises from the right side, though they later quieted down.

I further heard strong battle noises from the area of the Battalion Command Post and to the west thereof.

On account of the preceding attack on my company and by identification of loud tank noises from the neighborhood of the STAVELOT railroad station on the preceding night I had to count on the main attack for the following day.

Tk #114-SR-5/31-5

As the telephone connection with the Commanding Officer was interrupted, I did not know the general situation. I was very uneasy and awaited the next day with a heavy heart.

I therefore went, after nightfall with my messenger for briefing of the situation and for a personal report to the Kommandeur (Battalion Command post).

On the way there I passed Untersturmf. SIEBERT, platoon leader of the 3rd platoon of my company. He reported that he repulsed the enemy after heavy fighting and that he also had some American prisoners of war shot. He did not state the exact number. I asked Untersturmf. SIEBERT why he had to shoot the prisoners. He explained to me that his platoon consisted of only nine men and he could not spare anybody to guard prisoners. Therefore, he had to bump off the prisoners. As I recall his words now, U/Sturmf. SIEBERT said: 'The shirt was everywhere too short; on the left they were raising hell, and because of further enemy movements, I could not afford to do without a single man. I had no one to guard the prisoners.'

The next morning, as expected, the substantial stronger enemy attack started from all sides with strong tank forces, in which I was taken prisoner.

I have made this statement voluntarily and of my own will, uninfluenced by force, threats, or duress and uninfluenced by promises of any kind.

I swear before God that the statements which I have made in this deposition are true, and I am prepared to repeat these under oath before any court of justice.

/s/ Manfred COBLENZ  
SS Obersturmfuehrer  
15.IV. 1946

Sworn to and subscribed before  
me this 15th day of April 1946  
at Schwaebisch Hall, Ger.

Raphael SHUMACKER  
Capt CMP

(Whereupon Exhibit P-80-A was read in the German language.)

LT. COL. CRAWFORD: Will you mark this Exhibit P-80B, please?

(Whereupon the document referred to was marked Prosecution's Exhibit No. P-80-B by the reporter.)

LT. COL. CRAWFORD: Prosecution offers in evidence a picture photograph signed by Manfred Coblenz as to Gustav Knittel. This has been marked Prosecution's Exhibit P-80-B.

PRESIDENT: Any objection by the Defense?

DEFENSE COUNSEL: Is that offered in evidence?

PRESIDENT: Yes.

(Coblenz Statement)

Tk #114-SR-5/31-8

DEFENSE COUNSEL: On behalf of the Defense, there is no objection to the picture affidavit or necessity for reading the same. It is admitted that the photograph is that of the accused Knittel.

PRESIDENT: There being no objection, the exhibit offered by the Prosecution is admitted in evidence and will be marked Exhibit P-80-B.

(Whereupon the document referred to, having been previously marked, was received in evidence as Prosecution's Exhibit No. P-80-B, is attached hereto and made a part of the record.)

LT. COL. CRAWFORD: You may inquire.

DEFENSE COUNSEL: On behalf of the Defense, there is no cross examination at this time.

PRESIDENT: Any questions by the Court? Apparently none. The witness is excused.

LT. COL. CRAWFORD: If the Court please, the next witness will take some time. It is now close to five o'clock.

PRESIDENT: Court will recess until 0830 tomorrow morning.

(Whereupon the Court adjourned at 1650 hours until 0830 hours the following day.)

1 June 1946.

MORNING SESSION

(Whereupon the Court reconvened at 0830 hours.)

PRESIDENT: Court will come to order.

PROSECUTION: If the Court please, let the record show that all members of the Court, all members of the prosecution with the exception of Captain Shumacker who is absent on business of the prosecution, all members of the defense, all of the defendants and reporter are present.

If the Court please, we have a new interpreter to be sworn this morning.

(Whereupon Frank Weil was sworn as interpreter.)

PROSECUTION: Prosecution calls as its next witness, Mrs. Gregoire.

REGINA GREGOIRE, called as a witness for the prosecution being first duly sworn, testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD)

Q State your name.

A Regina Gregoire.

Q Where do you live?

A In Stavelot.

Q In what country is Stavelot located?

A In Belgium.

Q What is your occupation?

A Housewife.

Q Are you a Belgian civilian?

(Gregoire - Direct)

115,2sp

A Yes.

Q Where were you on the 19th of December 1944?

A In the house on the other side of ours in the basement.

Q Was there anybody with you in that cellar?

A Yes.

Q Who?

A There were 26 all in all.

Q Were there any members of your family besides yourself in that cellar?

A My two children.

Q How old are they?

A They are now 6-1/2 and 3 years old respectively.

Q With respect to the route from Trés Ponts to Stavelot which side of the street was this house located on?

A On the right hand side.

Q And what part of Stavelot is the house located?

A In the upper part.

Q Was that on the outskirts of Stavelot on the way to Trés Ponts?

A Yes.

Q What happened on the evening of the 19th of December?

A Shortly before 9 o'clock a grenade fell into the basement. Shortly afterwards a second one fell in and the Germans shouted to us to come out. I went out first and the two children and the others (Gregoire - Direct)

115,3sp

followed me. As I came out there were Germans there who told us we should come out of the basement. He told me to see and look if everybody were present which I did, and then he told me to go back into the basement to have a look and see if anybody had remained behind. I told him that nobody was left. He said one of you shot at us, and I told him that nobody had. He furthermore said that not all had come out, but that three persons had come out before us, and I told him that I had seen nothing. He told us to sit down and he said that the woman who spoke German should come up to him together with her two children which I did, and I saw one of the soldiers take his revolver and shoot at the people, and from what I could hear from the other side there was some shooting with rifles.

Q Did you see any gun flashes as the soldier shot into the people?

A No.

Q How many Germans were shooting into the people?

A Two as far as I heard.

Q How far were you standing away from the group at that time?

A Two meters.

Q How long did the firing continue?

A Ten minutes.

Q After the firing ceased, did you hear any sounds coming from the people?

A No.

Q How many people were in this group, Mrs. Gregoire?  
(Gregoire - Direct)

115,4sp

A 23.

Q How many men were in the group?

A Two.

Q How many women?

A Eight I believe.

Q Who made up the rest of the group?

A Children and young girls.

Q After the firing stopped did you see the bodies of these people at any time?

A Yes, on Friday when I passed through the lower part of town, but only from some distance away.

Q Were they still at the same place where they had been shot on the 19th?

A Yes.

Q After the firing was over, where did you go?

A I asked what was going to become of me and a soldier said to me it would be better if I went into a different cellar.

Q Where did you go then?

A Into a basement on the other side. We went out of the first basement and then into a second basement where we were asked in French and German whether we had shot on the Germans.

Q Now, where there any lights in the cellar where you were asked these questions?

PRESIDENT: Just a minute. I think there is a question about interpreting.

INTERPRETER: Is it not true that the woman said whether or not she was asked if there had been any shooting and not whether they had shot at the Germans.

(Gregoire - Direct)

LL%,%SP

DR. LEILING: The other way around. You translated they asked whether there was any shooting. I think the woman said they were told someone shot at them.

LT. COL. CRAWFORD: I will clear that point up.

QUESTIONS BY PROSECUTION (LT. COL. CRAWFORD CONTD)

Q Mrs. Gregoire, when you were questioned in the cellar, will you tell the Court just what was said to you?

A I was told, "You shot at us", and I said, "None of us shot at you", and he said to me, "If you don't tell the truth, you will be shot". "If you were standing in front of me with a gun, I would still insist on the same thing. None of us shot at you."

Q Were you then again interrogated in the same manner?

A No.

Q In what language did the person who interrogated you speak?

A The one who asked me this question? German.

Q Was there a light in this cellar where you were questioned?

A Yes.

Q When you left the place where the shooting of the 23 civilians had taken place, who accompanied you?

A The Germans.

Q How many?

A There were approximately ten or 12.

Q How were these Germans dressed?

(Gregoire - Direct)

A I couldn't say at that moment because it was dark.

Q Did any of them come into the cellar with you where the light was?

A Yes.

Q How many?

A I couldn't say. There were two who had my children and another one at a distance who was also in the basement.

Q How were those soldiers dressed?

A I saw the German helmet but otherwise I did not pay very good attention.

Q Where did you spend that night, Mrs. Gregoire?

A In the basement of Massote.

Q How long did you remain in that cellar?

A From Tuesday night until Wednesday morning.

Q Then where did you go?

A To the basement of Mr. Demarteau.

Q How long did you remain in that cellar?

A Until Friday afternoon.

Q While you were in these various cellars were there any German soldiers present?

A Yes.

Q How many?

A The basement was always full.

Q Do you know whether or not those are the same soldiers who fired into the group?

A I can't say.

Q Did you see any of the soldiers during the next four days who fired into the group?

A One of the men who was in the basement of (Gregoire - Direct)

Massote was also in the basement of Demarteau but whether they shot at the group I don't know.

Q Did you talk to anyone about the incident of throwing the hand grenade in the cellar where you were?

A Yes.

Q What was that conversation?

A He said he had thrown a hand grenade into the basement and the people had shouted.

Q Anything else?

A And he had gotten a kick out of doing it.

Q Did you make any reference to the people who had been shot?

A He said that it had been a pretty heap and there would be one even prettier tomorrow morning. I said, "Well, I will be among those", and he laughed.

Q In Mr. Demarteau's cellar did you have a conversation there with a German soldier?

A Yes.

Q Tell the Court about that conversation.

A Mr. Demarteau asked me to ask the Germans whether any American prisoners had been taken. He said, "We don't take prisoners". I said, "You kill them?" and he did like this (Indicating).

LT. COL. CRAWFORD: Let the record show that the witness shakes her head in an affirmative nod.

Q How were these soldiers dressed that you saw in the various cellars after the 19th of December?

A In the basement of Demarteau I saw one who had SS here (Indicating) and Adolf Hitler here. (Gregoire - Direct)

115,8sp

Q When you say SS here, do you mean on the collar of his uniform?

A I don't know whether or not it was the collar. I know it was up here (Indicating).

Q Are you indicating the left lapel on the left side of the uniform?

A I think so, but I am not sure.

Q Which arm was Adolf Hitler?

A I think on the left one.

Q Mrs. Gregoire, can you name the persons who were killed and who had been in the cellar with you on the night of the 19th of December?

A Yes.

Q Will you name them please?

A Mr. and Mrs. Daisomont, their two children Anna Maria and Marie Therese, and the grandmother Madame Lecoq, Widow Jean Lecoq, her girl, Jeanne Lecoq, Madame Rene Price, her three children, Yvonne, Visette, and Paul, Widow Remy and her boy Jean, Mr. and Mrs. Rouse Legaye, two girls, Jeanne and Alice Legaye, and a small child Maria Legaye. I think that is all.

Q Is that all that you can remember now, Mrs. Gregoire?

A Well, Mrs. Maurice Roue.

Take 116  
June 1-B-1

Q Did you see any German soldiers on the 18th of December?

A Yes, forenoon.

Q Which direction were they going?

A Toward Trois Ponts.

Q Were they riding or walking?

A I saw a tank with American stars in the back.

Q What else did you notice about that tank?

A Blots of paint were on it, as was customary with the Germans.

Q Then it was camouflaged like the Germans camouflaged their tanks?

A Call it in that manner, yes.

Q How were the German soldiers that you saw dressed?

A I saw them with German helmets, but I could not say about the dress. One person would say it's American, and another person would say it's German.

Q Did you notice anything about their headdress?

A No.

Q When did you first see the Germans on the 19th of December?

A In the evening when we came out of the basement.

Q Do you know how those soldiers came back into Stavelot?

A The Germans?

Q Yes.

A Was that on Tuesday?

Q Yes.

A They probably came from Trois Ponts.

Q What kind of vehicles were they riding?

A I couldn't say. I didn't see it.

LT. COL. CRAWFORD: No further questions. You may inquire.

DEFENSE: Dr. Lelling.

## CROSS EXAMINATION

## QUESTIONS BY DEFENSE (Dr. Leiling):

Q Did anything happen to you or your children?

A Yes.

Q What happened to you?

A A bit of grenade in my leg.

Q Why did the German soldiers tell you to go to a different basement?

A He told me it was better there.

Q Why do you think so?

A I don't know.

Q Did I understand you correctly when you said that the soldiers appeared to be looking for somebody?

A Yes, in the first basement.

Q Do you know whether or not any people were upstairs in the house to which the first basement belonged?

A No.

Q You don't know?

A No.

Q Why was Mr. Demarteau interested to know whether or not American prisoners had been taken?

A I don't know.

Q Did you, among the German uniforms, also see uniforms which, up here, had a red color?

A No.

Q Are the statements which you have made today the first statements which you have made during this trial?

LT. COL. CRAWFORD: May it please the Court, we object to that question. It is irrelevant and immaterial how many statements the witness has made.

PRESIDENT: Objection sustained.

Q Did you, either on the 19th of December or on one of the following days, see German tanks?

A Yes.

Q How many?

A One.

Q Do you know whether there was a great deal of street fighting in Stavelot?

A I don't know.

Q Didn't you hear the shooting?

A Yes.

Q Were those rifle shots?

A Yes.

Q Do you know from which direction those rifle shots came?

A No.

Q Would one have the impression that there was noise in all streets?

A Yes, there was some shooting everywhere.

DR. LEILING: No further questions.

DEFENSE: Dr. Wieland.

QUESTIONS BY DR. WIELAND:

Q Were the soldiers looking for shooting civilians?

LT. COL. CRAWFORD: May it please the Court, the question has been asked --

DR. WIELAND: I withdraw the question.

Q Why did the people sit in the basement?

A It was better to go into the basement while shooting was going on.

DEFENSE: Nothing further from the Defense on cross examination.

LT. COL. CRAWFORD: No further questions by the Prosecution.

PRESIDENT: Any questions by the Court?

Apparently there are none. The witness is excused.

(Whereupon the witness was excused and withdrew.)

LT. COL. CRAWFORD: The Prosecution calls as its next witness Jean Elias.

JEAN ELIAS, called as a witness for the Prosecution, was sworn and testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION (Lt. Col. Crawford):

Q State your name.

A Jean Elias.

Q Where do you live?

A At Trois Ponts.

Q Is that in Belgium?

A Yes.

Q What is your occupation?

A Electrician.

Q Are you a Belgian citizen?

A Yes.

Q Where were you on the 18th of December, 1944?

A In my house in Trois Ponts.

Q Did you see any German soldiers in the vicinity of your home on that day?

A I saw the column go by.

Q In what direction were they going?

A In the direction of La Gleize.

Q What time of day was that?

A At noon.

Q How long did you remain at your home?

A I stayed two days in my house.

Q Where did you go when you left your home?

A To Trois Ponts.

Q Where in Trois Ponts did you go?

A To the viaduct.

Q Will you describe this viaduct?

A The viaduct is composed of two railway lines that separate, and there are two bridges over them.

Q Does the railroad run over the street, or the street over the railroad?

A The railway goes over the road.

Q Did you find anything unusual at this viaduct?

A Yes.

Q What did you find?

A Fifteen civilians that had been killed.

Q Where were they with relation to the viaduct?

A There were ten on the street between Trois Ponts and Coo, and there were two civilians that had been killed between the two bridges.

Q Did you examine the bodies of any of these civilians?

A Yes.

Q From your examination, could you see how they were killed?

A They had bullets in their heads and in their bodies.

Q Could you identify the two bodies under the viaduct?

A Yes.

Q Who were they?

A The two brothers Job.

Q How old were these two men?

A 55 and 49 years, respectively.

Q Did you observe any wounds on the Job brothers?

A Yes.

Q Where were these wounds?

A One of them had his face holed by a bullet.

Q What about the other one?

A The second had his face on the ground, full of blood.

Q Where did you go after discovering these bodies?

A I went back to my house.

Q When was the next time you left your house?

A The 7th of January.

Q Where did you go then?

A I left with the Americans.

Q And where did you go?

A To recapture the village of Aisemont.

LT. COL. CRAWFORD: I would like the witness to step over to the map, Prosecution Exhibit 3.

(Whereupon the witness went over to the map.)

Q Point out Trois Ponts.

(Whereupon the witness pointed on the map.)

Q Where is your home from Trois Ponts?

A To the north.

Q Point it out on the map.

(Whereupon the witness pointed on the map.)

Q Where are the two viaducts you testified about?

(Whereupon the witness pointed on the map.)

Q Are there any similar viaducts in the vicinity of Trois Ponts?

A No.

Q Trace the route that you followed when you accompanied the American infantry to Aisemont.

(Whereupon the witness traced a route on the map.)

Q Where did you cross the Ambleve River?

A On the Stavelot road.

Q Is there a bridge indicated in the vicinity of where you crossed?

A Yes.

Q Did you cross on that bridge?

A No. I forded the stream.

Q Are there any buildings near that bridge?

A No.

Q Are there any buildings within 200 or 250 meters of that bridge?

A No.

Q Did you find anything unusual as you went on the way to Aisemont?

A Yes.

Q What did you find?

A 11 American parachutists who had been killed.

Q Point out on the map, Prosecution Exhibit 3, the location of those bodies.

(Whereupon the witness pointed on the map.)

Q Is there a chateau in the vicinity of where you found the bodies?

A Yes.

Q How far from the bodies, and in what direction?

A The castle is 300 meters west of the bodies.

Q And how far from the chateau is the bridge?

A 600 meters.

Q Is the bridge north or south of the chateau?

A North.

Q How far is that bridge from Stavelot?

A 600 meters.

Q 600 meters west of Stavelot?

A North.

Q Calling your attention to the bridge that you have indicated that you crossed, how far is it from Stavelot to that bridge?

A 3 Kilometers.

Q What direction from Stavelot is the chateau and the bridge where you crossed the Ambleve River?

A Southwest.

LT. COL. CRAWFORD: Will the witness please take his seat.

(Whereupon the witness resumed the stand.)

LT. COL. CRAWFORD: May it please the Court, I would like the record to show that the witness indicates a point approximately three to four hundred meters north of Trois Ponts as the location of his home; the location of the two viaducts as being east of Trois Ponts in the vicinity of the intersection of the road from Stavelot to Trois Ponts and the road Trois Ponts to La Gleize; the location of the bridge across the Ambleve River as approximately 3 kilometers west of Stavelot; the location of the chateau as being 600 meters south of the bridge across the Ambleve River; and a point approximately 300 meters east of the chateau as the location of the 11 bodies of American soldiers.

Q Can you describe the manner in which these bodies were lying there?

A They were almost all on their back.

Q How close together were they?

A There were two groups. There were six on the left of the path, and there were five on the right.

Q How were these soldiers dressed?

A There remained on them their undershirts, their shorts, and their socks.

Q Did you observe any wounds on those bodies?

A Yes.

Q Where were these wounds?

A On the body.

Q Where on the body?

A More or less all over the body.

LT. COL. CRAWFORD: In order to straighten out the question of translation, I would like to repeat one question.

Q How were these bodies dressed?

A They had their field jackets, their trousers, and their socks.

Q Will you describe, please, the jackets?

A Like yours here (indicating interpreter).

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Q Was it of material like the interpreter is wearing, or was it some other material?

A Different material.

Q Was it the same color as the jacket the interpreter is wearing?

A No.

Q Was it lighter or darker?

A Lighter.

Q Are you familiar with American uniforms?

A Yes.

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Q What type of uniform were on those bodies?

A Paratrooper clothing.

Q What nationality?

A American.

Q What else did you observe near those bodies?

A Some cartridge cases, spent cartridges of 9 mm caliber.

Q How far from the bodies were these cartridge cases?

A Four to five meters.

Q Did you find any graves near the chateaux?

A Yes.

Q Were the graves marked?

A Yes.

Q Will you describe the grave marker?

A They were graves of SS soldiers of the 1st SS Regiment,  
of the Adolf Hitler.

Q Of what were these grave markers made?

A There was a wooden cross.

Q What was on the cross?

A It was marked his name, his date of birth, his unit and  
the date on which he died.

Q All right.

LT. COL. CRAWFORD: I hand the reporter a document or  
photograph and ask it to be marked for identification as Prosecution  
Exhibit number P-31 for identification.

(Whereupon the document referred to was marked Prosecution  
Exhibit P-31 for identification by the reporter.)

QUESTIONS BY PROSECUTION: (LT. COL. CRAWFORD)

Q How far were these graves from the chateaux?

A Ten meters.

Q From your home could you see the chateau?

A Yes.

Q How far is it from your home to the chateau?

A One thousand meters.

Q From the 19th of December to the 7th of January did you observe any German troops in the vicinity of the chateau?

A Yes.

Q I hand you a photograph which has been marked for identification as Prosecution Exhibit P-81 and ask you to state what that is?

A There is a cross.

Q Of what is that a photograph?

A Of a grave.

Q Do you know whether or not that is a photograph of the grave about which you have been testifying about?

A Yes, it is.

Q Was this cross located in the vicinity or ten meters from the chateau?

A Yes.

LT. COL. CRAWFORD: Prosecution offers in evidence the photograph marked Prosecution Exhibit P-81 for identification and ask that it be attached to the record and made a part thereof and marked Prosecution Exhibit P-81.

LT. COL. DWINELL: The Defense objects to the introduction of this evidence on the grounds that no proper foundation has been laid for the photograph as such. We have no evidence as to who took the picture, what date and time it was taken or whether it accurately represents what it is supposed to represent. We further object on the ground that it has no relevancy or probative value because it does not necessarily connect any of the accused or any of the organizations to which they belonged or any incident charged in the charge sheet.

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LT. COL. CRAWFORD: If it please the Court, the witness testified that that is the photograph of the grave about which he has testified. The photograph itself connects up one of the organizations of which members are on trial here today.

LAW MEMBER: By the Court, Does that photograph show an accurate representation of the grave as you saw it in January 1945?

THE WITNESS: Yes.

PRESIDENT: Objection overruled. The exhibit offered by the Prosecution is admitted in evidence and will be marked Exhibit P-81.

(Whereupon the document referred to, having been previously marked and identified was received in evidence as Prosecution Exhibit P-81 and is attached hereto and made a part of the record.)

LT. COL. CRAWFORD: The Prosecution requests permission to read the inscription on the marker in the photograph.

PRESIDENT: Granted.

MR. WALTERS: Just one minute. If it please the Court, one of my associates would like to make an objection to this reading.

DR. LEILLING: I would like to object to this reading because it ought to be up to the Defense to impeach this witness on the description of the picture.

LAW MEMBER: In that connection, Dr. Leilling, it can be done on cross examination but the photograph has now been admitted in evidence and any part of it or anything connected with it can certainly be read the same as an affidavit or a statement.

DR. LEILLING: But that deprives us of the chance of impeaching the witness because if a description is given now in Court, he just can repeat the description, whereas his personal description would be the best test whether the picture is true or not true.

(Elias-direct)

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PRESIDENT: Does the Prosecution have any remarks on this subject?

LT. COL. CRAWFORD: May it please the Court, we have not finished direct examination of this witness. The request was merely to read the inscription on the exhibit that has been introduced in evidence. If they desire to test the credibility of this witness they will have an opportunity to do so on cross examination.

PRESIDENT: Proceed on those lines.

LT. COL. CRAWFORD: (Reading) "SS Rottenfuehrer Richard Doebele, SS Panzer, Aufkt., ABT.,LLAH, 2,4, 19 , 20, 12, 1944."

QUESTIONS BY PROSECUTION: (LT. COL. CRAWFORD)

Q Mr. Elias, on the day that you discovered the bodies of the 11 Americans, did you observe any German artillery pieces?

A Yes.

Q Where were they?

A Fifty meters from the chateau in a westerly direction.

Q What type of gun were they?

A 77.

Q Are there any other buildings in the vicinity of the chateau?

A Yes.

Q What is that?

A The annex of the chateau.

Q Are there any other buildings near the chateau?

A There are the stables.

LT. COL. CRAWFORD: You may cross examine.

DEFENSE COUNSEL: Dr. Leiling will cross examine.

CROSS EXAMINATION

QUESTIONS BY DEFENSE:(DR. LEILING)

Q Have you in one of the cases in which you saw the corpses of the shooting, also seen the actual shooting?

(Elias-cross)

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A Yes.

Q In which case?

A They were killed either by pistol or by machine pistol.

LAW MEMBER: The witness did not understand the question.

Will you rephrase your question, Dr. Leiling?

QUESTIONS BY DEFENSE:(DR. LEILING)

Q Were you present when either the civilians or the Americans were shot?

A No.

Q Have you already seen a great many of these crosses, such as the one that is photographed here?

A Yes.

Q Do you speak German?

A No.

Q Consequently you were not able to read the cross, were you?

A Yes. I saw the dates, didn't I?

Q Did you write the dates down at that time?

A No.

Q You said that together with the Americans, the American Army you captured Aisomont, is that correct?

A Yes.

Q Were you wearing the American uniform at that time?

A Yes.

Q Where did you get the American uniform?

LT. COL. CRAWFORD: May it please the Court, I do not think there is any materiality to this question at all.

PRESIDENT: Objection is overruled.

THE WITNESS: I got it from the Maquis.

QUESTIONS BY DEFENSE:(DR. LEILING)

Q What is the Maquis?

A It is the Army of the Resistance.

(Elias-cross)

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Q It is composed of Belgian civilians, is it not?

A Yes.

DR. LEILING: No further questions.

PRESIDENT: At this time the Court will recess until  
1030 hours.

(Whereupon at 1000 hours the Court recessed.)

(Whereupon the Court reconvened at 1030 hours.)

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

PROSECUTION: If the court please, let the record show that all members of the court, all members of the prosecution with the exception of Captain Shumacker, who is absent on business of the prosecution, all members of the defense, all of the defendants and the reporter are present.

LT COL CRAWFORD: Mr. Elias, please.

JEAN ELIAS, a witness for the prosecution, resumed the stand and testified through an interpreter as follows:

(Whereupon the questions, answers and other proceedings were interpreted to the accused and German counsel.)

LT COL CRAWFORD: Mr. Elias, you are reminded that you are still under oath.

THE WITNESS: Yes.

DEFENSE COUNSEL: Nothing further from the defense.

PRESIDENT: Anything further from the prosecution?

LT COL CRAWFORD: Yes, sir.

REDIRECT EXAMINATION

QUESTIONS BY LT COL CRAWFORD:

Q Mr. Elias, were you present at the taking of any photographs of the grave of which you testified?

A Yes.

Q Who else was present at that time?

A The Captain and Mr. Wolfe.

Q Were you indicating Captain Byrne at the prosecution's table?

A Yes, over there (pointing).

Q Are you familiar with the persons in the community, in the vicinity of Trois Fontz who were members of the Marquis?

A No.

Q Do you know the names of the persons who were members of the

Marquis in the vicinity of Trois Ponts?

A No.

Q Why did you go with the Americans to the Village of Aisoment?

A For the same reason the Germans which had been encircled at La Gleize had taken civilians to show them the road.

LT COL CRAWFORD: There is one question the prosecution would like to ask to clear up an erroneous translation during direct examination.

PRESIDENT: Proceed.

Q Calling your attention to the 18 December, in what direction was the German column moving on that date?

A The column came from Stavelot, went through Trois Ponts up in the direction of La Gleize.

Q Mr. Elias, did anyone in the vicinity of Trois Ponts other than yourself belong to the Marquis?

A No.

Q Did any of the persons that you have testified as having seen their bodies belong to the Marquis or to the resistance movement?

LT COL DWINELL: I object to that question unless the witness can be asked to state that definitely on his own knowledge.

LT COL CRAWFORD: Prosecution withdraws the question.

QUESTIONS BY LT COL CRAWFORD (Cont'd):

Q You testified that you found the bodies of the brothers Jobs. Did the brothers Jobs belong to the Marquis or to the resistance movement?

LT COL DWINELL: I object to that question on the grounds that the witness--

LT COL CRAWFORD: Let me complete the question.

QUESTIONS BY LT COL CRAWFORD (Cont'd):

Q And we ask that you base your answer as to whether or not it is of your own knowledge.

LT COL DWINELL: I object to that on the ground that the witness has testified that he knew of nobody that belonged to the Marquis. And I also object to it on the ground that counsel is apparently attempting to impress and impeach his witness.

LAW MEMBER: Will you read the objection.

(Whereupon the reporter read the objection of defense counsel, Lt Col Dwinell, as requested.)

LAW MEMBER: Why not ask the witness, "Do you know of your own knowledge whether these men belonged to the Marquis?"

LT COL CRAWFORD: We withdraw the former question and will reframe it in line with the suggestion of the court.

QUESTIONS BY LT COL CRAWFORD (Cont'd):

Q Do you know of your own knowledge whether or not the brothers Job belonged to the Marquis or to the resistance movement?

A No, they didn't belong to anything.

Q Do you know of your own knowledge whether or not the 13 persons whose bodies you saw belonged to the resistance movement or to the Marquis?

A No; they were, they belonged to an airborne company commanded by officers.

Q Do you of your own knowledge know whether the 13 civilians whose bodies you saw were members of the Marquis or of the resistance movement?

A You wouldn't find any members of the Marquis between old people and small children.

Q How old were the persons whose bodies you saw?

A Two boys were 10 years, two women which had 81 and 82 years, one woman which had 67 years, a man and woman of some 40 years, and the Vernier in their 60s.

Q Of your own knowledge do you know whether any of those persons belonged to the Marquis or to the resistance movement?

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A No.

Q You mean that they did not or you do not know?

A They were no part of it.

LT COL CRAWFORD: No further questions.

DEFENSE COUNSEL: Dr. Rau.

RECROSS EXAMINATION

QUESTIONS BY DR. RAU:

Q Was it at all known who were members of the resistance movement?

A Yes.

Q Were all members made public or were they kept secret too?

PROSECUTION: If the court please, we object to that questions; that is immaterial.

PRESIDENT: Objection overruled.

A They were which were held secret.

QUESTIONS BY DR. RAU (Cont'd):

Q Was the viaduct put under artillery barrage?

A Yes.

Q Can you say anything about how long the bodies were laying there dead before you first saw them?

A One day.

Q Can you exclude the possibility of these civilians being killed by the artillery fire?

A No, there was no artillery fire at that time.

Q Did you observe the viaduct at that time?

A Yes.

Q Could you see it?

A Yes.

LAW MEMBER: Dr. Rau, we have to hear these questions in English.

Q What were the particular interests that you had that caused

you to observe the viaduct continuously?

A Because I heard firing from over there.

Q Who was firing there?

A The Americans.

Q Did the Germans shoot back?

A No.

Q How come there was any civilian population in the vicinity?

A They were in the cellars.

Q No, you were standing at the viaduct, I assume, weren't you?

A Four hundred meters from the viaduct.

Q Another question: Are you familiar with the uniforms of the German parachutists?

A No.

DR. LELLING: How old are you?

THE WITNESS: 55 years.

DR. LELLING: Thank you.

DEFENSE COUNSEL: Nothing further on re-cross examination.

LT COL CRAWFORD: No further questions by the prosecution.

PRESIDENT: Any questions by the court? Apparently there are none. The witness is excused.

(Whereupon the witness was excused and withdrew.)

LT COL CRAWFORD: Prosecution calls as its next witness Mr. Harry Thon.

HARRY THON, recalled as a witness for the prosecution, testified further as follows:

(Whereupon the questions, answers and other proceedings were interpreted to the German counsel and to the accused.)

REDIRECT EXAMINATION

QUESTIONS BY LT COL CRAWFORD:

Q Mr. Thon, you are reminded that you are still under oath?

A Yes, sir.

Q Are you the same Harry Thon that has heretofore testified in this case?

A Yes, sir.

Q During the course of your assignment as investigator at IP #2 Schwabisch Hall, Germany, did you ever have occasion to interrogate one Gustav Knittel?

A I did, sir.

Q He is one of the accused in the case now in hearing before this court?

A He is, sir.

Q Can you identify him?

A Yes, sir. I can.

Q Look at the defendants seated on your left and see if he is among those present.

A He is and he is wearing No. 31.

Q During the interrogation did Knittel make a statement?

A Yes, sir, he made several statements.

Q Were any of those statements reduced to writing?

A Yes; he made oral and written statements.

LT COL CRAWFORD: I hand the reporter an instrument which I asked to be marked Prosecution's Exhibit 82 for Identification.

(Whereupon the document referred to was marked Prosecution's Exhibit 82 for Identification.)

Q I hand you an instrument that has been marked for identification as Prosecution's Exhibit 82, and ask you to state what that is, if you know?

A This is the written statement of the accused Gustav Knittel and it is signed by him.

Q Do you know whose handwriting that is?

A This is Knittel's handwriting.

Q And whose signature appears thereon?

A It is Knittel's signature.

Q Was that statement sworn?

A No, sir, it was not.

Q Did Knittel make that statement voluntarily?

A Yes, he did, sir.

Q Did you make any threats or promises to obtain that statement?

A No, sir.

Q Did you use any harsh, cruel or inhuman treatment to obtain that statement?

A No, sir.

Q Will you tell the court the circumstances under which that statement was taken?

A Yes, sir, I can. Knittel was interrogated several times, that is I had talked with him, and he came out with this statement as a surprise to me as I didn't know anything about it. And it was written by him without being dictated to him, although the first paragraph he copied from one of the statements which I showed to him. I think it was Feiper's and several others.

Q Did he deliver this statement to you?

A Yes, I took it away from him.

LT COL CRAWFORD: Prosecution offers in evidence the statement that has been identified by the witness and marked for identification as Prosecution's Exhibit 82, and asks that it be made a part of the record and attached thereto and marked Prosecution's Exhibit 82.

LT COL DWINELL: In view of the fact that this is an unsworn statement the objections previously made will not be made to this statement.

PRESIDENT: There being no objection the exhibit offered by the prosecution is admitted in evidence and will be marked Exhibit P-82.

(Whereupon the document having been previously marked and identified was received in evidence as Prosecution's Exhibit P-82, and the same is attached hereto and made a part of this record.)

LT COL CRAWFORD: Prosecution offers in evidence exhibit P-82-A, being a true and correct English translation of Prosecution's Exhibit P-82.

DEFENSE COUNSEL: On behalf of the defense there is no objection.

PRESIDENT: There being no objection the exhibit offered by the prosecution is admitted in evidence and will be marked Exhibit P-82-A.

(Whereupon the document referred to above was received in evidence and marked Prosecution's Exhibit P-82-A, and the same is attached hereto and made a part of this record.)

LT COL CRAWFORD: Prosecution asks permission of the court to read exhibit P-82-A.

PRESIDENT: Granted.

LT COL CRAWFORD: And the witness to read Prosecution's Exhibit P-82.

(Whereupon Prosecution's Exhibit P-82-A was read as follows:

"I, Gustav Knittel, after being duly sworn make the following statement under oath:

Report about shooting of eight American prisoners of war on order of SS Sturmabannf. Gustav Knittel, Commander of the SS Pz A A I (1st Recon. Bn.: Trans. note) by two men 4./AA on the 21st December 1944 in the afternoon.)

Location - Edge of woods near single house located right near the Ambleve Bridge 3 kilometers west of Stavelot.

"After I had received the report at the Command Post in the afternoon of the 21st December that the point of the enemy tank unit had been knocked out which was coming from the direction of La Gleize on the road to Stavelot and was advancing with 45 armored vehicles, I wanted to have a look at the place of the engagement. I was alone on foot and without a weapon. Even with the bridge I passed a single tiger of ours which was securing the road in front of five knocked out enemy tanks. The commander reported to me that the complement of enemy tanks stood behind the curve and three enemy Shermans in the first railroad tunnel as security. Eight of our men lay as infantry protection on the roadbed.

This, our own security, I estimated to be very weak in contrast to the strong enemy tank concentration. The men were the drivers of the vehicles standing in the road, and therewith the last reserve which I had thrown in. Since I heard that the Paks (anti-tank guns) being in position on the other rive bank of the Ambleve had also participated in the knocking out operation I went to the firing positions. To my greatest surprise: all were abandoned, the guns left alone. At the singly situated house, I then saw the SS Oberstuf. Wagner, company commander of the 4./AA. He reported to me the knocking out of the enemy point and informed me about the present situation of the battle.

"He reported"Enemy with unknown force possibly advancing in the woods from Trois Ponts has cut off our road of retreat to Wanne. There one of my SPW's has been knocked out, furthermore not a long time ago a Volkswagon has been knocked out, driver dead." I was angry about these losses and the terrible situation and said, "How come the damned AMI's get here - they have no business here. For the rest, we are not responsible for this sector - What have you thrown against it?" Wagner replied, "I have taken the few men away from the Paks and ordered them to reconnoitre. The drivers of the vehicle column, I couldn't make go forward." Thereupon I said, "That is terribly little - How do you judge the situation? I have to know if I have to relieve the battalion or not. Where to do we take off?" Wagner - "I don't think that there is anything left of my men." Even with the house SS Obersturmfuehrer Leidreiter 3./AA came alone limping with a sprained leg out of the woods. I shouted up, "What's the matter up there, Leidreiter?" L., "Nothing to hear any more. Everybody seems to have taken off." At this moment I see in front coming out of the woods, Americans in line with steel helmets on. I shouted surprised, "God damn it, these are AMI's". Leidreiter limped back into the woods and Wagner jumped with me to the lower house wall for cover. After I was convinced at 300 meters that it must be prisoners who were led by two guards walking behind them, I said to Wagner, "What are we going to do with them? If we've got to take off, we can't take them along with us through the woods - bump them off." As the prisoner group had approached to 100 meters, I asked the guard to find out if a new enemy unit had appeared. "From which Division are they?" One of the guards replied from about 30 meters distance whilst proceeding walking, "We don't know, they haven't stated anything yet - We don't know English." I ordered the two men, "Bump them off." They led the prisoners in a line behind the house in front of which I stood with SS Oberstuf. Wagner. I heard pistol shots after about five minutes which came in my opinion from the place of the shooting. I was not an eye-witness. As the two men came back I said to them, "You swine, that's not going to bring you any luck."

"To Oberstuf. Leidreiter, who came again out to the slope, I gave the order, "Take off to the service company - you half-dead man; you are not going to get away fast enough with your busted leg." If Leidreiter could have been witness to the incident, I don't know.

"While Oberstuf. Wagner reported in detail about the knocking out of the enemy point, 3 additional men arrived and reported that the enemy had been attacked from the other side by other units of the division which would clarify the situation.

"I didn't know the two men who executed the shooting but they must have been members of the 4./AA.

" After I could assume that the situation there had cleared surpris-

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ingly fast by the intervention of the division, I went back to my Command Post.

"I thought the military necessity of the shooting was established insofar as I myself was chained with the battalion to the front line. Further, I felt considerably endangered from the rear by a strong superior tank unit and cut off by an enemy unknown in strength from the rear flank in an unsurveyable wooded area through which the only way of retreat led. I had absolutely no more reserves.

"I admit that besides this main reason for the shooting, the motive of revenge for the cunning shooting of the SPW crew in the woods shortly before played a subordinate part.

"Furthermore, the death of my bravest Unterfuehrer who had to be killed in such a silly way as driver of a Volkswagen moved me spiritually.

"POSTSCRIPT:

"The sentence after the shooting addressed to the two men in the deposition: "You swine, that's not going to bring you any luck," was uttered by me because I saw them showing to each other golden rings, taken from the American prisoners.

Gustav KNITTEL  
SS Sturmbannfuehrer."

SufisBart. (Whereupon Prosecution's Exhibit P-82 was read to the Court in the # 119 German language by an interpreter.)

1. 6. 1.

RECROSS EXAMINATION

QUESTIONS BY DEFENSE: (Lt Col DWINELL).

Q I notice that this statement which is Prosecution's Exhibit P-82 is undated - can you tell me when was that statement taken ?

A I don't remember the date - No sir I don't.

Q Do you remember the month ?

A I believe it was in April but I am not certain, but it was shortly after we arrived at Schwabisch Hall.

DEFENSE: No further questions

PROSECUTION: No redirect.

PRESIDENT: There appear to be no more questions. The witness is excused.

(Whereupon the witness was excused and resumed his seat at the Prosecution table).

PROSECUTION: The Prosecution calls as its next witness Heinz Zimmer.

HEINZ ZIMMER, a witness for the Prosecution was sworn and testified through an interpreter as follows:

DIRECT EXAMINATION:

QUESTIONS BY PROSECUTION:(Lt Col CRAWFORD).

Q State your name ?

A Heinz Zimmer.

Q What rank did you hold from 16 December 1944 until 13 January 1945 ?

A SS Sturmman - Private First Class.

Q What was your organization at that time ?

A 6th SS Panzer Regiment, ISSAH.

Q Who was your Commanding Officer ?

A Obersturmfuehrer Junker

(Zimmer- direct)

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1. 6. 2

Q Who was your Company Commander ?

A Obersturmfuehrer Junker.

Q Who was your Platoon commander ?

A 2nd Lt Asmussen, at the time.

Q Do you know obersturmfuehrer Sternebeck ?

A Yes sir, he was my Tank commander.

Q On what date did the 6th SS Panser Regiment leave the assembly area ?

A December 15th

Q Where did you stop on 18 December ?

A Outside of Stavelot.

Q What time of day did you make this stop ?

A From the 17th to 18th December.

Q What time during the day ?

A It was in the evening.

Q Where did you go after the company had stopped - had halted ?

A I received an order to send a Reconnaissance patrol into Stavelot from Hauptscharfuehrer Tonk to see whether there was a Gas dump located in Stavelot.

Q Who went with you ?

A Hauptscharfuehrer (Master Sergeant) Tonk, one Tech/Sergeant, and one other Master Sergeant.

Q Where did you go in Stavelot ?

A We were supposed to look up an American Gas dump .

Q Did you find one ?

A No.

Q What did you do while you were there ?

A We moved back about 300 yards then we reached a house there and Master Sergeant Tonk entered that house.

Q Would you know Master Sergeant Tonk if you saw him again ?

A Yes

Q Look at the defendants seated at your left and see if he is present there ?

(Zimmer-direct)

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1. 6. 3

A Yes.

Q What number is he wearing ?

A Number 68.

PRESIDENT: Will number 68 stand up ?

(Whereupon the accused arose)

PRESIDENT: Sit down.

Q What happened while you were there at this house ?

A Master Sergeant Tonk went into the house and afterwards

I heard two pistol shots coming out from the house.

Q When did you next see Tonk ?

A When he came out of the house.

Q How long had he been gone ?

A About five minutes.

Q Was he carrying anything when he came out of the house ?

A Yes - Fruit.

Q Did anyone go into the house with Tonk ?

A No.

Q After Tonk came out of the house with the Fruit what did you do ?

A After he came out with the fruit we ate some fruit out there and smoked a cigaret.

Q Then where did you go ?

A We went back to the C.P.

Q What happened at the C.P. ?

A Master Sergeant Tonk reported back in and reported also that he had executed the order but did not find any gas. Then I heard Tonk say that he had brought some fruit along and that two civilians had to kick the bucket.

Q Did you connect that statement with any particular incident ?

A Well, I believed from that, that those two civilians in the house had been shot.

(Zimmer-direct)

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1. 6. 4

Q Zimmer, can you describe this house ? this house that Master Sergeant Tonk entered ?

A Yes.

Q Will you do so ?

A Yes, It was a light house with a gable on the roof: three small windows on the right side next to the entrance, and a big window on the left side.

PROSECUTION: (Lt Col CRAWFORD). I hand the reporter a photograph and ask that it be marked Prosecution's Exhibit P-83 for identification.

(Whereupon the document referred to was marked Prosecution's Exhibit P-83 for identification by the Reporter.)

QUESTIONS BY PROSECUTION(Lt Col.CRAWFORD)

Q Is that the house?(showing the witness the said Picture)

A Yes that is the house.

Q I am holding in my hand the photograph which has been marked for identification as Prosecution's Exhibit P-83 - what is that ?

DEFENSE:(Lt Col DWINELL) I object. It is not in evidence yet and I object to the witness testifying from the picture until it is admitted.

LAW MEMBER: He can do that to refresh his memory.

PRESIDENT: Objection over-ruled.

A That is the house that Master Sergeant Tonk entered.

Q Is that picture a fair representation of the house as you found it ?

A Yes.

PROSECUTION:(Lt Col CRAWFORD). The Prosecution offers in evidence as Prosecution's Exhibit P-83, the said picture and request that it be marked Prosecution's Exhibit P-83 and made a part of the Record.

DEFENSE: (Lt Col DWINELL). I object. Counsel has failed to properly show that this picture is an accurate portrayal of the (Zimmer- direct)

# 119 physical conditions that existed at the time of the incident testified  
1. 6. 5 to.

PROSECUTION: (Lt Col CRAWFORD). I will qualify the witness  
then.

QUESTIONS BY PROSECUTION:(Lt Col CRAWFORD).

Q Zimmer, did you during the month of March 1946 visit this  
house which Tonk entered and returned from with the fruit ?

A Yes.

Q At that time were any photographs taken of the house ?

A Yes

Q Who directed the American captain to the house ?

A I took the American Captain to the house.

Q Was the house in approximately the same condition as it was  
on 18 December 1944 ?

A Then the house was still undamaged.

Q You mean on the 18th December 1944 it was still undamaged ?

A Yes.

Q What damage is on the house to-day ?

A Damage to the roof - the roof is shot and the house so to  
speak is all destroyed.

PROSECUTION: (Lt Col ELLIS) I object , if the Court please,  
to the Defense Counsel speaking to the witness while he is on the stand.

DEFENSE:(Mr Walters). All the Defense Counsel said was "Will  
you speak louder"so we can hear it all.

LAW MEMBER: That has happened before. There should be no  
utterances from the bench - I mean the Defense table except on cross-  
examination. The witness will speak louder.

QUESTIONS BY PROSECUTION: (Lt Col CRAWFORD).

Q Is that picture which has been marked Prosecution's Exhibit  
P-83 for identification, a fair representation of the house as you found  
it during March 1946 ?

A Yes.

(Zimmer- direct)

# 119

Q Are there any substantial changes in the house, other than  
1. 6. 6. the damage which you have just described, from the time you saw it  
on 18 December 1944 until you saw it the next time in March 1946 ?

A I never was inside the house proper.

Q Does it appear to be the same from the outside ?

A Yes.

(Zimmer-direct)

#128  
C-3-1

LT. COLONEL CRAWFORD: Prosecution renews its offer.

LT. COLONEL DWINELL: Defense renews its objection on the grounds previously stated and further states that the condition of the house in March has no relevancy to the issues here before the Court.

LAW MEMBER: The objection is overruled, but the Court will take note of the fact that the photograph was taken in March of 1946 and that it does not represent the true condition of the house as it was in December and January of 1944 and 1945.

PRESIDENT: The exhibit offered by the Prosecution is admitted in evidence and will be marked Exhibit "P-83".

(Whereupon the document in question, having been previously marked and identified was received in evidence as Prosecution's Exhibit "P-83" and is attached hereto and made a part of the record.)

LT. COLONEL CRAWFORD: You may inquire.

CROSS EXAMINATION

QUESTIONS BY DEFENSE (Mr. Walters):

Q Zimmer, you didn't go into this house too?

A I didn't understand the question.

Q You didn't go into the house when you say Tonk went in?

A No, I didn't go in.

Q Where were you during the time that you alleged Tonk was in there?

A We were at the side of the house.

Q Now, as you face the house were you on the right side or on the left side?

A Left side.

Q Did Tonk enter the house through a door?

A Yes.

#120  
C-2-2

Q Which door?

A The main door which you can see in the picture.

Q What became of the other two soldiers that were with you?

A They were outside the door together with me.

Q On the left hand side of the house or in front of the door?

A The left side of the house.

Q How long was Tonk in the house?

A About five minutes.

Q And were you close to the house all the time?

A Yes.

Q Did you at any time go into the house during the incident?

A No.

Q Did you see any civilians in the house?

A No.

Q Did you see any inside the house?

A I didn't see anything, no.

Q Did you see any civilians on the street after you went down or came back from the gas station?

A No, I didn't see any either.

Q As I understand you, then Tonk went into the house alone, is that correct?

A Yes.

Q And this house was located in enemy territory, was it not?

A Well, maybe yes. That might be right, I don't know.

Q Well, hadn't you just taken Stavelot?

A I didn't understand the question.

Q Weren't you in combat at the time with your unit, taking or trying to take Stavelot?

#128  
C-3-8

A No.

Q Hadn't Stavelot been in enemy territory immediately preceding the incident?

A Yes.

Q Now, what became of the fruit?

A That was carried back to the C.P. Master Sergeant Tonk carried it back to the C.P.

Q And, I believe you testified under direct examination that Tonk reported the incident to someone, is that correct?

A Yes.

Q Where were you when Tonk made the alleged report?

A In the room next door.

Q How big a room was that?

A 3 x 3 square.

Q And what part of the room were you standing in when you heard the alleged report?

A In the anteroom.

Q I repeat the question for his response. In what part of the room were you standing when you claim you heard the report?

A Right next to the door. The door was here and I was standing right next to it.

MR. WALTERS: Will the reporter read that back?

(Whereupon the reporter read the last answer by the witness.)

Q Do you remember, Zimmer, being interrogated by Captain Narvid and myself in the Defense offices a few weeks ago before the trial started?

PROSECUTION: If the Court please, we object to that as being irrelevant and immaterial. It has no bearing on the issues of the guilt or innocence of Tonk.

MR. WALTERS: Why, obviously, your Honor, I am going to attack the credibility of the witness.

PRESIDENT: The objection is overruled.

MR. WALTERS: Ask him the answer to my question.

WITNESS: I didn't understand the question.

MR. WALTERS: Read the question back, reporter.

(Whereupon the reporter read the last question.)

A Yes.

Q And didn't you tell us that evening that you stood in the middle of this room?

A I don't know that any more.

Q You didn't say you didn't say that, then?

A Yes.

Q And didn't you tell us that the door was closed between the room where you were standing and the other room?

A Yes.

Q And didn't you tell us that you were not standing anywhere near the partition between that room and the adjoining room?

A I don't know that any more.

Q And then you didn't say you didn't say that to us too?

A I didn't understand that question clearly.

Q Your previous answer was you didn't remember telling us that you didn't stand close to the partition?

A Yes, that is right.

Q Then it is possible that you did tell Captain Narvid and myself that evening that you didn't stand near the partition?

A Yes.

Q And didn't you tell us that the voices in the next room were very low and you couldn't hear them?

A Yes.

#120  
0-3-5

Q Did Tonk have a pistol on him when he went into the house?

A Yes, he had a pistol.

Q Where was it on his body?

A I can't say.

Q Was it in his hand?

A Well, we usually wore the pistol holster on the pistol belt.

Q And the pistol was in the pistol holster, was it not?

A I don't know that.

Q Did he have the pistol on him when he came out of the house?

A Yes.

Q And, was it in the holster?

A At a side, yes.

Q Did you hear any screams or moans from the inside of the house?

A No.

Q You didn't go into the house, then?

PROSECUTION. We object to that. He asked that three times.

MR. WALTERS: I am going to follow it up with another question right now.

PRESIDENT: Objection overruled.

Q And you say you saw no civilians in the house, is that right?

A That is right.

Q And there were no screams or moans from anyone in the house?

A No.

Q And you didn't hear the voices in the next room when you claimed there was a report made of the incident, you just said that, didn't you?

#120  
C-3-6

A That was in the C.P.?

Q Yes?

A Yes.

Q What time of night was it when you were at the house where you claimed Tonk got the fruit?

A It was in the evening.

Q How late in the evening?

A 9:00 or 10:00 o'clock.

Q It was dark, was it not?

A Yes, it was dark.

Q Were there any lights in the house?

A I didn't see that, no.

Q Any lights in the street?

A I didn't see any, no.

Q Who were the other two men?

A That was one tech sergeant and one master sergeant.

Q You know who they were?

A No, I don't know that.

Q What became of the fruit after Tonk took it back to the C.P. position?

A I don't know that.

Q Was any of it eaten by any of you at the time it was brought out?

A Yes, outside the door — outside the front of the door.

Q Did the other two soldiers that were with you make any comment relative to the two shots you claim you heard?

A No.

Q Did you talk with Tonk on the way back?

A No.

MR. WALTERS: That's all.

DEFENSE: Questions by Dr. Pfister.

PROSECUTION: If the Court please, Dr. Pfister represents Manfred Coblenz, Sickel and Rumpf and as Victor Junker, commanding officer of the 6th Company was the commanding officer of Tonk, I do not see the connection of Dr. Pfister cross examining this witness.

DR. PFISTER: Coblenz's company was fighting near Stavelot that very same day. It is very hard to determine what special orders for combat had been given and for that reason I consider it necessary to put the questions to this witness and I should like to add that in combat it is, of course, always difficult to keep the individual companies separate, so that an intermingling might be possible.

PRESIDENT: Objection overruled.

QUESTIONS BY DR. PFISTER:

Q Did I understand you to state that you stopped outside of Stavelot on the 18th December?

A Yes.

Q Was that with the 6th Company?

A Yes, with the 6th and 7th Companies.

Q And in what direction outside of Stavelot did you stop?

A West.

Q What were your orders for combat?

A We were to locate an American gas dump.

Q Could you observe severe fighting?

A I didn't see any.

Q Was that on the 18th?

A Yes.

Q Were you able to observe more severe combat on the 19th?

PROSECUTION: I object to that question, may it please the Court. That matter was not gone into. This witness is testifying only about the 18th, not about the 19th.

#120  
C-3-8

PRESIDENT: Objection sustained.

Q Did you notice many civilians or some civilians standing around the streets on the 18th?

A No, I didn't observe anything in particular.

DEFENSE: Nothing further.

MR. WALTERS: May it please the Court, may I ask one further question?

PRESIDENT: Yes.

MR. WALTERS: Zimmer, you were not on friendly terms with Tonk, were you?

A Well, I have known Tonk and I didn't have anything in particular to do with him.

Q Isn't it true that you and Tonk were in a unit where he criticised you for wearing dirty uniforms when you were an orderly?

A No, I can't say that.

Q And isn't it true that at the time you resented very much Tonk criticizing you for having a dirty uniform?

A I didn't know anything about Tonk criticizing me.

MR. WALTERS: That's all.

EXAMINATION BY THE COURT

QUESTIONS BY LAW MEMBER:

Q When you heard Tonk talk about the civilians at the time he gave his report, you said you were in the anteroom near the door. Was that door open?

A No, it was closed.

PRESIDENT: Witness excused.

(Whereupon the witness was excused and withdrew.)

PROSECUTION: If the Court please, a question has been raised by the Belgian witnesses who have already testified, as to whether or not they can come into the courtroom and observe the proceedings. We do not intend to send any of these Belgians

#120  
C-3-9

home, that is, any more of them until they have all testified, and of course they are anxious to observe the proceedings, those who have completed their testimony.

DEFENSE: May it please the Court, I rather think it would be the part of wisdom to keep them, or request that they be kept out. After they have testified they can go out and tell what transpired in the Court and we might as well admit all of them in from the beginning if we followed that procedure.

PRESIDENT: The Belgian witnesses will be excluded as spectators.

DR. LEER. In that case, I should like to ask the Court whether one such witness is present.

LAW MEMBER: It had been the policy of the Courts held here in former cases to permit witnesses to come into the courtroom after they had testified. The fact that one Belgian witness is in the court at the present time as the Court can see, is not the fault of the Court. All such witnesses will be excluded in the future.

PRESIDENT: Court will adjourn until 0830 Monday.

(Whereupon the Court at 1200 hours adjourned until  
0830 3 June 1946.)



ohne einen Befehl erhalten zu haben, begann  
 das Feuer der Stürmerinnen Willy Gelfert mit dem  
 Fünker M-G. auf die Frauen, die vorne rechts <sup>ca. 10 m entfernt</sup>  
 und stunden sie schießen. Er feuerte zuerst noch  
 rechts. ca. 3 starke Feuerstöße. Zwei Frauen  
 auf der rechten Seite gingen in eine Hecke hinein  
 rein und 2 oder 3 wurden getroffen und suchten  
 zusammen. Diese Feuerstöße nach der rechten  
 Seite wurden in linken Reihen auch sofort geschlossen.  
 Insgesamt würden wir uns Schützling <sup>ausdrückt</sup>  
 mehr als ca. 20 Schüsse noch rechts abfeuern.  
 Dies ging ziemlich schnell und selbst wenn  
 ich gewollt hätte, hätte ich keinen dieser noch  
 rechts gefeuerten Stöße verhindern können.

Denn, - wieder ohne meinen Befehl,  
 drehte Gelfert das M-G nach links und eröffnete  
 das Feuer auf die Frauen auf der linken Seite.  
 Ich hätte ebenfalls schießen nach links noch  
 verhindern können, denn zwischen dem Pfeifen  
<sup>(des Schießens)</sup>  
 nach rechts und dem Beginn des Schießens nach  
 links verstrichen ca. 5 Sekunden. Mein Schießen  
 waren es nicht mehr als 5 Sekunden doch können  
 es etwas länger gelautet haben - denn das Feuer

EX 1-25  
 53  
 J. E. B.

M.G. wird ebenfalls geachtet, dass durch die Glas Optik visirt wird, welche eine Skala hat und das Kunststücken der Stahlbügel von rechts nach links sind das meine Visieren, demselben wird mindestens 5 Schüsseln.

Wenn ich noch feststellte, dass ich dem Kammern Gelfert das Schießen nach links hätte verbieten können, so habe ich demselben kein Verzeihen, dass ich die technische Möglichkeit der zu geacht hätte, da <sup>HH</sup> bei genügend Breit bestanden ich dies zu verbieten.

Das ist ein Grund der mir bekannt ist in diesem Felde ein zu verfolgen. Politisch jedoch, konnte ich ein solches Verbot nicht aussprechen, obwohl es technisch möglich war. Ich hätte mich nicht dem sofort, als er das Feuer <sup>nach rechts</sup> eröffnete können können, "Feuer stoppen"! Dies wäre aber gegen den von Obersturnerfilber Kammern von der gesammelten Kampagne <sup>HH</sup> bekannt geblieben Befehl geachtet gewesen. Dieser Befehl konnte dem wesentlichen dienen, dass keine Gefangenen gemacht werden sollten,

EX-7-28  
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J.E.B.  
INSTRUMENT



Rück auf der linken Seite gelang es ca. 8 Frauen  
in ein Haus zu entkommen.

Die beschriebenen Szenen habe ich genau  
in Erinnerung, doch weiß ich auch nicht  
zu erinnern gesehen zu haben, daß auch  
Frauen von der rechten auf die linke Straßenseite  
hinaus liefen, auch weiß ich auch nicht  
zu erinnern sei es recht oder links ein  
Kind gesehen zu haben. Ich bin dessen sicher  
daß ich kein Kind gesehen habe, denn ich bin  
ein Kinderfreund, und ich hätte in diesem Falle  
wohl eher meine Bestrafung dem Stimm-  
lichen Gelfert zuzurechnen: "Feier stoppen" und das  
Kind zu retten.

Weil auch diese genau beschriebenen Szenen für den  
<sup>so man</sup>  
~~ersten~~ Person ganz langsam wie ich schon  
sagte mit einer Geschwindigkeit von höchstens  
3 Stunden bei London.

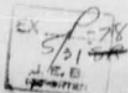
Auch die Frauen die links gestanden waren,  
1 Stunde dort offen nicht, als ein Meißner <sup>ist</sup>  
hi haben nicht, freilich, noch feindliche

Bemerkungen gemacht - auch keine feind-  
seligen Bemerkungen untereinander,  
nur dass alle diese Freireisenden haben ein sach-  
liches Gesprächchen vorher gefahren das Paar an-  
zuspüren.

Wir führen aber stehen zu bleiben  
weiter und ich habe mich nachher mit  
Gelfoh in der diesen ganzen Zwischenfall  
niemals gesprochen.

Häseln Fin wend, dass doch die Unver-  
schafft eines Paars sein schließen deswegen  
der Kommandant befiehlt: "Feuer frei"  
führe ich an, dass ich diesem Paare so wenige  
Minuten vorher in der Mannen hatte und  
dass offenbar Oberstweinführer Kommando den  
Waffen dass "Feuer frei" gegeben haben. Daß  
dies der Fall war schließt sich daraus dass  
Gelfoh sehen, ohne dass ich ihm "Feuer frei" gab.

Ich habe nun keinen Verständnis die Herren  
mir beschreiben zwischen falls eine

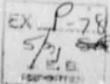


Bezeichnung ungenau - welche ich mit I.  
 bezeichne sind dieses meinen Aussagen <sup>ist die Erläuterung. H.H.</sup>  
 lege. Auf dieser Zeichnung <sup>bezeichnet</sup>

1. Mein Panzer
2. Häuserreihe links
3. Häuserreihe rechts
4. Brücke
5. Ein kleines Haus an dem ich Kreuzers Str. übernahm.
6. Frauen auf der rechten Seite
7. Frauen auf der linken Seite
8. Panzer welcher vor uns fährt und welchen es um dabei  
 war um die Ecke zu biegen.
9. Panzer hinter uns, der uns in ca. 100m. Entfernung folgte

Im Panzer vor uns fährt Unterschweifler Meyer als  
 Kommandant. Vorher waren bereit 6-7 Panzer  
 unserer Kampagne durch den Ort durchgeführt.

Da nahezu 15 Monate seit diesem Zwischenfall  
 vergangen sind, ist es natürlich sehr möglich, dass ich  
 mich bezüglich der Namen oder der anderen örtlichen  
 (geographischen) Einzelheiten nicht allen Details ent-  
<sup>HH.</sup>  
~~and~~ rühne. Ich sehe jedoch noch deutlich die  
 Straße vor uns und die fallenden Frauen rechts  
 und links, sowie ich den Zwischenfall hinsichtlich  
 und ich verpasse auch noch mit Gewissheit, dass ich



In dieser Besprechung wurden Befehle erteilt und auch noch das Schreiben nach rechts schnell ging dass ich es nicht hätte weiterleiten können und das ich das spätere Schreiben nach links lediglich deshalb nicht weiterleitete, weil ich selbst unter Befehl stand.

2. Am 22. oder 23. Dezember 1944 wurde ich in den Gleise von Oberkumpferbusch für den Befehl, dem Oberstleutnant Rumpff mitzugeben, um die deutsche Kriegsgefangene durch Angehörige von Rumpffs Kompanie, zu schreiben an lassen.

Ich befand mich zu dieser Zeit auf meinem Gefechtsstand. Ich glaube es dürfte bei den beiden Kellern, jedoch in einem anderen Keller verweilen, befand sich der Gefechtsstand der I. Abt. Leitung. Von diesem anderen Gefechtsstand hätte ich jemanden kennt wissen: "Rumpff, Rumpff!" Ich rief zurück: "Rumpff ist nicht hier!" denn ich wußte an dem Zeitpunkt der Mitteilung war, Rumpff ist in meinem Gefechtsstand.



Ich fragte daraufhin: "Wo soll ich das Beschießungs-kommunikationsnetz" und darauf Pfeifen, um den meine Frage gerichtet waren, antwortete Pfeifeleute; (Ich weiß nicht noch genau an die Worte an zu erinnern die er benutzte.) Er sagte: "Bei ihnen denken, unsere Bude ist schon voll genug!"

Ich lief darauf hin zum Haus, um mich Rumpf zu erreichen, der eben vorher weggegangen war. Ich traf Rumpf an dem vor dem Haus und sagte zu ihm, dass er in der Befehl Pfeifen ein Beschießungs-kommunikationsnetz für die Beschießung von Kriegsgefangenen stellen solle und dass das Beschießungs-kommunikationsnetz bei mir zu machen hätte. Obwohl Orkibaf Pfeifer als auch ich sprachen ein Fach von Kriegsgefangenen" und nicht ausdrücklich von "amerikanischen Kriegsgefangenen" denn wir kämpften ja ebenfalls mit gegen die Amerikaner, und es war klar dass mit Kriegsgefangenen" einschließt amerikanische

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J.E.B.  
REPRODUCTION



Adjutanten (Kampf Reim) wobei Melcher ein kleinen  
 Tischlein beim Eingang saß. In diesem kleinen  
 Reimlein saß ich <sup>(den)</sup> Tisch passierte, der beim  
 Eingang stand, das Reimlein beschrie-  
 benen Befehl ertheilte.

Ich ging jetzt zu meinem Gefst. und sandte  
 einen Melcher wahrscheinlich Postf. Willg  
 Bahner zu Kocha. Drechsler mit dem Huf-  
 thage, Drechsler müde mit einigen Wunden  
 nicht sofort bei mir Melcher. Ich verspricht  
 mich, ob ich schon durch den Melcher ein-  
 wickeln ließ mir welchem Zweck ich diese  
 Leute herhöhte.

Nach höchstens 5 Minuten kamen zuerst  
 das Geschützpaar anzureich, welches von  
 Ostf. Reimf. geschickt war.

In meinem Reimlein kam mir ein Luftf.  
 der 9. Pr. Pi. Kp. fr Melcher, das er <sup>(auf)</sup> das  
 Ostf. Reimf. mit seinem Geschützpaar-  
 anzureich an Stelle sein. Bei dieser Melcher-  
 anzureich Luftf. auch seinen Namen.  
 Ich würde beim mündlichen Verhör gefragt,  
 ob ich mich ein diesen Namen <sup>(auf)</sup> ~~mit~~ <sup>von</sup>

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 J.E.B.  
 REF 10/10/10

und kommt mich zuerst nicht an.  
 Mir würde denen später 4 Namen genannt,  
 sind ich würde gefragt, ob diese Leute für den  
 der 9. <sup>Pi. Kap. #8.</sup> vielleicht einen dieser Namen ge-  
 nannt habe. Von denen mir von Vernehmung  
 officier genannten 4 Namen, ist mir der  
 Name <sup>##</sup> "Hain" <sup>##</sup> "Hain" gefallen sind, ohne es  
 mit Sicherheit behaupten zu können,  
 glaube ich dass der Name für den 9. <sup>Pi. Kap. #8.</sup>  
 diesen Namen nannte. Dieser Name war  
 was ich als französisches Genie "bezeichneten  
 würde, ähnliche Haar starke Rippen braun immer  
 in längliches Genie. Die Gesichtsfarbe war  
 hell. Gestern würde mir, ohne dass mir  
 hätte ein Name genannt, würde ein  
 ähnlicher Soldat vorgeführt und ich konnte  
 mit mir zu voller Sicherheit behaupten  
 dass dieser Soldat, der unterführt der 9. <sup>Pi. Kap. #8.</sup>  
 war, der mit seinem beschreibungs-kennzeichen  
 sich in La France bei mir meldete. Sollte ich mich  
 - was ich jedoch keines falls annehmen - trotz-  
 dem in der Person immer - dann müsste

EX 278  
 5/31  
 J

HH  
(X)

Mein Mann, wie für mich vorgeschickt wurde, ließ er mich  
Mann und Mannstand soll 41 Warte schlafen lassen  
frisch Marke sein.

zumindest eine sozypante Kleinlichkeit  
vorliegen, denn der mir vorgefährte Mann HH  
nicht genau wie ich es kauft, der 9. Re<sup>19</sup>,  
der sich ebenfalls bei mir meldete. Ich ließ  
diesen kauft. zu meinem Reime warten  
und ging zum Gefecht stand der I. Abt. hinüber.  
Hierbei sah ich auf der Höhe die 3 oder 4  
Männer stehen, welche mit diesem kauft der  
9. Re<sup>19</sup> p. gekommen waren. Ich weiß wohl,  
daß sie aufstehen, daß sie auch so am.

Im Abt. Gefecht, daß kauft. Re<sup>19</sup> auch  
um gleichen Tische gleich beim Eingang. Obgleich  
Piper und Schuß poetische waren zu dieser  
Zeit nicht mehr anwesend. Ich fragte Reim:  
" Können, das forschungs Reime auch dann  
der 9. Re<sup>19</sup> ist kein Wahn, weil es sehr klein."  
Reim sagt: "in Diefen Thal" Ich fragte: "Wo ist  
Diefen Thal?" Ich Reim antwortete: "Ich weiß  
nicht, jedoch sie zu Pimper Gefecht stand der I. Abt.  
Wird dann wissen, wo Diefen Thal ist." <sup>19</sup>  
"Wahrlich ist der  
Spitzname Reim's."

Nach dem dieses Gespräch dieses Wortlaut ich  
mir nicht gab, weiß ich nicht genau zu er-  
kennen.

EXP-28 5/3  
J. E. B.  
REPRODUCED

Sch ging auf das hin zu mir um selbst  
 persönlich sich besahel dem hest. sich mit dem  
 beschreibungs lemmen und bei diesen kleid  
 zu melken und teilte ihm mit dass er  
 den hestenthalt diesen kleid, bis zu  
 gefahrtsstand pipus erfallen wird. Beweis  
 ihm erst fureten welche leute der 9. jh. hst.

Wenige tage miten später beim lesche  
 Drecher in meinem Raum. Nicht er liep die  
 leute seines beschreibungs lemmen und  
 abzufragen worten. Ich teilte ihm mit, dass  
 er sich mit seinen leuten zwecks beschreibungs  
 von kriegs geschehen bei Hstuf. Die funkt  
 melken solle und dass er den hestenthalt  
 diesen kleid an pipus seht. erfallen wird.  
 Drecher fragte mich vor pipus seht xi;  
 und sich verlichte das kleid meinen hst- Tragen  
 früher Hst. Hell mit piden mit Drecher  
 mit. Ich weis noch, dass piden che er weis  
 ping sich seine M. pi. von Rottf. Köhler haben  
 liep. piden ging dann mit Drecher und  
 Drecher leuten weg. Ich weis nicht mehr,  
 was damals über Drecher in

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 1500

beschießungsraum auch einwollp.  
gelichte.

Nachdem auch bei der ersten Schütze  
kein Heiser. Hell mit Pfeilen nicht.  
Er sagte: "Wahrscheinlich einen Heiseren Kriegsgefangenen  
er schluss". Ich kann nicht mit voller Sicherheit  
angehen ob das die genannten Worte waren  
welche Pfeilen betrafte, aber auf jeden Fall  
aus dem Wort hervorgeht, daß ein Heiserer  
Kriegsgefangener von Seiten erschossen worden  
war die er als "wir" bezeichnete. Ich weiß  
nicht noch ein Bündel mit Heiseren zu  
wissen, und daß ich auf Grund dieser  
Meldung in der Zeit war, daß die von mir  
auftragsgemäß ermittelten beschießungs-  
raum auch, die beschießung durchgeführt  
hatten, und daß mich Pfeile selbst mit geschossen  
habe.

Brecher hat zu mir nicht selbst persönlich  
besucht, sondern durch Pfeile besuchten lassen.  
Da Pfeile lediglich im Raum war, was es zu  
Aufgabe persönlich zu betrachten.

EX P. 2. 8  
5/3  
J. E. F.  
REPO

11.

Die Leute der 9. Pr. Kp. haben natürlich nicht zu mir persönlich bezogen, denn ich war ja nicht ihr vorgesetzter Offizier, sondern habe sie nur örtlich zugewiesen. Währenddessen gehen sie mit habe ich den Keller, in welchem sich der Abt. gefast, und mein Sept. befindet, nicht verlassen.

Über bessere Bekleidung der oben geschilderten Vorzüge in Sa. Glaise, habe ich eine Beschreibung angefertigt, die ich mit II. besichere te. Aufschon bedeutet:

1. Platz wo ich Rumpf dem Befehl übermittelte. 2. Köpfen. 3. Tisch an dem best. Reiz + d. 4. Eingang ins Schloß

Ich möchte noch erwähnen, dass es zwecks am Abend der hier beschriebenen Vorzüge in Sa. Glaise als dem nächsten Tage - jedenfalls aber nächsten, best. Reiz mir ermöglichte, dass man an Hand der Umständen im Buch der Befehlsgeber stellen könnte, was ich freiwillig gemeldet habe und dass best. Reiz mir sagte: "Peiper will alle die welche sein lassen, die sich freiwillig gemeldet haben gegen die Verdächtigungen." Da best. Reiz die Beurteilung nach dem beschriebenen Vorfall in Sa. Glaise machte - muß es sich auf eine andere Bestimmung bewegen haben.

Ich habe diese Aussagen am 18. August 1911  
meiner Seite bestehend, freiwillig und aus meinem  
eigenen freien Willen gemacht.

EX-P-28  
5/31  
J.E.  
REIZ

18.

um bei ein fließ von Bewang, Durchlänger  
Härten oder Körperlungen irgend welcher  
Art.

Ich schwöre bei Gott, daß die Tarsellen die ich  
in dieser Kiste angebracht habe weder  
trocken sind noch bei weitem, diese untere Fied  
von jedem feuchte zu wiederholen.

WITNESSED:  
S. Raphael Thunacker  
Capt. C. M. P.

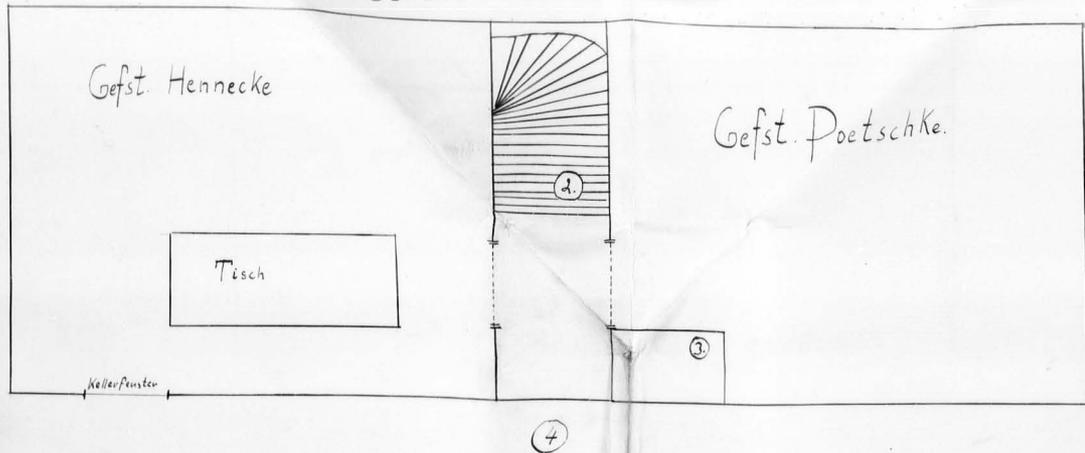
Heinrich Linnke  
44 Untersteinen für W.  
13. III. 1946.

Sworn to and subscribed  
before me this 12<sup>th</sup> day of March 1946  
at Schwäbisch-Hall, Germany.

William R. Paul  
10<sup>th</sup> Lt. M. I. D-555149  
Investigator - Examiner,  
War Crimes Branch  
Wet.

EX 1-28  
5/31  
JUN 31

Keller Schule La Gleite



Platz vor der Schule.

1.

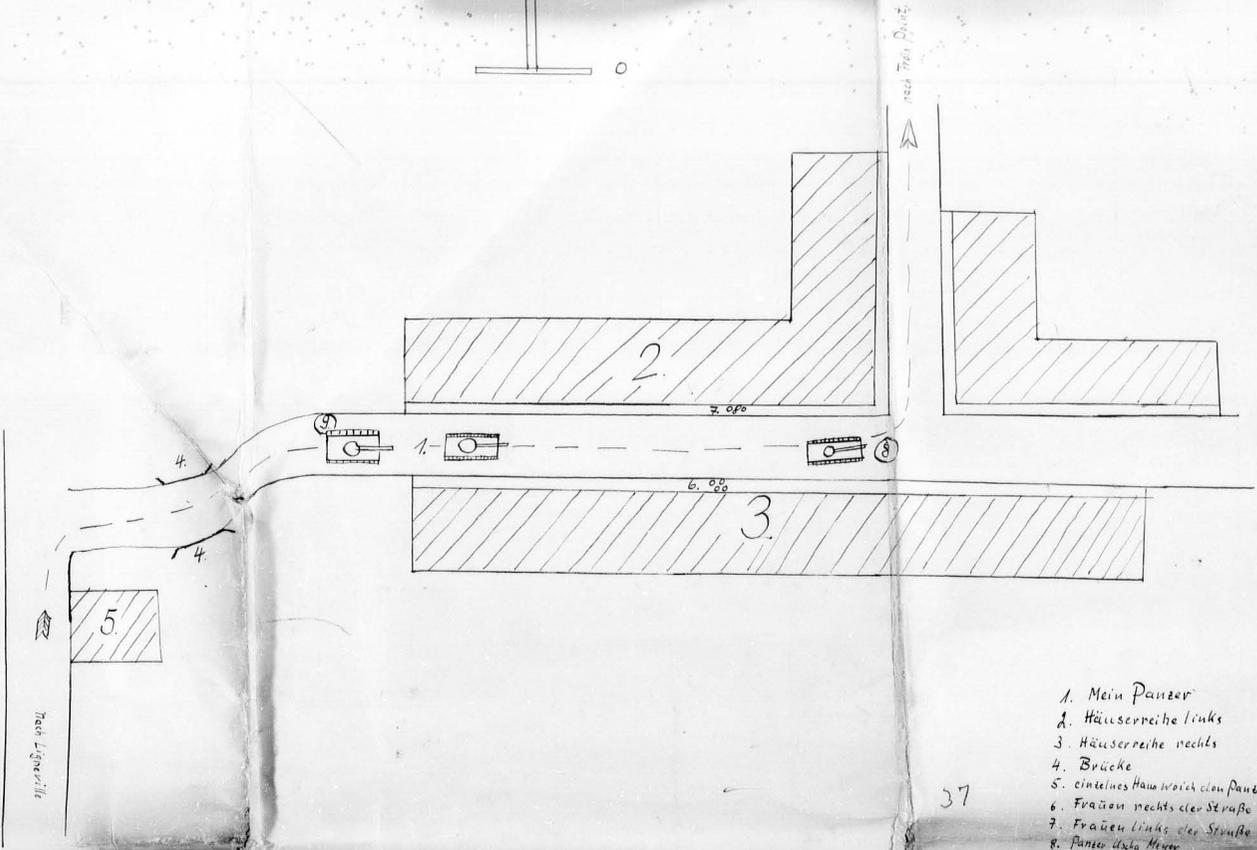
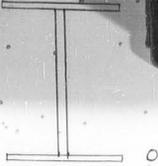
1. Platz wo ich Rumpf den Befehl übermittelte um Aufträge  
Papier
2. Stufen.
3. Tisch an dem Ustuf. Reiser saß, aber mir befahl die Kommandos  
zu Stabst. Dieferthal zu schicken
4. Eingang zum Schulhaus.

Heinz Hennecke  
44 Untere Stiege für Keller

13. IV. 46.

EX-28  
2. II.

009997



7  
28  
78

1. Mein Panzer
2. Häuserreihe links
3. Häuserreihe rechts
4. Brücke
5. einzelnes Haus wo ich den Panzer übernahm
6. Frauen rechts der Straße
7. Frauen links der Straße
8. Panzer Udo Meyer
9. Mir nach folgende Panzer

37

Heinz Henning  
 44 Wittenbäumenführer  
 13. III. 1946

P-78  
 EX 3/3  
 11.11.46

Identif.

000996

### TRANSLATOR'S AFFIDAVIT

I, WILLIAM R. PERL assigned to War Crimes Branch, United States Army, APO 633, as an interpreter, having been duly sworn, depose and state that the attached English translation is a true and accurate rendering of the German original of the statement of

Hans HENNECKE

taken on 13 March 1946 at Schwäbisch Hall, Germany.

before WILLIAM R. PERL, 1st Lt., M.I.

consisting of 18 pages, into English, and 2 sketches

I, the deponent, further state that I speak German and English fluently and am fully qualified as an expert German-English interpreter by reason of the following qualifications:

1. Native tongue is German.
2. I have spoken English for twenty years.
3. I studied English for five years in school in VIENNA, Austria.
4. I lived in England from 1930-31 and in 1938.
5. I lived in the United States from September of 1940 until I left the United States with the American Army in July of 1944.
6. From February 1943 to July 1944 I was an instructor in the IPW Section of the Military Intelligence Training Center, Camp Ritchie, Maryland, and after coming overseas I have continued to serve as an interrogator of prisoners and suspects, in a capacity which always involved translation from German to English and vice versa.

EX 78A

*William R. Perl*

WILLIAM R. PERL, O-555149  
1st Lt., M.I.

Sworn and subscribed to before me this 2 day of April 1946 at Schwäbisch Hall, Germany.

*Raphael Thumacher*  
War Crimes Branch, USFET  
Capt. *EWING R. S/31*

P 78A  
JEB

38

000296

STATEMENT

of

HANS HENNECKE

\* \* \*

I am adding the following to the statements which I have made so far:

1. On the 18th December 1944 I drove with my tank through the village of STAVELOT approximately between 9 and 10 o'clock in the morning. My tank had the number 101. This means 1st Company, 1st vehicle because it was the tank of the Company Commander Obersturmfuehrer KREMER. KREMER himself had been wounded immediately before the incidents described herein and I had taken over the company and at the same time I had taken over his tank.

At this time, the crew of my tank consisted of Rottenfuehrer MISMAEKER (Driver), Sturmann Willy GELFERT (radio-man), Rottenfuehrer EHREHARD (Gunner) and Rottenfuehrer KNERRINGER (assistant gunner).

When I reached the spot which is marked with No.1. on the sketch No.1 which I have made and attached to this statement, my tank was travelling very slowly at walking pace. We had been driving all the time through the village at walking pace because the road was rather narrow. Speaking of walking pace, I mean a speed of not more than 3 kilometers per hour.

At this time I was standing in the turret of the tank. The turret was open and I was looking at the road. On each side of the road stood, on the places marked Nos. 6 and 7, approximately 4 to 5 women and they were looking at the tanks as they drove by. Suddenly and without having received an order, radio-man Sturmann Willy GELFERT started firing with the radio-man's machine gun at the women who were standing on the right of the street approximately 20 meters away.

He first fired to the right approximately 3 short bursts. Two women on the right side ran into the doorway of a house, and two or three more were hit and collapsed. Those bursts to the right side were fired in short sequence. Altogether I estimate no more than 20 shots were fired to the right side. All this happened rather fast and even if I would have wanted, I would not have been able to prevent any of these bursts fired to the right side.

Then - again without my orders GELFERT turned the machine gun to the left and opened fire at the women on the left side. I would have been able to forbid him this shooting to the left because between the stopping of the firing to the right side and the beginning of the shots to the left, approximately five seconds passed. According to my recollection it was not more than 5 seconds, but it might have been a little longer because the radio-man's machine gun is handled in such a way that it has to be aimed through the optical glass which has a scale and the changing of the cupola from the right to the left, and new aiming takes probably at least 5 seconds.

When I stated just now that I had been in a position to forbid Sturmann GELFERT from shooting to the left, I meant by that only that I would have had the technical possibility because there was

39

EX-178-A  
5/3  
JEB  
RECORDED

001000

sufficient time to forbid him to do this.

Due to the policy which as I knew it had to be followed in this campaign I could not announce such an order forbidding this although it would have been technically possible. Of course I could have shouted to him "Cease Fire" as soon as he started firing to the right. However, this would have meant to act against the order which had been issued by Obersturmfuehrer KREMSER in front of the assembled company. This order essentially stated that no prisoners of war should be made, and that in the spirit of the old fighting Waffen SS panic and terror should be spread amongst the enemy as well as amongst the civilian population.

For this reason and because Obersturmfuehrer KREMSER had expressly stated that this order was a Regimental order, I omitted to shout "Cease Fire" to Sturmman GELFERT.

If I would have shouted to GELFERT "Cease Fire", he would doubtless have stopped firing, but my crew would not have understood why I could forbid something to them that had been ordered to them from higher up.

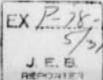
GELFERT shot to the left approximately 3-4 bursts again altogether approximately 20 rounds. Here too I saw how two or three women collapsed having been hit. All the two or three had obviously been hit in the chest because they collapsed in this way which is typical in the case of shots in the chest, namely, forward with the same motion which is shown by people who have been hit in the chest. Also on the left side approximately 2 women succeeded in escaping into a house, I can remember distinctly the scenes described, but I cannot remember to have seen how women were running from the right side to the left side, and I also cannot remember to have seen a child either to the left or right. I am certain I did not see a child because I like children and in this case would have shouted to GELFERT "Cease Fire" and thus would have saved the child in spite of the punishment which would have been certain for me.

During the whole scene described herein, my tank travelled slowly on, as I said before, at a speed of approximately 3 kilometers an hour at the most. The women who had been standing on the left side stood there too, obviously out of curiosity. They had made neither friendly nor hostile remarks, nor had they undertaken any hostile actions, but all of these women were just out of curiosity looking at the tanks as they passed by.

We continued without stopping, also after this I never spoke about this incident to GELFERT. Upon the objection that the crew of a tank is not allowed to shoot unless its commander orders "Feuer Frei" (Fire Free), I state that I had taken over this tank only a few minutes before and that obviously Obersturmfuehrer KREMSER had given the "Feuer Frei" to the weapons. I concluded this from the fact that GELFERT shot without my having issued the order "Feuer Frei".

For a better understanding of this incident described by me, I have made a drawing which I have marked I, and attach this to my statement. On this drawing the legend is:

1. My tank
2. Row of houses to the left
3. Row of houses to the right
4. Bridge
5. Single house at which I took over KREMSER's tank



- 00000
6. The women on the right side
  7. The women on the left side
  8. Tank travelling in front of me and which was just about to turn the corner.
  9. The tank behind me following me at a distance of about 10 meters

In the tank in front of me travelled Unterscharfuehrer MEYER as its commander. Already before this 6 to 7 tanks of my company had passed the village.

As almost 15 months have passed since this incident happened, it is of course possible that I cannot remember all the particulars as far as one or the other local (geographical) details is concerned. However, I still see distinctly before my eyes the road and the collapsing women to the right and to the left as I described the incident, and I also remember with certainty that I did not issue the order for this shooting, and also that the shooting to the right happened so fast that I could not have prevented it and that I did not prevent the following shooting to the left only because I myself was under orders.

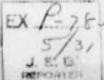
2. On the 22nd or 23rd of December 1944, I was ordered in LA GLEIZE by Obersturmbannfuehrer FEILER to order Obersturmfuehrer RUMFF to have American prisoners of war shot by members of RUMFF's company.

At this time I was at my C.P. I believe it must have been approximately at noon in the same basement, but in another room in the basement the C.P. of the 1st Bn was located, I heard somebody in a loud voice call from the other C.P. "RUMFF, RUMFF". I shouted back, "RUMFF is not here" but I supposed that the one who called believed that RUMFF was in my C.P. I went over into the room of the Bn C.P. as I thought that I could not simply shout to the other room because I knew that the regimental commander Obersturmbannfuehrer FEILER was in the other room. I do not know any more whether the one who shouted before was FEILER. In the room of the Bn C.P. the following named persons were present; Obersturmbannfuehrer FEILER, Sturmbannfuehrer ROETSCHKE, and Untersturmfuehrer Rolf REISER who at this time was the Adjutant of the 1st Battalion. Furthermore, the Administrative Officer of the 1st Bn Untersturmfuehrer STEININGER, Obersturmfuehrer BUCHHEIM, Communications Officer of the 1st Bn, and possibly one or two other persons whom I cannot recall.

Obersturmbannfuehrer FEILER said to me at once when I entered the room, "Run after RUMFF and tell him that he should send an execution detail for the shooting of PW's". I asked then "Where should this execution detail report?" Instead of FEILER to whom I had addressed my question, ROETSCHKE answered (I can still remember distinctly the words he used) - he said; "Over there to you - my den is already crowded enough".

After that, I ran out of the house to reach RUMFF who had left shortly before. I met RUMFF approximately 10 meters in front of the house, and told him that on FEILER's orders he should send an execution detail for the shooting of PW's, and I also told him that this execution detail should report to me, Obersturmbannfuehrer FEILER as well as I, spoke simply about "PW's", and I did not mention expressly "American PW's" because we were fighting at this time only Americans, and it was clear by the word "PW's" that only American "PW's" could be meant.

After I had passed this order to RUMFF, I returned to Obersturmbannfuehrer FEILER and reported to him that I had executed his order. I cannot recall any more with which words I did this. On the occasion Unter-



001002

sturmfuehrer REISER ordered to dispatch for the same shooting an execution detail from my company too. Here too I can remember the exact words. Untersturmfuehrer REISER told me "Hein, you too dispatch one detail - one non-com and a few men for this shooting". "Hein" is the nickname by which I am called by my friends.

The order just described, namely, that I too had to dispatch men for the shooting of PW's was issued to me by Untersturmfuehrer REISER shortly after I had reported to Obersturmbannfuehrer REIPER that I had passed his orders on to RUMFF. When I was just about to leave this room (Bn C.P.) I had to pass the Adjutant (Untersturmfuehrer REISER) who was sitting at a table near the entrance. It was at this moment, when I passed the table which stood at the entrance, that REISER issued to me the described order.

I returned then to my C.P. and sent a messenger, possibly Rottenfuehrer Willy BARNES to Unterscharfuehrer DRECHSLER with the order to have DRECHSLER report to me immediately with some men. I cannot recall any more whether I gave the word already to the messenger for what purpose I needed these men.

After five minutes at the most, firstly this execution detail arrived which had been sent by Obersturmfuehrer RUMFF. Only a non-com of the 9th Pz Pioneer Company entered my room. He reported that he came with his execution detail on orders of Obersturmfuehrer RUMFF.

This non-com reported, and he also mentioned his name. When interrogated I have been asked if I can remember his name but firstly I could not remember it. Later on, four names were mentioned to me, and I have been asked whether this non-com of the 9th Pz Pioneer Co. had mentioned any of these names. Of the four names mentioned to me by the interrogation officer, the name MAUTHE struck me, and without being able to state it with certainty, I believe that the non-com of the 9th Pz Pioneer mentioned this name. This non-com had - I would call - French features, dark hair, strong eye-brows, and a longish face. His complexion was light. Yesterday I was confronted by a German soldier and his name was not mentioned, and I can state with almost full certainty that this soldier was the non-com of the 9th Panzer Pioneer Company who reported to me with his execution detail in LA GRIEZE. In case I should be mistaken in the person - but I do not assume this at all - there would have to exist a strong similarity because the man brought to me looked exactly like the non-com of the 9th Panzer Pioneer Co. who at this time reported to me. This man, when I was confronted with him, gave his name and rank as SS Unterscharfuehrer Erich MAUTHE.

I had this non-com waiting in my room and went over to the C.P. of the 1st Bn. In doing this, I saw on the stair-case three or four men waiting who had come with this non-com of the 9th Pioneer Company. I still remember that they stood up when they saw me.

In the Bn C.P. Untersturmfuehrer REISER was sitting at the same table at the entrance, but Obersturmbannfuehrer REIPER and Sturmbannfuehrer POMESCHKE were not present any more. At this time I asked REISER, "Vaeterchen, the execution detail of the 9th Company is here - where should I send it?" REISER answered, "To DIEFENTHAL". I asked, "Where is DIEFENTHAL?" Untersturmfuehrer REISER said "I do not know send them to REIPER's C.P. GRUHLE will know where DIEFENTHAL is". "Vaeterchen" is REISER's nickname.

I can remember distinctly this conversation which I have repeated

here word for word.

After this I returned to my C.P. and ordered the non-com to report with the execution detail to DIEFENTHAL, and I advised him that he would find out about DIEFENTHAL's whereabouts at FEIER's C.P. After this, the men from the 9th Pioneer Company left.

A few minutes later Unterscharfuhrer DRECHSLER came into my room. He too had men on an execution detail waiting outside. I told him that for the purpose of shooting prisoners of war he had to report with his men to Hauptsturmfuhrer DIEFENTHAL, and that he would find out the whereabouts of DIEFENTHAL at FEIER's C.P. DRECHSLER asked me where FEIER's C.P. was and therefore, I sent my Company troop leader Hauptscharfuhrer Helmut FIDUN with DRECHSLER. I still remember that FIDUN previous to his leaving, had Rottenfuhrer KOEHLER get him his machine pistol. Then FIDUN left with DRECHSLER and with DRECHSLER's men. I cannot remember any more who at this time besides DRECHSLER belonged to the shooting detail of my company.

After half an hour to three-quarters of an hour, Hauptscharfuhrer Helmut FIDUN returned and said "We shot a lot of prisoners of war". I cannot remember with absolute certainty whether these were the exact words FIDUN used, but in any case, it was clear from his words that a lot of prisoners of war had been shot by people whom he described as "we". I still remember the expression "lot" and that because of his report, I was convinced that the shooting details I had sent out according to my orders had completed the execution and that FIDUN too had shot with them. DRECHSLER did not report back to me but he made his report through FIDUN as FIDUN was higher in rank and it was his job to report back.

Of course, the men of the 9th Pioneer Company did not report back because I was not their superior officer. I only dispatched them to the place. During all this time I did not leave the basement in which the Battalion and my C.P. was located.

For a better understanding of the described happenings in LA GLEIZE, I have made a drawing which I have marked II. On this drawing is indicated:

1. Place where I passed the order to RUMPF
2. Steps
3. Table at which Untersturmfuhrer REISER was sitting
4. Entrance to the school

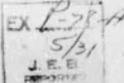
I would like to add that either on the evening of the happenings at LA GLEIZE described herein, or on the next day - in any case after them - Untersturmfuhrer REISER told me that it was possible to distinguish from the numbers in the pay-books of the prisoners, the soldiers who had volunteered. Untersturmfuhrer REISER also stated, "FEIER intends to have all those shot who volunteered against the Nazi's". As Untersturmfuhrer REISER made this remark after the described happenings in LA GLEIZE, he must have referred to another shooting.

I have made this statement consisting of 18 handwritten pages voluntarily, and of my own free will, uninfluenced by force, threats, duress, or promises of any kind.

I swear before God that the facts stated herein are true and I am prepared to repeat them under oath in any court of justice.

(signed) Hans HEINECKE  
SS Untersturmfuhrer  
13 March 1946.

Witnessed:  
Raphael Shuracker  
Capt, CMP.



001004

Sworn to and subscribed before me this  
13th day of March 1946 at Schwabisch Hall,  
Germany.

WILLIAM R. PERL  
1st Lt. M.I. C-555149  
Investigator-Examiner  
War Crimes Branch  
USFET.

44

EX. P-20-A  
5/31  
J. E.

001005

TRANSLATION OF LEGEND ON EXHIBIT I

TO AFFIDAVIT OF

Hans HENNEKE, SS Untersturmf.

Dated 13 March 1946

\*\*\*\*\*

LEGEND

1. My tank
2. Row of houses left
3. " " " right
4. Bridge
5. Single house where I took possession of the tank
6. Women on the righthand side of the street
7. Women on the lefthand side of the street
8. Uscha. MAYER's tank
9. Tanks who followed me.



TRANSLATION OF LEGEND ON EXHIBIT II

TO AFFIDAVIT OF

Hans HENNECKE, SS Uscha.

Dated 19 March 1946

\*\*\*\*\*

Cellar in the school at LA GLEIZE

Place in front of the school

1. Spot where I transmitted RUMFF the order, on instructions from PEIPER
2. Steps
3. Desk at which sat Ustuf. REISER, when he gave me the order to send the detail to Stuf. DIEFENTHAL.
4. Entrance to school.



001007



I, HANS HENNECKE, being first duly sworn, make the following statement under oath:

Ich Hans Hennecke, nachdem ich erst rechtmäßig eingeschworen wurde, mache die folgende Aussage unter Eid

The above two photographs are photographs of the same Unterscharführer Erich MAUTE mentioned by me in my affidavit, dated 13. März 1946.

Die obigen zwei Photographien sind Photographien desselbigen Unterscharführer Erich Maute von mir in meiner eidesstattlichen Aussage genannt, datiert 13. März 1946.

Hans Hennecke

First Name (Vorname) Last Name (Zuname)

44. Untersturmführer

Rank (Dienstgrad)

1. Komp. 44. Panzer Regiment 1.2.44.H.

Organization during Eifel Offensive  
Einheit während des Eifel-Einsatzes

Sworn to and subscribed before me this 15<sup>th</sup> day of April, 1946.

Naphtali Thumacher  
Officer/administering oath

Laph EMIP  
Rank Arm or Service

47

B-7-8-13  
JR



I, HANS HENNECKE, being first duly sworn, make the following statement under oath:  
Ich Hans Hennecke, nachdem ich erst rechtmäßig eingeschworen wurde, mache die folgende Aussage unter Eid

The above two photographs are photographs of the same Obersturmbannführer PEIPER mentioned by me in my affidavit, dated 13. MAI 1946.

Die obigen zwei Photographien sind Photographien desselbigen Obersturmbannführer Joachim Peiper von mir in meiner eidesstattlichen Aussage genannt, datiert 13. Mai 1946.

Hans Hennecke  
First Name (Vorname) Last Name (Zuname)

44 Untersturmführer  
Rank (Dienstgrad)

1. Kom 1. 19 Panzer Regiment 44 Pz Div  
Organization during Elbe Offensive  
Einheit während des Elbe-Einsatzes

Sworn to and subscribed before me this 15 day of April, 1946.

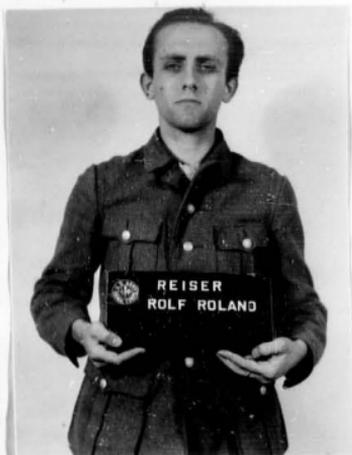
Raphael Thumacher  
Officer administering oath

Capt. EMP  
Rank Arm or Service

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81  
782

Handwritten notes and stamps, including a rectangular stamp with illegible text and a signature.

48



I, HANS HENNECKE, being first duty  
 sworn, make the following statement under oath:  
 Ich Hans Hennecke, nachdem ich erst recht-  
 mäßig eingeschworen wurde, mache die folgende Aussage unter Eid

The above two photographs are photographs of the same Untersturmführer  
Rolf Reiser mentioned by me in my affidavit, dated 13 MAR 1946.

Die obigen zwei Photographien sind Photographien desselbigen Untersturmführer  
Rolf Reiser von mir in meiner eidesstattlichen Aussage genannt,  
 datiert 13 März 1946.

Hans Hennecke

First Name (Vorname) Last Name (Zuname)

44 Untersturmführer

Rank (Dienstgrad)

1. Komp. 1. 44 Panzer Regiment L. 44. A. H.

Organization during Elbe Offensive  
 Einheit während des Elbe-Einsatzes

Sworn to and subscribed before me, this  
15<sup>th</sup> day of April, 1946.

Paul Paul Thumacher  
 Officer administering oath

Capt CMF  
 Rank Arm or Service

49

788-0  
 510

P  
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I, HANS HENNECKE, being first duly sworn, make the following statement under oath:  
 Ich Hans Hennecke, nachdem ich erst rechtmäßig eingeschworen wurde, mache die folgende Aussage unter Eid

P  
 28  
 78E

The above two photographs are photographs of the same Obersturmführer Rumpf mentioned by me in my affidavit, dated 13. März 1946.

Die obigen zwei Photographien sind Photographien desselbigen Obersturmführer Rumpf von mir in meiner eidesstattlichen Aussage genannt, datiert 13. März 1946.

Hans Hennecke  
 First Name (Vorname) Last Name (Zuname)

44 Untersturmführer  
 Rank (Dienstgrad)

1. Komp. 1. 44 Panzer Regiment L44AH  
 Organization during Elbe Offensive  
 Einheit während des Elbe-Einsatzes

Sworn to and subscribed before me this 15 day of April, 1946.

Johannes Thumacker  
 Officer administering oath

Carl EMP  
 Rank Arm or Service

Handwritten stamp with illegible text and a signature.

2. 1946

Ich, Manfred Gehlung, erkläre unter Eid:

- 1) Am 18. III. 44 erreichte ich mit der Masse der Kp. nach dem Durchstoß durch Stavelot und anschließenden schweren Tieffliegerangriffen bei Dunkelheit einbrüche einen Bombentrichter rund 2 Km westlich Stavelot. Da ich diesen Trichter nicht umfahren konnte, befahl ich der Kp., den Trichterrand zu planieren, um meinen Aufmarsch, schnellstens der Pz.-Spitze zu folgen, auszuführen. Im gleichen Augenblick fuhr mein Kdt., Stbaf. Kriemel, von der Pz.-Spitze kommend, in den Trichter. Er wies mich zunächst und befahl schnelle Arbeit. Während desselben, es war schon dunkel geworden, nahm Stbaf. Kriemel einen Mann, der von Westen kam, fest, erklärte ihn als Spion und ließ ihn erschossen.
- 2) Am 19. III. 44 griff die Abteilung Stavelot an, und zwar mit 2 Jügen meiner Kp. mittels meiner Führung in der Flanke und mit einem Zug mit Pz.-Unterstützung von Westen, um dann im Ort vereint die Brücke zu nehmen. Durch amerikanische Infanterie und vor allem durch hochentwickeltes Artillerie-Fire gegünstigt, mußte ich mich zurückziehen. Durch mein Erscheinen in der Flanke war jedoch dem III. Zug das Besetzen der westlichen Häuser Stavelot gelungen.
- Nach Meldung beim Kdt. erhielt ich den

P  
EX  
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Auftrag, in der Dunkelheit zum III. Zug zu  
stossen, um verstärkt durch den pi-Zug der  
Abt. Männern der pi-Kp. und 2 Panzern am  
nächsten Tag wieder anzugreifen.  
Ich erreichte beim Angriff das für den Feind  
äußerst günstige Bahnhofsgebäude. Hier  
erhielten wir starkes Inf.-Feuer, ferner pan-  
z. pg.-Feuer, die Straßensperre eine Minen-  
sperrung und es setzte starkes Art.-Feuer ein.  
Ein weiterer Angriff war unmöglich.  
Ich befand mich links der Straßensperre.  
Durch das bis zum Abend anhaltende Art.-  
Feuer war eine Verbindungsaufnahme mit  
dem III. Zug rechts der Straßensperre nicht möglich.  
Erst am Abend meldete mir der Zugführer,  
Hptf. Siebert, die eigene Lage und berichtete,  
dass ein Bataillon seines Zuges während des An-  
griffes von hinten erschossen worden, und  
zwar von Zivilisten, die dann aus einem  
Schuppen flüchteten. Daraufhin wurde das  
Feuer eröffnet und die Zivilisten wurden  
erschossen.

Manfred Coblenz

000013

## TRANSLATOR'S AFFIDAVIT

I, Walter A. Hart assigned to War Crimes Branch, United States Army, APO 633, as an interpreter, having been duly sworn, depose and state that the attached English translation is a true and accurate rendering of the German original of the statement of

Manfred COBLENZ

taken on 2 April 1946 at Schwäbisch Hall, Germany.

before \_\_\_\_\_

consisting of 2 pages, into English.

I, the deponent, further state that I speak German and English fluently and am fully qualified as an expert German-English interpreter by reason of the following qualifications:

1. My native tongue is German.
2. I studied English for seven years in school in Berlin, Germany.
3. I lived in England from 1935 to 1937 and in the United States from 1937 to 1944.
4. From March 1944 to November 1945, I served as an interpreter with the office of Military Government.
5. Since 3 December 1945 I have been assigned to the War Crimes Branch, U.S.A.F.E.T. as a civilian German-English interpreter.

Walter A. Hart  
WALTER A. HART

Sworn and subscribed to before me this 25<sup>th</sup> day of April 1946 at Schwäbisch Hall, Germany.

Joseph J. Schmacker  
War Crimes Branch, USFET  
Capt. GMP 790

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2 Apr 1946

I, Manfred COBLENZ, declare under oath:

1). After the push through STAVELOT, Belgium and following heavy low flying attacks, I reached with the mass of the Company, a bomb crater about 2 km west of STAVELOT, at nightfall on the 18 Dec 1944. As I couldnot drive around this crater, I ordered the company to level off the crater's edge in order to fulfill my mission to follow the advanced panzer point as quickly as possible. At the same moment, my commanding officer, Stubaf. KNITTEL, coming from the advanced panzer point, drove into the crater. He rebuked me and ordered the quickest work possible. In the meantime, when it had become dark already, Stubaf. KNITTEL arrested a man who came from the West, uncovered him as a spy and had him shot.

2) The battalion attacked STAVELOT on the 19 Dec 44, doing that in the flank with two platoons of my company, under my command and from the West with one platoon with tank support and after joining inside the village, to take the bridge, On account of American infantry, and above all, on account of concentrated Artillery fire, I was forced to withdraw.

By my appearance on the flank, however, the 3rd platoon succeeded in the occupation of the western houses in STAVELOT. After having reported to the Commanding Officer, I received the order to join the 3rd platoon by darkness and reinforced by the PI-Platoon of the Battalion, men of the PI-Company, and 2 tanks, to attack again the next day. During the attack I reached the ground in front of the station extremely favorable to the enemy. Here we received heavy infantry fire, and further on, anti-tank gun and tank fire. A mine field blocked the road and heavy artillery fire opened up. A further attack was impossible. I was on the left side of the street. On account of the artillery fire continuing until the evening, it was impossible to establish communications with the 3rd platoon on the right side of the street. Only in the evening did platoon leader Ustuf. SIEBERT report his own situation and informed me that a Rttf of his platoon was shot from the rear during the attack, that is, by civilians, who then fled from a shed. Thereupon, fire was opened up and the civilians were shot.

signed Manfred COBLENZ

*Proskel*  
*P-79a*

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EX  
80

Ich, Manfred Goblary, sage nach vorausgegangener Verteidigung folgendes unter Eid aus:

Ich war Kp.-Führer der 2./H.H./1./Pz.-Div. während des Kufelinsatzes im Def. 1944. Ich wurde am 15. XII. 44 mündlich durch Melder zwecks Befehlsempfang zum Kdt., Strombannführer fürstau Knittel zum Abt.-Jef.-Stand (Haus nahe Bf. Stadt) befohlen. Anwesend waren alle Kp.-Führer der Abt., die Führer der unterstellten Battr. und Pionier-Kp. und der Adj. Der Kdt., der sehr spät vom Befehlsempfang der Div. kam, gab uns den

Angriffsbefehl für den Kufelinsatz, der am 16. XII. 44 gestartet wurde.

Dieser Befehl enthält:

- 1) Der Feind;
- 2) Die Erklärung an Hand der Karte des tatsächlichen Einsatzes der 6./Pz.-Armee;
- 3) Auftrag der eigenen Div.;
- 4) Auftrag der Abt.;
  - a) für den Anmarsch in ersten Einsatz;
  - b) Vermutlicher Einsatz der Abt. in kommenden Phasen;

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J.E.B.  
PROPERTY

- 7) Unterstützung durch starke Art. u. Weser und verstärkter Einsatz der Luftwaffe;
- 6) Einsatz der Gruppe freiff;
- 4) Richtlinien für den Einsatz in Bezug auf:
- a) Größte Kräftekonzentration; Härte des Kampfes.
  - b) Unbedingtes Vermeiden des Angriffsgebietes (1. Massbrüche; 2. wahrscheinlich mittell oder Antwerpen);
  - c) Persönlicher Einsatz bis zum letzten von Führer und Mann in Verbindung mit der Kommandierung an das schwere Leid, dem deutsche Frauen u. Kinder durch schwere Luftangriffe in der Heimat angesetzt sind.
  - d) Dieser Einsatz soll u. muss Erfolg bringen, um dieses Leid unbedingt abzuwehren.
  - e) Die Erklärung, dass Zivilisten, die nur mit der Waffe in der Hand entgegenreten, nicht als reguläre Truppe gelten.
  - f) Die Erklärung, dass die gep. Gruppe nach vorangegangenen Angriff durch Vg-Div. reit in Feindesland vorstossen wird und dadurch lange, offene Flanken entstehen können, sodass die gep. Gruppe in Notlagen geraten kann und <sup>mit</sup> nach abgeschnitten werden kann. Trotzdem ist der Auftrag, vorzustossen, ohne nach links u. rechts zu sehen, auszuführen.
  - g) Die Erklärung, dass in zwingenden

Notlagen Kriegsgefangene erschossen  
werden können.

Jenais der Befehle, die ich von Störm-  
bannführer Kriemel erhielt, gab ich ei-  
ne Verkürzung dieses Befehlsinhalts an  
meine Füßführer am selben Abend und  
an die ganze Kp. am nächsten Morgen  
weiter. Die Füßführer, an die ich diesen  
Befehl weitergab, waren:

- I. Fg: Naha. Hilbert;
- II. Fg: Wstuf. Feony;
- III. Fg: Wstuf. Siebert;
- IV. Fg: Naha. Sakob.

Ich sprach zu den Füßführern und erin-  
nere mich zu diesen damals gesagt zu  
haben, dass Kriegsgefangene nur im zwin-  
genden Notfall erschossen würden.

Am 21. XII. 44 griff der Amerikaner den  
von meiner verstärkten Kp. besetzten Ort-  
steil westl. des Bfz. Stavelot an. Ich befand  
mich links der StraÙe im N. Haus. Der  
Amerikaner setzte hier einen verstärkten  
Stützpunkt auf dieses Haus an. Er konnte  
sich bis auf mind. 30 m vorarbeiten, würde  
aber, weil ich die bessere Stellung hatte,

nach hartem Feuergefecht und durch Handgranaten abgewehrt. Der feiner setzte sich wieder ab und erhielt dafür starke feindliche M.M.-Unterstützung. Das M.M.-Feuer hielt mit häufigen Pausen bis zum Abend an. Die Franklage war sehr hart: kurz.

Durch diesen Feindangriff, an dem ich teilnahm, konnte ich persönlich feindliche Schüsse gesehen rechts der Straße nicht eingreifen. Dies war bedingt durch das für mich ungünstige Gelände, das vom feiner sehr gut eingesehen wurde und bei den geringsten Bewegungen immer starken M.M.- und granatwerfer-Feuer lag; am gefährlichsten waren vor allem Schaufelstützen.

Voraussehend hatte ich deshalb am Tage vorher dem Führer des III. Jüges, W.Kf. Siebert, persönliches Handeln rechts der Straße befohlen.

Während meines Feindangriffs links der Straße hörte ich ebenfalls starkes feindliches Lärm von der rechten Seite, der aber später verstimmte.

Feiner hörte ich starken Gefechtblärm aus  
folgend Abt.-fuf.-Stand und weßlich davon.

Durch den vorausgegangenen Angriff  
auf meine Kp. und durch die Feststel-  
lung, dass in der vorhergehenden Nacht  
starke Pf.-Geräusche aus folgend Bfz. Staa-  
lot gehört worden, mußte ich am näch-  
sten Tage mit dem Hauptangriff rech-  
nen.

Da die Telefon-Verbindung zum  
Kdt. unterbrochen war, wußte ich nicht,  
wie die Gesamtlage war. Ich war voller  
Sorge und sah schmerzlichen Herzens dem  
nächsten Tage entgegen.

Nach Einbruch der Dunkelheit ging  
ich deshalb mit meinem Melder zur  
Kümmersung in die Lage und zur pers-  
önlichen Berichterstattung zum Kdt.  
(Abt.-fuf.-Stand)

Auf dem Wege dorthin ging ich bei  
Witf. Siebert, Zugführer des III. Juges mei-  
ner Kp. vorbei. Er meldete mir, dass er  
den Feind nach schwerem Kampf abge-  
schlagen hatte und dass er auch einige

amerikanische Kriegsgefangene erschossen hat. Die genaue Zahl nannte er nicht. Ich fragte Wstf. Siebert, warum er die Gefangenen erschossen hat. Er erklärte mir, das sein Zug nur noch aus 9 Männern bestand und er konnte niemanden entbehren, um die Gefangenen zu bewachen. Deshalb mußte er die Gefangenen morden. Wie ich mich jetzt seiner Worte erinnere, sagte Wstf. Siebert: „Das Hund war überall zu hängen; an der linken war Rabbatz, und auf fründ weiterer Feindbewegungen konnte ich es mir nicht erlauben, ohne einen Mann fertig zu werden. Ich hatte keinen, um die Gefangenen zu bewachen.“

Am nächsten Morgen begann wie vorausgesehen der wesentlich stärkere Feindangriff von allen Seiten mit starker Pz.-Kräften, in dem ich in Gefangenschaft geriet.

Ich habe diese Aussage freiwillig und aus eigenem Willen gemacht,

unbeeinflusst von Zwang, Drohungen  
oder Härten und unbeeinflusst von  
Versprechungen irgend welches Art.

Ich schwöre bei Gott, dass die  
Angaben, die ich in dieser Aussage  
gemacht habe, wahr sind und ich  
bin bereit, diese unter Eid vor je-  
dem Gericht zu wiederholen.

Manfred Gohlberg

SS-Obersturmführer

15. IV. 1946

Sworn to and subscribed  
before me this 15<sup>th</sup>  
day of April 1946 at  
Schwabisch Hall, Ger.

Sapfael Thumacker  
Capt. CMF

001022

## TRANSLATOR'S AFFIDAVIT

I, Joseph Kirschbaum assigned to War Crimes Branch, United States Army, APO 633, as an interpreter, having been duly sworn, depose and state that the attached English translation is a true and accurate rendering of the German original of the statement of

Manfred COBLENZ

taken on 15 April 1946 at Schwäbisch Hall, Germany,

before Raphael Shumacker, Capt., CMP

consisting of 7 pages, into English.

I, the deponent, further state that I speak German and English fluently and am fully qualified as an expert German-English interpreter by reason of the following qualifications:

1. My native tongue is German.
2. I learned English through study of the language for 2 years in High School, one year in college, and eight months of evening classes, all in VIENNA.
3. I have spoken English continuously since September 1939, when I came to the United States. In September of 1941 I joined the United States Army.
4. From February until the latter part of April 1943, I attended the IPW course at Camp Ritchie, Maryland, conducted by the Military Intelligence Training Center.
5. From June 1944 until September 1945, I served continuously as an IPW interrogator, in which capacity I was constantly required to translate German into English, and vice versa.
6. Since January 1946, I have been assigned to the War Crimes Branch, U.S.F.E.T. as a civilian German-English interpreter.

Sworn and subscribed to before me this 23<sup>rd</sup> day of April 1946  
at Schwäbisch Hall, Germany.

Joseph Kirschbaum

Raphael Shumacker  
War Crimes Branch, USFET  
Capt. CMP

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001026

I, Manfred COLEMAN, having been first duly sworn upon oath state the following:

I was Company Commander of the 2./A.A./ 1.SS Pz. Div. (Trans. Note: 2nd Co., Reconnaissance Battalion, 1st SS Panzer Division) during the EIFEL Offensive in December 1944. On the 15th XII 1944 I received verbal orders via messenger to go to the Kommandeur, Sturmabfuhrer Gustav KNITTEL, at the battalion Command Post (house near railroad station GLADT) to receive orders. All company commanders of the battalion, the commanders of the attached batteries and Pioneer Company (Trans. Note: Combat Engineer Company) and the Adjutant were present. The Kommandeur, who was very late in arriving, having received the orders at division, gave us the attack order for the EIFEL offensive, which started on the 16th XII. 1944.

This order contained:

1. The enemy
2. The explanation of the tactical employment of the 6th SS Pz. Army by referring to the map.
3. Mission of our own division.
4. Mission of the battalion
  - a.) For the approach march and first commitment
  - b.) Presumable commitment of Bn. in coming phases.
5. Support of heavy artillery and mortar, increased activity of the Air Corps.
6. Employment of the group 'Greif'.
7. Directive for the campaign in regard to:
  - a) Strongest concentration of forces, rigor of the fight.
  - b) Absolute necessity for reaching the objective (1. Maus bridges; 2. probably Luettich or Antwerpen.)
  - c) Personal sacrifices of officers and men to the ultimate end in this connection reminded us of the bitter sorrow brought upon German women and children at home by heavy air attacks.
  - d) This campaign should and must be successful in order to put an absolute end to the suffering.
  - e) The statement that civilians who oppose with weapons in their hands will not be considered as regular troops.
  - f) The statement that the armored group after the attack by the Volksgrenadier Div. will push far into enemy territory and therefore, long, open flanks could be created and that the armored group can get into a critical state and can be cut off. Nevertheless, the order to push ahead without looking to the left and right is to be carried out.
  - g) The statement that in compelling emergencies prisoners of war could be shot.

In accordance with the orders I received from Sturmabfuhrer KNITTEL, I passed on a digest of this order to my platoon leaders the same evening and to the whole company and the next morning. The platoon leaders to whom I transmitted this order were Uscha. GILBERT of the 1st platoon, Ustuf. FARMY, of the 2nd platoon, Ustuf. SIEBERT, of the 3rd platoon, and Uscha. JAKOB of the 4th platoon.

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EX-1280-A  
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RESPONSIBLE

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I spoke to the platoon leaders and I remember saying to them at that time that prisoners of war would be shot only in a compelling emergency.

On the 21st XII. 44, the Americans attacked the part of the town west of STAVELOR station which was occupied by my reinforced company. I was in the first house on the left side of the street. The Americans employed a reinforced combat patrol at this house. They were able to work their way up to about 30 meters but because I had the better position, repulsed them after heavy fire fight and through hand grenades. The enemy disengaged himself and received for this heavy enemy artillery support. The artillery fire continued with short interruptions until the evening. The general situation was very critical.

On account of this commitment in which I took part, I couldn't, seen from a tactical point of view, personally intervene on the righthand side of the street. This was caused by the terrain unfavorable to me, which gave the enemy excellent observation and the slightest movements were put under heavy machine gun and mortar fire; above all, the sharpshooters were the most dangerous. Foreseeing this on the day before, I gave the order to the leader of the 3rd platoon, Ustuf. SIEBERT to act on his own on the righthand side of the street.

During my action on the lefthand side of the street I also heard loud battle noises from the right side, though they later quieted down.

I further heard strong battle noises from the area of the Battalion Command Post and to the west thereof.

On account of the preceding attack on my company and by identification of loud tank noises from the neighborhood of the STAVELOR railroad station on the preceding night I had to count on the main attack for the following day.

As the telephone connection with the Commanding Officer was interrupted, I did not know the general situation. I was very uneasy and awaited the next day with a heavy heart.

I therefore went, after nightfall with my messenger for briefing of the situation and for a personal report to the Kommandeur (Battalion Command post.)

On the way there I passed Untersturmf. SIEBERT, platoon leader of the 3rd platoon of my company. He reported that he repulsed the enemy after heavy fighting and that he also had some American prisoners of war shot. He did not state the exact number. I asked Ustuf. SIEBERT why he had to shoot the prisoners. He explained to me that his platoon consisted of only nine men and he could not spare anybody to guard prisoners. Therefore, he had to bump off the prisoners. As I recall his words now, U/Sturmf. SIEBERT said: "The shirt was everywhere too short; on the left they were raising hell, and because of further enemy movements, I could not afford to do without a

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single man. I had no one to guard the prisoners."

The next morning, as expected, the substantial stronger enemy attack started from all sides with strong tank forces, in which I was taken prisoner.

I have made this statement voluntarily and of my own will, uninfluenced by force, threats, or duress and uninfluenced by promises of any kind.

I swear before God that the statements which I have made in this deposition are true, and I am prepared to repeat these under oath before any court of justice.

/s/ Manfred COELENS  
SS Obersturmfuehrer  
15. IV. 1946

Sworn to and subscribed before  
me this 15th day of April 1946  
at Schwabisch Hall, Ger.

Raphael SHUMACKER  
Capt CMP

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001026



I, MANFRED COBLENZ, being first duly sworn, make the following statement under oath:  
Ich Manfred Coblenz, nachdem ich erst rechtmäßig eingeschworen wurde, mache die folgende Aussage unter Eid

The above two photographs are photographs of the same STURMBANNEFUEHRER GUSTAV KNITTEL mentioned by me in my affidavit, dated 15 APRIL 1946.

Die obigen zwei Photographien sind Photographien desselbigen Sturm-Bannführer Gustav Knittel von mir in meiner eidesstattlichen Aussage genannt, datiert 15. April 1946.

Manfred Coblenz  
First Name (Vorname) Last Name (Zusatzname)

St. Obersturmführer  
Rank (Dienstgrad)

2./F.A./1. St. Div.  
Organization during Eifel Offensive  
Einheit während des Eifel-Einsatzes

EX-80-3  
J.E.S.  
8/3/48  
1890/11/18

Sworn to and subscribed before me this 15th day of April, 1946.

Robert E. Payne  
Officer administering oath

1st Lt. JRGD  
Rank Arm or Service

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EX-81  
J.E.S.  
1942

Pres EX 81  
61-1146  
1/1

001025

Zf, Güters Verkehr, muss folgende Aus-  
sage unter Eid, nachdem er zuvor eidungs-  
genüß erwidert wurde.

Erzählt über Gefangenschaft von 8 deutschen Kriegs-  
gefangenen mit Befehl von H. Künzler Güters  
Verkehr, Wd. H. K. AA1 Jüng 2 Nummer 4/AA am  
21. 12. 44 Krefeld.

ORT: Waldweg bei Wegal/Heidenheim über fast  
bei der AMBLEVE-Lücke 3 km westl. STAVELOT.

X Künzler ist auf dem Gefangenenstand am  
21. 12. erzählte der Waldweg erzählt, dass der  
letzte der mit Richtung LA GLEIZE auf der Straße  
auf STAVELOT in Richtung von 45 gefangenen Tref-  
zungen westwärts sind kurz vor dem  
abgeschossen worden sei, wollte er nur die ab-  
wärts gehen. Ist nur zu Fuß, allem in seiner  
Waffe. In Höhe der Lücke kam er zu dem  
allein auf der Straße der 5 abgeschossenen Fremd-  
gefangenen gegenüber seinem Lager über. Der  
Kommandant meldete mir, dass die Waffe der  
Fremdgefangenen links der Lücke liegt in 3 ft.

EX 82

EX 82  
J. E. B.  
INSPECTOR

-2-

Spromen im 8. Februarabend haben. 8 eigene  
 Männer liegen zu einem infanteristischen Schutz  
 am Luftknoten. Diese eigene Infanterie hat es  
 gegenüber dem starken Feindstand für sich  
 die Männer, waren die Kräfte, die mit der Haupt-  
 besetzten Fußtruppe in. Damit die letzte Reserve,  
 die es damit ausgeht hat. Die es für, das  
 die mit dem anderen Flügel der AMBLEVE in  
 Stellung besetzten hat es ebenfalls am Abzug  
 beteiligt haben sollten, ging es zu den Feind-  
 stellungen. Zu einem großen Gefechte waren  
 alle schlafen, die kommen allem. Am dem ungel-  
 besetzten dem hat es dem den 4. Abschnitt klug  
 4. Infanterie 4./AA. Es meldete uns den Abzug der  
 Feindtruppe und vorantzte mich über die ungen-  
 klügelte Gefechtslage.

Es meldete, "Feind in unbekannter Stärke,  
 west von TROIS PONT im halben Kreisbogen, hat  
 unsere Rückzugspositionen auf WANNE ab-  
 geschnitten. Von uns ist dort ein SPW ab-

gestoffen worden, außerdem ist der Körper aus  
 Holz und aus abgestoffen worden. Insofern ist  
 die Frage nach über diese Art fällt in die Haupts-  
 ache hinein in. Insofern: "Was können die  
 verschiedenen Arten machen, die haben sie nicht  
 zu tun. Im Übrigen sind wir für diesen  
 Abschnitt der nicht verantwortlich. - Was haben  
 die Insekten gemacht?" Wagner antwor-  
 tet: "Ich habe die verschiedenen Arten von  
 den Holz zusammenhängen in der Aufklärung  
 gesehen, die Insekten der Fäulnisstadium sind  
 nicht nur von den Insekten." Insofern ist  
 die Frage: "Ist es möglich, dass die Insekten  
 die die Holz, ist nicht möglich, ob es die Art  
 sind, können nicht, oder nicht. Was können sie  
 tun die Art?" Wagner: "Ich glaube  
 nicht, dass die Art, dass die Art von einem  
 können." In Höhe der Körper kann nicht  
 die Holz die 44-Abstrichfaser Ende

3./AA allem Gut gegalltem Gum gepümpelt.  
 2. Hofen auf: „Was ist die oben lob, Endorte“  
 L: „Küfte wuf zu form, die pfand alleb ge-  
 kocht zu form.“ In diesem Moment sah  
 ich von oben in Rufe Anmerkungen im Hüllfelm  
 mit dem Halde formtuchen. 2. Hofen so-  
 pfand: „Küfte, das sind Ann“ Endorte  
 füngelt in dem Halde zück in Küfte pfand  
 mit uns in der unteren Handwand in Deckung.  
 Küften auf mit 300m schenke, das ab bei im  
 Gefangenen fändeln müfte, die von einem  
 Doppelpfen, Infante pfand, pfand werden,  
 ficht auf zu Küfte: „Was wufte was mit  
 dem, wenn was pfand müfte, die können  
 was fuch den Halde wufte unterfuchen - unklare.“  
 Als die Gefangenen pfand mit 100m form  
 was fucht auf den Küften, im facht pfand  
 ob was eine Fandextend aufpfand was:  
 „Von welche Infante hand die?“ fuch die  
 Küften unterfuchte mit noch 30m <sup>zuführung</sup> im Halde  
 pfand: „Küfte was wufte, die haben wufte wufte“

ausgesagt, was können mich fürcht'". Ich be-  
 fuhl den beiden Männern: "Ankayen  
 im ersten der Gefangenen in Karlsruhe das  
 Hand vor dem ich mit 4-Obacht Wagner stand.  
 Auf etwa 5 Minuten fort ich fortlaufend,  
 die nach meiner Ansicht von der Gefangenenstelle  
 kamen. Augenzeuge war ich nicht. Als die  
 beiden Männer zurückkamen, sagte ich zu ihnen:  
 "Herrn, das bringt mich auf kein Glück".

Ich gab dem Obacht Enden, der wieder  
 auf den Krieg zurückkam: "Können Sie selbst-  
 liche können ab zum Hof, die können ja das  
 nicht so schnell weg mit dem künftigen sein"  
 Ob Enden einige der Hofell sein konnte  
 nicht ich nicht.

Herrn Obacht Wagner aus Gungelstein  
 über den Akt der Freundliche befristete  
 konnte unter 3 Männern im in melden,  
 dass die Frau von der anderen Seite für  
 von Fahren der Personen ausgesprochen worden

in  $\bar{u}$  wolle die Karte klarzeichnen werden.

Die beiden Männer, die die Festsetzung durchgeführt hatten, sollten auch wissen, wieviel Geld ausgeht. Die 4/AA sprechen hier.

Kaufman ist nunmehr bereit, das ist doch die Karte überausgehend schnell durch die Finger der Richter gegeben, und es ist nunmehr Gefährdung zu sein.

Die unklare Notwendigkeit der Festsetzung soll es sofort zeigen, da es sich mit der Abklärung selbst in der Front befindet, von hinten durch den, überlegenen Kampferstand unter Befehl bedarf  $\bar{u}$ . Durch einen in einer Reihe unbekannter Fund sind die vorkommenden Punkte in unübersehbarem Maßstab, durch das die ungenügende Karte zu zeigen, abgefahren sind. Es sollte selbst keine Befehle mehr.

Es geht zu, das man diesen Hauptgrund zum Festsetzungsbeispiel zum untergeordneten Rolle der Karte die Karte für

Das furchterliche Gefährten der SPW Befestigung  
im Walde kurz vorher spielte.

Außerdem ging man durch die Tod  
menschlichen Unterfassen, die auf der  
Türme Art als Toren nicht Volkseigentum in  
diesem Walde fallen müßte, bei uns.

Kaufsz: In dem Ernst von uns auf die Ge-  
fährdung an die beiden Männer sprachte sich  
"Kaufsz, das bringt fünf auf kein Glück" fand  
das sehr, weil es hi, bei gefährlich, die den  
schweren Anzeichen abgenommen goldenen  
Kreuz, zuziehen bei.

Großes Unheil,  
W-Kreuz beunruhigen

00103E

### TRANSLATOR'S AFFIDAVIT

I, George Miller assigned to War Crimes Branch, United States Army, APO 633, as an interpreter, having been duly sworn, depose and state that the attached English translation is a true and accurate rendering of the German original of the statement of

KNITTEL

taken on \_\_\_\_\_ at Schwäbisch Hall, Germany,

before \_\_\_\_\_

consisting of 7 pages, into English.

I, the deponent, further state that I speak German and English fluently and am fully qualified as an expert German-English interpreter by reason of the following qualifications:

1. German is my native tongue.
2. I spent the first twenty years of my life in Germany and sent to elementary and secondary school there.
3. I came to the United States in 1928.
4. I had two years of English in secondary school in Germany. My other knowledge of English has been derived from study by myself.
5. I have been married for the past six years to a British subject and speak English continually at home. My wife does not speak German.
6. I have been in the United States Army for the past 2-1/2 years, having been discharged in November 1945 and have been employed by the War Department as a German-English interpreter since January 1946.

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George Miller

Sworn and subscribed to before me this 24<sup>th</sup> day of April 1946 at Schwäbisch Hall, Germany.

April 1946

Raphael Dumsack  
War Crimes Branch, USFET  
Capt. CNIP

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001036

I, Gustav KNITTEL, after being duly sworn make the following statement under oath:

Report about shooting of eight American prisoners of war on order of SS Sturmabf. Gustav KNITTEL, Commander of the SS Pa A A 1 (1st Recon. Bn.; Trans. note) by two men 4./AA on the 21st December 1944 in the afternoon.)

Location - Edge of woods near single house located right near the AMBLEVE Bridge 3 kilometers west of SPAVELOP.

After I had received the report at the Command Post in the afternoon of the 21st December that the pint of the enemy tank unit had been knocked out which was coming from the direction of LA CLATTE on the road to SPAVELOP and was advancing with 45 armored vehicles, I wanted to have a look at the place of the engagement. I was alone on foot and without a weapon. Even with the bridge I passed a single tiger or ours which was securing the road in front of five knocked out enemy tanks. The commander reported to me that the complement of enemy tanks stood behind the curve and three enemy Shermans in the first railroad tunnel as security. Eight of our own men lay as infantry protection on the roadbed. This, our own security, I estimated to be very weak in contrast to the strong enemy tank concentration. The men were the drivers of the vehicles standing in the road, and therewith the last reserve which I had thrown in. Since I heard that the Paks (anti-tank guns) being in position on the other river bank of the AMBLEVE had also participated in the knocking out operation I went to the firing positions. To my greatest surprise all were abandoned, the guns left alone. At the singly situated house, I then saw the SS Oberstuf. WAGNER, company commander of the 4./AA. He reported to me the knocking out of the enemy point and informed me about the present situation of the battle.

He reported "Enemy with unknown force possibly advancing in the woods from TROIS FONTS has cut off our road of retreat to WARNE. There one of my SFW's has been knocked out, furthermore not a long time ago a Volkswagen has been knocked out, driver dead." I was angry about these losses and the terrible situation and said, "How come the damned AMI's get here - they have no business here. For the rest, we are not responsible for this sector - What have you thrown against it?" WAGNER replied, "I have taken the few men away from the Paks and ordered them to reconnoitre. The drivers of the vehicle column, I couldn't make go forward." Thereupon I said, "That is terribly little - How do you judge the situation? I have to know if I have to relieve the battalion or not. Where do we take off?" WAGNER - "I don't think that there is anything left of my men." Even with the house SS Obersturmfuehrer LEIDREITER 3./AA came alone limping with a sprained leg out of the woods. I shouted up, "What's the matter up there, LEIDREITER?" L., "Nothing to hear any more. Everybody seems to have taken off." At this moment I see in front coming out of the woods, Americans in line with steel helmets on. I shouted surprised, "God damn it, these are AMI's". LEIDREITER limped back into the woods and WAGNER jumped with me to the lower house wall for cover. After I was convinced at 300 meters that it must be prisoners who were led by two guards walking behind them, I said to WAGNER, "What are we going to do with them? If we've got to take off, we can't take them along with us through the woods - bump them off." As the prisoner group had approached to 100 meters, I asked the guard to find out if a new enemy unit had appeared. "From which Divison are they?" One of the guards replied from about 30 meters distance whilst proceeding walking, "We don't know, they haven't stated anything yet - We don't know English." I ordered the two men, "Bump them off."

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They led the prisoners in a line behind the house in front of which I stood with SS Oberstuf. WAGNER. I heard pistol shots after about five minutes which came in my opinion from the place of the shooting. I was not an eye-witness. As the two men came back I said to them, "You swine, that's not going to bring you any luck."

To Oberstuf. LEIDREITER, who came again out to the slope, I gave the order, "Take off to the service company - you half-dead man; you are not going to get away fast enough with your busted leg." If LEIDREITER could have been witness to the incident, I don't know.

While Oberstuf. WAGNER reported in detail about the knocking out of the enemy point, 3 additional men arrived and reported that the enemy had been attacked from the other side by other units of the division which would clarify the situation.

I didn't know the two men who executed the shooting but they must have been members of the 4./AA.

After I could assume that the situation there had cleared surprisingly fast by the intervention of the division, I went back to my Command Post.

I thought the military necessity of the shooting was established insofar as I myself was chained with the battalion to the front line. Further, I felt considerably endangered from the rear by a strong superior tank unit and cut off by an enemy unknown in strength from the rear flank in an unsurveyable wooded area through which the only way of retreat led. I had absolutely no more reserves.

I admit that besides this main reason for the shooting, the motive of revenge for the cunning shooting of the SPW crew in the woods shortly before played a subordinate part.

Furthermore, the death of my bravest Unterführer who had to be killed in such a silly way as driver of a Volkswagen moved me spiritually.

POSTSCRIPT:

The sentence after the shooting addressed to the two men in the deposition: "You swine, that's not going to bring you any luck," was uttered by me because I saw them showing to each other golden rings, taken from the American prisoners.

Gustav KNIPPEL  
SS Sturmbannführer

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