

23 July 1946.

MEMORANDUM TO: Major J. C. Duvall,
Acting Chief, Prosecution Section.

SUBJECT : Case No. 6-56 BRUNS (A)

1. FACTS:

On or about 20 December 1944 in the neighbourhood of BLEIALF, Germany (GSGS 4042, Sheet 6, Coordinates P-96) between six and seven hundred American soldiers of the 106th Infantry Division were captured by the 2nd Battalion, 293rd Volks Grenadier Regiment, 18th Volks Grenadier Division; Hauptmann Curt BRUNS was in command. Among the Americans were two German speaking enlisted men apparently of German Jewish descent and who were members of I.P.W. Team 154. BRUNS made the statement that there was no room in Germany for Jews and they were taken down the road and shot. The bodies were recovered on 13 February 1945 and identified as being S/Sgt Kurt R. JACOBS and T/5 Murray ZAPPLER.

2. DISCUSSION:

BRUNS was brought to trial before a Military Commission appointed by the Commanding General on 7 April 1945. The accused pleaded not guilty but was found guilty and sentenced to death by musketry. The sentence was approved by the Commanding General, 1st U.S. Army on 8 May 1945 and forwarded to the Commanding General, 12th Army Group for final disposition. The Commanding General, 12th Army Group on 7 June 1945 confirmed the sentence and ordered it to be executed by the Commanding General, 9th U.S. Army. The execution was carried out by the Commanding General, 9th U.S. Army on 9th June 1945. Since the original investigation a statement has been received from a German national currently confined in a sanatorium which implicates Lt. Colonel WITTE, Commanding Officer 293 Volks Grenadier Regiment, in the beating of wounded American prisoners of war in the same area between the 16th and 21st December 1944. According to testimony on the BRUNS case, WITTE was last heard of in BERLIN, and it is not known if he is still alive although requests for his apprehension have been filed.

3. RECOMMENDATIONS:

(a) It is recommended that the Processing Section extract the six sheets held together by double clips in this file as they are not germane to this or any other case, since they consist of an opinion to the former Theater Judge Advocate General on the competency of the U.S. Military Commission to try war crimes cases.

(b) It is recommended that Processing Section extract from this file the statement of Guenter FISCHER, relating to the alleged beating of American prisoners of war by Lt. Colonel WITTE and process it as a separate case.

(c) since trial has been had for the accused in Case No. 6-56, it is recommended that it be finally closed and classified "IP-3".

1. Processing
OK W.P.

M. G. Kimball

MEGHEW KIRBALL,
Captain, AC.
Prosecution Section.

LIA - Record of trial
in Document Sec,
H.S.