

HEADQUARTERS
EUROPEAN COMMAND
Office of the Judge Advocate

War Crimes Board of Review No. 2

25 February 1948

UNITED STATES	:	7708 War Crimes Group	APC 407
v.	:	Trial by General Military Government Court convened at Dachau, Germany, 18 - 23 September 1947. The court made findings of guilty and sentenced the accused to death by hanging.	
Georg SCHALLERMAIR	:		
Case No. 000-50-2-121	:		

Report of War Crimes Board of Review No. 2

McCLURE, BERG and CRAWFORD

- I The record of trial in the case of the above named accused has been reviewed by the War Crimes Board of Review No. 2.
- II DISCUSSION: The accused was brought to trial on two charges relating to Concentration Camp Dachau and camps subsidiary thereto. The particulars of the first charge alleged that the accused, acting in pursuance of a common design, deliberately and wrongfully encouraged, aided, abetted and participated in the subjection of civilian nationals of nations then at war with the then German Reich to cruelties and mistreatments including killings, beatings, tortures, starvation, abuses and indignities; and, the particulars of the second charge alleged that the accused, acting in pursuance of a common design, encouraged, aided, abetted and participated in the subjection of members of the Armed Forces of nations then at war with the then German Reich, who were then and there surrendered and unarmed prisoners of war in the custody of the then German Reich, to cruelties and mistreatments including killings, beatings, tortures, starvation, abuses and indignities.

The accused plead not guilty to both charges and particulars thereunder. He was found guilty of the war crimes alleged in the particulars of Charge I and not guilty as to the particulars alleged in Charge II.

The accused, an SS M/Sgt. was a roll call leader at Camp M-1 of sub-camp Muehldorf, a sub-camp of Dachau Concentration Camp, from August 1944 to May 1945, and is shown to have participated to a substantial degree in the Dachau Concentration Camp mass atrocities. He beat and tortured a great

many of the inmates, some of them so badly that they died.

The evidence is sufficient to establish the guilt of the accused and the court was justified in so finding.

The Review of Evidence submitted by the Deputy Judge Advocate for War Crimes is accurate and fully and fairly refers to the pertinent evidence introduced by the prosecution and defense.

Appropriate consideration appears to have been given by the Deputy Judge Advocate for War Crimes to the Petition for Review and Petition for Clemency filed in this case.


This Board concurs in the opinion of the Deputy Judge Advocate for War Crimes that the record of trial fails to disclose any errors or irregularities which resulted in injustice to the accused and that the evidence is legally sufficient to support the findings of the court.

CONCLUSIONS: The court was legally constituted and had jurisdiction of the accused and of the offense. No errors or irregularities were committed during the trial resulting in injustice to the accused. The evidence in the record of trial is legally sufficient to support the findings of the court. The sentence recommended for approval by the Deputy Judge Advocate for War Crimes is legal, fair and just. The Review of Evidence submitted by the Deputy Judge Advocate for War Crimes is accurate and complete and fully sets forth all material facts.

1V RECOMMENDATIONS: It is recommended that:

1. The findings of the court be approved.
2. The sentence of the accused, Georg SCHALLERMAIR, to death by hanging be approved and ordered executed.


DONALD MCCLURE, Lt. Col., AC
Chairman


GORDON O. BERG, Lt. Col., AC
Member

