

DEPUTY JUDGE ADVOCATE'S OFFICE  
7708 W. R. CRILES GROUP  
EUROPEAN COMMAND  
APO 407

WCT Rpt # 505.

14 October 1947

UNITED STATES )

v. )

Anton WREDE )

Case No. 12-2030-1

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA: The accused was tried at Dachau, Germany, during the period 13-14 August 1947, before a General Military Government Court.

II. CHARGE AND PARTICULARS:

CHARGE: Violation of the Laws and Usages of War.

Particulars: In that Anton WREDE, a German national, did, at or near DALKENHEIM, Germany, on or about 30 December 1944, wrongfully encourage, aid, abet and participate in the killing of a member of the United States Army who was then and there an unarmed and surrendered prisoner of war in the custody of the then German Reich.

III. SUMMARY OF EVIDENCE: On or about 30 December 1944, an unarmed and surrendered American flyer was brought to the Gestapo headquarters in Wiesbaden, Germany. The accused, an SS captain, assigned to that headquarters, interrogated the flyer. During the interrogation, he assaulted and beat him. Thereupon he ordered Fuehr, an agent in the same headquarters, to take the flyer to the cellar. The accused at the same time he told Fuehr to take the flyer out towards Oberursel, added, that he (Fuehr) knew what to do. That same evening, Fuehr and Braundt, the latter also being a Gestapo agent in the headquarters, acting upon an order from Trumler, the SS colonel and Commander of the Security Police and SD, drove the flyer in an official car towards Frankfurt. Near Dalkenheim, they shot him to death. Fuehr and Trumler were convicted of participating in the killing of this flyer, as well as others, in the case of the United States v. Stroop, et al.,

Case No. 12-2000, and were sentenced to death by hanging. The accused was not in custody when that case was tried (R 33). (In that case Fuehr's name is spelled "Führ" and the witness Fraundt's name is spelled "Fraund".)

IV. EVIDENCE AND RECOMMENDATIONS:

ANTON WREDE

Nationality:	German
Age:	39
Civilian Status:	Unknown
Party Status:	Unknown
Military Status:	SS Captain; Adjutant to SS Colonel Trumler, Commander of Security Police and SD, Rhein-Westmark area
Plea:	KG
Findings:	G
Sentence:	6 years, commencing 21 April 1947

Evidence for Prosecution: On or about 30 December 1944, an unknown captured American flyer was brought to the Gestapo headquarters in Wiesbaden, Germany, by members of the police (R 9, 19). The flyer was interrogated by the accused, an SS captain, upon orders of his superior, SS Colonel Trumler, Commander of the Security Police and SD in the Rhein-Westmark area. At the time, the accused was Trumler's adjutant (R 12, 24, 30). Before the interrogation the flyer's hands were handcuffed behind him upon orders of the accused (R 14). Upon the flyer's refusal to answer some of the questions, the accused jumped at him and beat him. The accused severely struck the flyer in the face, as a result of which he was rocked from side to side and staggered against the wall and closet (R 13, 15). The accused ordered Fuehr, an agent in said headquarters, to take the flyer to the cellar. At the same time he told Fuehr to take the flyer toward Oberursel that night, indicating that Fuehr knew what to do (R 15-16, 20-22). A few minutes later when Fuehr reported to the accused that he had placed the flyer in the cellar as directed, the accused stated to Fuehr that "this man will be shot tonight" (R 22). That afternoon, Fuehr

and Freundt, another Gestapo agent in said headquarters, were given an order by Trummler, in the presence of the accused, to kill the flyer (R 25). That evening, acting upon this order, they drove the flyer toward Delkenheim, where they shot him to death (R 22). They returned to Wiesbaden and reported the matter to the accused and Trummler. Trummler ordered the accused to report the matter to the Higher SS and Police Leader, Stroop (R 22, 23). Trummler and Fuehr were convicted of participating in the killing of this flyer in the case of the United States v. Stroop, et al., Case No. 12-2000, and were sentenced to death by hanging (R 20, 26, 27).

Evidence for Defense: The accused did not elect to testify or make any statement to the Court (R 38). Trummler testified for the defense that though he ordered the accused to interrogate the flyer, he gave Fuehr and Freundt the order to have the flyer shot (R 29, 30). He further testified that under the circumstances of this case, the accused had no authority to have the flyer shot (R 30, 31).

Sufficiency of Evidence: From the evidence adduced during the trial, the Court was warranted in concluding that the accused willingly and actively encouraged and participated in the killing of this flyer. His guilt was clearly established.

The findings of guilty are warranted by the evidence. The sentence is not excessive.

Petitions: No Petitions for Review nor Petitions for Clemency were filed.

Recommendation: That the findings and sentence be approved.

#### V. QUESTIONS OF LAW:

It is clear that the Court had jurisdiction of the person of the accused and of the subject matter.

Examination of the entire record fails to disclose any error or omission which resulted in injustice to the accused.

#### VI. CONCLUSIONS:

1. It is recommended that the findings and the sentence be approved.

2. Legal Forms nos. 13 and 16 to accomplish this result are attached hereto, should it meet with approval.

RONALD DADAMIO  
2nd Lt., Inf.  
Post Trial Branch

Having examined the record of trial, I concur,

this \_\_\_\_\_ day of \_\_\_\_\_ 1947.

C. E. STRAIGHT  
Lieutenant Colonel, JAGD  
Deputy Judge Advocate  
for War Crimes

HEADQUARTERS  
EUROPEAN COMMAND

AG 383 JAG

APO 757  
Dec 10 1947SUBJECT: Execution of Sentence in the Case of the United States vs.  
Anton WREDE (Case No. 12-2000-1).TO : Commanding General  
First Military District  
APO 1, U. S. Army

Reference is made to letter, Hq USFET, AG 383 JAG-AGO,  
26 February 1947, subject: "Designation of Prisons for War Criminals,"  
and to the inclosed copies of the Order on Review in the above entitled  
case as to accused Anton WREDE.

Upon compliance with the Order on Review the Certificate below  
will be completed and returned to the Deputy Judge Advocate for War  
Crimes, 7708 War Crimes Group, APO 407, U. S. Army.

BY COMMAND OF GENERAL CLAY:

/s/ Edward Doherty  
/t/ EDWARD DOHERTY  
Lt. Colonel, IGD  
Acting Adjutant General

1 Incl:  
1 Form No. 13 (in dup)

Frankfurt 7175

## CERTIFICATE OF COMPLIANCE

The sentence covered by the above described Order on Review  
was carried into execution at War Criminal Prison No. 1, Landsberg,  
Germany, on 19 December 1947, at 1300.  
(Date) (Hour)

/s/ Lloyd A. Wilson  
(Signature and Rank)  
/t/ LLOYD A. WILSON  
Captain CMP  
Prison Director  
(Organization)

/s/ David A. Oakley  
(Countersignature and Rank of  
Witnessing Officer)  
/t/ DAVID A. OAKLEY  
1st Lieutenant CmlC  
Asst. Prison Director

MILITARY GOVERNMENT COURT  
MILITARGERICHT

Order on Review  
Verfugung nach Uberprufung

Case No. 12-2000-1  
Strafsache Nr. 12-2000-1

Order No. \_\_\_\_\_  
Verfugung Nr. \_\_\_\_\_

Whereas one Anton WREDE  
(Name of Accused) (Name des, der, Angeklagten)

was convicted of the offence of participation in killing a surrendered  
prisoner of war  
wegen der folgenden strafbaren Handlung Teilnahme an der Totung eines  
Kriegsgefangenen, der sich ergeben hatte.

by the ~~XXXXXX~~ Military Court at Dachau, Germany  
General in Lachau, Deutschland  
vom ~~XXXXXX~~ Militargerichte (Address of Court)  
Oberen (Anschrift des Gerichts)

and sentenced to imprisonment for six years, commencing 21 April 1947  
schuldig erkannt und zu sechs Jahren Gefangnis verurteilt mit Wirkung  
ab 21 April 1947

by Judgement dated the 14 August 1947  
durch Urteil vom 14 August 1947 and  
(Date) (Datum)

Whereas the case has now come before me by way of review and  
after due consideration and in exercise of the powers conferred upon  
me, I hereby order:

Diese Strafsache ist mir zur Uberprufung vorgelegt worden und  
nach entsprechendem Studium des Sachverhaltes und in Ausubung der mir  
ubertragenen Befugnisse verfuge ich:

That the findings and sentence are approved. The Commanding  
General, First Military District, will confine Anton WREDE in War  
Criminal Prison No. 1, Landsberg, Germany, for a period of six years,  
commencing 21 April 1947

Dass der Befund und das Urteil bestatigt werden, Der Kommandi-  
erende General, von Militarbezirk I, wird die Inhaftierung von Anton  
WREDE im Kriegsverbrechergefangnis Nr. 1, Landsberg, Deutschland, fur  
die Dauer von sechs Jahren, mit Wirkung ab 21 April 1947, veranlassen.

Dated this  
Gegeben am 8 December 1947

/s/ J. L. Harbaugh, Jr.  
(Signature of Reviewing Authority)  
(Unterschrift der nachprufenden Behorde)  
/t/ J. L. HARBAUGH, Jr.  
Col. JAGD, Judge Advocate  
(Title) (Titel)

\* Strike out words not applicable  
\* Nichtzutreffendes ist zu durchstrecichen.