

1 August 1947

UNITED STATES

v.

Case No. 12-489

Eurt GONNELL, et al.

REVIEW AND RECOMMENDATIONS

I. TRIAL DATA. The accused were tried during the period 6 February to 22 March 1946 at Ludwigsburg, Germany, before a General Military Government Court.

II. CHARGES AND PARTICULARS

FIRST CHARGE: Violation of the Law of War.

Particulars: In that Eurt GONNELL, Walter KROKUNOVSKI, Erich WENTZEL, Karl WENNER, Jakob Valentins SKILER, Johann Josef SCHMITZ, Johann FOINTNER, Gunther ALBRECHT, Karl GUYER, Heinz WITERS, Jan J. ACKERMANN, Klaus MEYER-GONNARDS, Heinrich KUNDEL, Gerhard GARNELS, Gustav MANNINGHA, Raeder MANNINGHA, Josef Peter HANKE, Heinrich HEINEMANN, Jakob WITTHACK, one LANGER, whose given name is believed to be Erich and/or Wilhelm, August HANNING, August SCHINDLER, and a certain individual whose surname is believed to be KIRBACH, German Nationals, in conjunction with other persons, German Nationals, whose names and whereabouts are unknown, did, at or near BORNEN, BORNEN ISLAND, Germany, on or about 4 August 1944, wilfully, deliberately and wrongfully encourage, aid, abet and participate in the killing of W. LANGENTUS, William J. MEYER, James W. DANNO, William F. BOLD, Harvey E. WALTHALL, Kenneth FARR and Howard S. GRAHAM, all members of the United States Army, who were then unarmed, surrendered prisoners of war in the custody of the then German Reich.

SECOND CHARGE: Violation of the Law of War.

Particulars: In that Eurt GONNELL, Walter KROKUNOVSKI, Erich WENTZEL, Karl WENNER, Jakob Valentins SKILER, Johann Josef SCHMITZ, Johann FOINTNER, Gunther ALBRECHT, Karl GUYER, Heinz WITERS, Jan J. ACKERMANN, Klaus MEYER-GONNARDS, Heinrich KUNDEL, Gerhard GARNELS, Gustav MANNINGHA, Raeder MANNINGHA, Josef Peter HANKE, Heinrich HEINEMANN, Jakob WITTHACK, one LANGER, whose given name is believed to be Erich and/or Wilhelm, August HANNING, August SCHINDLER, and a certain individual whose surname is believed to be KIRBACH, German Nationals, in conjunction with other persons, German Nationals, whose names and whereabouts are unknown, did, at or near BORNEN, BORNEN ISLAND, Germany, on or about 4 August 1944, wilfully, deliberately and wrongfully encourage, aid, abet and participate in assaults upon W. LANGENTUS, William J. MEYER, James W. DANNO, William F. BOLD, Harvey E. WALTHALL, Kenneth FARR and Howard S. GRAHAM, all members of the United States Army, who were then unarmed, surrendered prisoners of war in the custody of the then German Reich.

The return of service is not shown on the copy of charges and particulars in the record. However, the record contains an affidavit by a defense counsel showing that service of the charges was made on all defendants several weeks before the date of trial.