

BOCHES KILLED CAPTIVE FLYER R.C.A.F. ALLEGES

Name of Victim Not Revealed By Court at Aurich, Germany

Aurich, Germany, March 21.— (CP Cable) — The prosecution to-day opened its case against two Germans, a civilian and a former soldier, charged with killing a captured Canadian near Oberweier, Bavaria, July 29, 1944, as the second stage of the R.C.A.F. war crimes trial here got under way.

Wing Cmdr. Pat Durdin, of London, Ont., prosecutor, told the court that an R.C.A.F. air gunner, who was not identified in order to spare the feelings of his next of kin, bailed out of a blazing aircraft during a raid on the area around Oberweier on the date in question.

The prosecutor said he was taken to the Oberweier town hall where Wilhelm Junge, burgo-master and town Nazi leader, ordered two civilians to beat him to death or shoot him.

When they refused, Wing Cmdr. Durdin said, Junge ordered Johann Schumacher, a German soldier jointly charged at the trial here with Junge, to carry out the task. Schumacher allegedly marched the Canadian several hundred yards outside of the town and killed him with two rifle shots, leaving the body lying on the grass.

The prosecutor said the body later was buried but subsequently was disinterred on Junge's command to remove identity discs.

The trial of Junge and Schu-

macher started yesterday immediately after Johann Neitz, former German marine corps cook, had been sentenced to life imprisonment for wounding with intent to kill F.O. Rudolph Roman, Toronto bomb-aimer who bailed out of his burning bomber near Wilhelmshaven in October, 1944.

Neitz was the first German to appear before the R.C.A.F. tribunal here.

Hun's Plea Changed

When he appeared yesterday Schumacher pleaded guilty on advice of his counsel, Squadron-Ldr. S. H. Hollies, of Souris, Man., and Winnipeg. Squadron-Ldr. Hollies to-day requested the plea to be changed to innocent and Air Vice-Marshal R. E. McBurney, president of the court, said that a not-guilty plea had been recorded.

Junge, a hard-faced Bavarian Nazi of 53, pleaded innocent.

Schumacher, a more hesitant man, told a surprised court when asked to plead: "I am partially guilty."

The first prosecution witness to-day was Capt. Marvin Kuschner, of New York city, a pathologist, who exhumed and examined the body of the slain airman. He said a bullet, apparently fired at close quarters, had penetrated the Canadian's head.

It was learned to-day that Squadron-Ldr. Vic Collins, of Dunnville, Ont., who defended Neitz, will be relieved at his own request of defending further Germans after he acts as defence counsel for Junge. A German civilian lawyer will present the defence in further cases.

Squadron-Ldr. Collins said: "I applied to be relieved because I did not consider it fair for a Canadian barrister to defend these Germans in view of the nature of the evidence."

The Ontario officer was ordered by R.C.A.F. headquarters in London to defend Neitz.

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