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**“I Wish to Add that I was not Aware and Carried out
the Task as a Soldier of the Home Army.”
On the Murder of Jews Hiding near Raclawice
by a Company of the Miechów Home Army**

At the end of November 1943, in the village of Rędziny-Borek (Miechów County, Cracow District), a group of armed men started to pound at the door of Franciszek Szych's house. The house was located in a remote area, close to the edge of the woods. Szych was not at home and, not surprisingly, his wife refused to let the intruders in. According to Szych, who gave his testimony after the war, “the bandits tore the door off the hinges, broke the windows, and entered the house. Once inside, they started to ask my wife where the Jews were.” The terrorized woman pointed the intruders to the entrance to a well-concealed hideout in which six Jews took shelter. First to die was Dr. Schlesinger, a dentist from nearby Działoszyce who, having refused to leave the chamber, was shot twice. The first bullet crushed his knee; the second one finished him off once he fell to the ground. The other Jews – four men and one woman – left the hideout and underwent a thorough search. They were surrounded by at least six heavily armed men. In the course of the search the men found some jewelry, cash (130 US dollars and 10 000 zlotys), wallets, watches and clothes. The Jews, fearing the worst, started to beg for mercy. Let us quote once again Franciszek Szych: “my wife told me that the Jews kept begging for their lives, saying that they were completely innocent, and then the bandits asked them, ‘why would you want to live, if you have no more money left?’” The desperate pleas made no impression whatsoever; the Jews, having been robbed, were later interrogated and repeatedly (and without success) asked about the locations of other Jews in hiding. Soon after, they were lined up against the wall, inside the house, and shot through the back of the head. Before the shooting the Jews had to take off their clothes, so that the bodies were left practically naked. Before leaving the men ordered Szych's wife to bury the bodies – and then disappeared into the night. “So later on I dug a pit in my barn” – Szych said later – “where the bodies lay and, with the help of my brother, we buried the six Jews. Their bodies are still buried in the same place.”

The bodies of the murdered Jews were exhumed six and a half years later, in March 1950, when the news of the murder came to the attention of the authorities. The grave was located inside Szych's barn. In the barn, at a depth of 3 meters, in

a pit 1.5 by 1.5 meters the investigating officials found a skeleton of a man 170 cm tall. "The skull was well preserved. The skeleton, on the back, had some pieces of preserved flesh. The skeleton indicated clearly that the man was of average build, the skull was symmetrical, without traces of hair. There were ten teeth in the upper jaw and 12 teeth in the lower jaw. Once the skull had been removed from the ground, the teeth started to fall out. Since ten teeth were golden, they were officially, as material evidence, transferred into the care of the Office of Public Security in Miechów. Under the skeleton, we detected part of the upper body, i.e. chest, stomach cavity and arms, as if attached to the stomach cavity, so that the left hand covered hair visible over the pubic bone. The whole lot was very damp and formed a uniform mass which heaved under pressure. The mass exuded an unpleasant, rotten odor. Next to the skull straw-colored hair was found. Beneath this skeleton we found more of the shapeless, very moist mass, which smelled badly. We also found another skull, with no hair, with two holes, in the temple area and in the back, each hole uneven, about 1 cm in diameter. There were two more skulls, one with long, grey, hair, which indicated that they belonged to a woman. In this skull we found a hole in the upper jaw, which indicated the place where the bullet had penetrated. We were unable to find the exit wound. In this skull some ash-colored, half-liquid brain matter was also found. Given the fact that the whole mass was practically shapeless and that it was impossible to distinguish individual body parts, it was decided to leave them in the ground. The remaining skulls and the skeleton were placed in a coffin. The first skeleton was placed in a separate coffin. The skeletons have been buried in the local cemetery." This is the extent of information provided by the forensic specialist in the exhumation report of 1950.

Victims

Who were the victims of the 1943 execution? We know little about the people buried under the barn in Rędziny-Borek. From the few remarks made later by Franciszek Szych one can gather that the Jews hidden under his roof came, for the most part, from Działoszyce, a small town located some ten kilometers to the east of Rędziny. The first "liquidation action" in Działoszyce was conducted on September 2, 1942, when the local ghetto was evacuated and most of its inhabitants taken to the Bełżec extermination camp.¹ In the course of a brutal "Aktion" nearly two thousand Jews were killed by the Germans and by the Polish "blue" police, with youths from *Baudienst* cordoning off the ghetto and preventing the Jews from fleeing. Nevertheless, some of the Jews fled Działoszyce. Unable to survive in the countryside, however, over the next days and weeks they started to trickle back, to their empty and robbed houses. One of the witnesses recalled these events: "the Germans

¹ About the destruction of Jewish Działoszyce and Jews hiding in the vicinity, see: Eliahu Raziell (Rozdział), *Alone and in Hiding*, type script, the Archive of the United States Holocaust Memorial Museum (USHMM), 1994.

entered the town like a hurricane, riding motorcycles with sidecars. Chaim-Lazer went upstairs to see what was going on. From his observation point he saw the Junaki (Polish gangsters who helped the Germans in house searches because then they could steal) who surrounded the city. Junaki, armed with spades, shovels and picks, formed a cordon, spread 3–4 meters apart, forming a true wall. We were not surprised that the Junaki were so eager to do the dirty work for the Germans.²... Later, the Jews were herded from Działoszyce to Miechów, where they were left on a damp meadow. Once again, the area was surrounded by Polish youths from *Baudienst* who thus prevented the Jews from fleeing."³

The second and last Action in Działoszyce happened in October 1942. It is at this point that the first refugee arrived at the doorsteps of Franciszek Szych's place. According to Szych, who agreed to shelter the Jews in exchange for money, Dr. Schelsinger (or Szlesinger), a dentist from Działoszyce, was the first one to move in. The next one to find his way to the hideout in Szych's house was a certain Przewoźnik, the owner of a soap factory from Działoszyce, with his wife. Most probably it was Józef Przewoźnik and his wife, Mina Ptasznik.⁴ The next ones to seek shelter under Szych's roof were two Kołatacz brothers (most probably Nachum and Aron), also from Działoszyce, and one more unidentified man. There, in a special chamber, behind a hidden door, the six Jews were to spend the next year – until the tragic night in November 1943.

The execution in Rędziny-Borek is seemingly no different from scores of other executions committed by known and unknown perpetrators against Jews in hiding in occupied Poland during the 1942–1945 period. From the summer of 1942, when the "final solution of the Jewish question" entered its decisive phase, hundreds of thousands of Polish Jews started, in panic, to plan for the worst. Most often, hoping to weather the initial fury of German "*Aktionen*," they built ingenious dugouts, hideouts and well-concealed bunkers in the ghettos. In order to find these Jews, the Germans used the police and gendarmerie, members of the so-called *Evakuierungskommandos*, the Jewish Order police, the Polish "blue" police and certain elements recruited from among the local Aryan population.⁵ In south-eastern Poland [Małopolska] a particularly odious role in liquidating the ghettos fell to the Polish youths from the German-run Construction Service (*Baudienst*).

² J.E. Tenenbaum, *Legacy and Redemption. A Life Renewed* (Washington, 2005), 105.

³ *Ibidem*, p. 110.

⁴ The names have been taken from the central Yad Vashem Archive registry "Hall of Names."

⁵ Among the Polish diaries: Z. Klukowski, *Zamojszczyzna, 1918–1943* (Warsaw, 2008), 372, Archiwum Żydowskiego Instytutu Historycznego [Archive the Jewish Historical Institute] (later: AŻIH), collection 302/30, S. Żemiński; Jewish diaries and accounts are too numerous to be cited here. Particularly important are the collections of Yad Vashem (O/33 and O3) and collection 301 and 302 of the Jewish Historical Institute, Warsaw.

The Jews, who looked for safety beyond the ghetto walls, had to seek help from the people living on the Aryan side. Help was most often secured with payments, or promises of future payments; less frequently it relied on selflessness and compassion of the Aryan hosts. The liquidations of the ghettos marked the beginning of a process named by the Germans *Judenjagd* – the hunting down of the Jews. Aware of the numbers of fleeing Jews, the Germans, on the one hand increased the penalties for hiding and helping the Jews and, on the other hand, they introduced a system of modest prizes and inducements for those willing to help to apprehend the “racial enemy.” The rewards were usually paid out in kind: a few pounds of sugar, a liter of vodka, sometimes clothes taken off the Jews before execution. In the cities the Jews most often fell victim to denunciations, so that the murders were usually committed by German policemen summoned to the scene. In the rural areas, the situation was different. Here, denunciation also played a role, but very frequently the Jews were murdered by the Polish “blue” police.⁶ Not infrequently the murderers in blue uniforms justified their deeds and argued that they acted on behalf of the local Polish community, whose members would have been threatened had the Jews been caught by the German police. “The Jews would have given away all those who had helped them” – was the most frequently used explanation.⁷ In some cases, however (and these cases are most difficult to investigate) Jews hidden in rural areas were murdered by the locals themselves, without any involvement of the authorities. The Jews were killed by unidentified “bands,” or by individual peasants. Sometimes the murders were ordered by the village elder [*soltys*] and committed *en masse*, by many villagers acting together in an organized fashion.⁸ Some peasants decided to murder their Jewish “guests” as soon as the latter ran out of money or resources. In rural areas the bodies were easily concealed, although there was also a peculiar ritual associated with the burial of the Jewish victims. But we will revisit this issue later.

The November 1943 events in Rędziny-Borek follow, at first glance, a typical pattern. An armed band, one of many, having learned the whereabouts of Jews in

⁶ A comprehensive examination of court records, Jewish and German sources from the Dąbrowa Tarnowska County indicates that the “blue” police were directly responsible for at least one half of all murders committed against Jews in hiding, during the 1942–1945 period. See: J. Grabowski, *Judenjagd. Polowanie na Żydów 1942–1945. Studium dziejów pewnego powiatu*, forthcoming.

⁷ The same justification was given in the underground war-time publications, or in the accounts given after the war by the Polish “blue” policemen. See: Archiwum Państwowe w Krakowie [State Archive in Cracow] (later: APKr), Sąd Apelacyjny w Krakowie [Cracow Court of Appeals] (later: SAKr), 965, K 122/49, or: Biblioteka Narodowa [National Library], Dział Rękopisów [Manuscript Section], Warsaw, III 9776, Józef Górski, *Na przełomie dziejów*. Excerpts from Józef Górski’s diary have been published in: *Zagłada Żydów 2* (2006): 280–292.

⁸ A. Skibińska and J. Petelewicz, “Udział Polaków w zbrodniach na Żydach na prowincji regionu świętokrzyskiego,” *Zagłada Żydów. Studia i Materiały 1* (2005): 114–147. The article also appeared in English: “The Participation of Poles in Crimes Against Jews in the Świętokrzyskie Region,” *Yad Vashem Studies 35* (2007).

hiding, decided to rob the helpless people and then to kill them. After all, human life, and Jewish life in particular, in those times had no special value. However, Socha and the Jews were unaware that the November 1943 attack was not a haphazard action of a band of armed thugs, but rather a carefully planned and well-executed strategic maneuver of one of the military units of Miechów Home Army (*Armia Krajowa*, AK).

Sources

The documents related to this case come, for the most part, from a thick trial dossier of the Cracow Appellate Court from the 1949–1950 period.⁹ There is no doubt that the court records from this period have to be treated with caution. It does not mean, however, that they have no value for historians. The same applies to the records of German courts, or the files of the Gestapo, or other “archives of repression,” which had a fundamental role in allowing us to better understand the nature of the Nazi totalitarian system. Likewise, the above-mentioned sources shed light on critically important aspects of this tragic period. In the case of post-war investigations of people accused of denouncing and murdering Jews the authorities clearly preferred to keep a low profile. Making accusations of this kind against soldiers of the Home Army could backfire in two different ways. First, in certain segments of Polish society murdering Jews was not incompatible with patriotic activity. Second, high-profile investigations of Jew-murderers would even further hurt Polish interests abroad and fuel the international critique of Polish society. This, especially in the wake of the Kielce pogrom, was quite clearly something that the communist authorities were not willing to risk.¹⁰ It is quite striking, therefore, that – in the discussed case – despite several accusations filed by rank-and-file AK soldiers against their superiors, the investigation never went beyond individuals directly involved in the murder.

Detection and Murder

It is hard to say how exactly the neighbors learned about the Jews hidden in Szych’s house. Needless to say, maintaining secrecy in a tightly-knit village society was as crucial as it was difficult. Today, Rędziny-Borek is less than a village; it can hardly be even called a hamlet. During the war it was clearly more populous, but even then maintaining secrecy must have been close to impossible. According to Szych, at least one woman knew about the Jews, and she shared this information with her father. Later depositions and interrogations indicate that some time before the November massacre someone informed the village elder about the Jews hid-

⁹ APKr, SAKr, 1029, IV K 180/50.

¹⁰ A persuasive analysis of this question can be found in the studies of the Jedwabne murder investigation. See: P. Machcewicz and K. Persak (eds.), *Wokół Jedwabnego*, vol. 1: *Studia* (Warsaw, 2002).

ing at Szych's place. The elder, one Stanisław Maślanka, promptly tipped off the authorities and soon the German gendarmes surrounded Szych's house and started the search. Locals were deployed around the house in order to prevent the possible flight of the Jews. These locals were in part members of the curious crowd and, in part, the village "section-leaders,"¹¹ or semi-permanent members of the night watch, appointed by the elders or by the Polish police. During the raids against the Jews the German police usually mobilized the peasants. Most frequently these peasants were recruited from among the permanent night-watch guards,¹² or the so-called "hostages," who were required to appear whenever summoned, under threat of severe penalties. In our case the search of the house yielded no results - the hidden chamber was so well concealed that the Germans left empty-handed. Even though the Germans closed the file on Szych, the neighbors were not as easily duped. The villagers eyed Szych with growing suspicion and hostility. In these circumstances continued sheltering of the Jews became a more and more dangerous proposition for the increasingly reluctant host. Finally, Szych had to face an existential (quite literally) dilemma, and there were several courses of action possible. He could ask the Jews to leave, he could deliver them to the Germans, or he could deliver them into the hands of the Polish "blue" police. Another option was to take matters into his own hands, and murder the Jews on his own, or to ask the local resistance to help him somehow to solve the "Jewish question."

An analysis of hundreds of "August" trials leads us to believe that delivering the Jews to the Germans could - at this stage - be rather risky. The Germans were known to have offered periodical pardons (or even rewards) to those who surrendered "their" Jews but their reaction to a report filed by someone who had already been investigated for a similar crime was difficult to judge. Delivering the Jews to the Polish police could also backfire in a variety of ways. The "blues" executed betrayed Jews often and willingly, but the level of their cooperation depended on local conditions. Trust between the village elder and the local commander of the Polish police was essential. Equally relevant was the proximity of German gendarmerie: the closer were the Germans, the less eager were the "blues" to undertake independent action. In the Tarnów area (east of Miechów) the Polish policemen justified the killing of Jews by arguing that they were protecting the village community against possible German reprisals. Similar excuses were offered by Polish policemen in the area of Podlasie. According to one account, "the Jews always hated us Poles, and I have seen many examples of it during the war. In the village of Sterdynia there was a glassmaker called Całka. He went into hiding in Ceranów and found shelter in various homes. Finally, he was caught and a 'blue' policeman led him to the gendarmerie station in Kossow. Całka raised his fist and started to swear and curse the whole

¹¹ In Polish they were known as "*dziesiętnicy*."

¹² According to the German regulations each village was required to organize a night watch. The members of the watch had to protect the villagers against bandits, escaped POWs, partisans and other undesirable elements.

village, saying that he would give the Germans the names of all the people who had helped him. The policeman shot the Jew: 'should I have let the entire village be put to torch because of one bastard?' – he explained later to me."¹³ Notwithstanding these "patriotic" motives, there is little doubt that simple greed was the overriding factor which made Polish policemen into talented Jew-hunters. The "blues" with time became experts at extorting, robbing and later killing the apprehended Jews.¹⁴ Asking the Jews to leave – seemingly the easiest course of action – required nevertheless a degree of cooperation and understanding on their part. And in the fall of 1943 such cooperation was highly unlikely, since the Jews once removed from their shelters did not last long in the open. Sooner or later they were caught by the locals and delivered to the Germans. Even if the Germans decided not to execute the Polish helpers, the locals would most probably attack the house in order to find the fabled riches left behind by the Jews. Another possibility – murder of the Jews by the host – in this case was out of the question. There were six people (five of them adult men) hiding in Franciszek Szych's shelter and they would certainly sell their lives dearly. Finally, what was left was an appeal for help to the local resistance fighters.

In the case of Szych, who clearly wanted the Jews out, the appeal went to the local structures of the Home Army (AK). One of the AK soldiers later recalled: "I have heard from the people from Kalina Mała that Szych betrayed these Jews and requested that they be liquidated because he was fearful of Germans killing him and his family."¹⁵ The reports filed by the local commandant of AK gendarmerie sergeant "Żbik" and by Bolesław Krzyszkiewicz "Regiński," the leader of the 1st AK Company from Kalina Wielka – a large village next to Rędziny-Borek – indicated that the Jews, held for profit by the local peasant, "disturbed the local population." Lieutenant Stanisław Grabowski, a.k.a. "Janusz," commandant of the Miechów AK area, became aware of the situation some time during the summer of 1943. He later discussed the issue with his superior, Major Aleksander Miśka "Orion," and received an order to liquidate the Jews.¹⁶ After certain delays, the order had been relayed back to the local commanders, who started to prepare the attack. Sergeant Krzyszkiewicz was tasked with executing the order, and started to assemble his forces.¹⁷ Reserve Lieutenant Krzyszkiewicz a.k.a. "Regiński" was the commander

¹³ Biblioteka Narodowa, Dział Rękopisów, III 9776, Józef Górski, *Na przełomie dziejów*.

¹⁴ For a detailed account of this "police strategy", see T. Krasnodębski, *Policjant konspiracyjnym. 16 lat na muszce gestapo i bezpieki* (Cracow, 2008).

¹⁵ APKr, SAKr, 1029, IV K 180/50, The interrogation of Andrzej W., 14 February 1950, pp. 39–40.

¹⁶ Archiwum Instytutu Pamięci Narodowej [Archive of the Institute of National Remembrance] (later: AIPN), MBP, AK, 407, The letters of "Regiński", "Janusz" and "Michałowicz" [Nieczuja-Ostrowski].

¹⁷ Bolesław Krzyszkiewicz, "Regiński" is listed as being involved in the fight against the Germans in 1944. He was the commanding officer of a company of I/112 AK infantry battalion. See: M. Nieczuja-Ostrowski, *Rzeczpospolita partyzancka. Inspektorat "Maria" w walce* (Warsaw, 1991), 116.

of AK troops in Kalina Wielka. The unit, in secret dispatches referred to as “unit Cat,” in January 1944 became part of 112 AK Miechów infantry battalion (*pułk*). “Regiński’s” unit was 250 men strong and its arms included two heavy, hand-held infantry anti-tank guns (PIAT-s), six submachine guns (Stens), and a motley collection of pistols, carbines, grenades and supplies of ammunition. That is at least what Krzyszkiewicz related after the war. The account concerned, however, the early months of 1944, so it might well be that “Unit Cat’s” firepower in November 1943 was somewhat smaller.¹⁸ Although not overwhelming, it was clearly sufficient to overcome any possible resistance anticipated at Szych’s house. One might note here that in a chronicle of battle events of the 106 AK Infantry Division for November 1943, “unit Cat” is mentioned twice. First, the chronicle reports a successful attack on a local distillery and, second, the disarming of a German soldier traveling alone in a railway car. The chronicle says nothing about the attack at Szych’s house.¹⁹

As we have previously indicated, the murder of the Jews in Rędziny-Borek in itself was neither exceptional nor rare. What sets it apart from other murders committed on hapless Jews in hiding is its distinctively “military” character, with well-preserved evidence of advanced planning. According to Krzyszkiewicz, the order to liquidate the Jews came from his superiors, and described the Jews as armed individuals preying on the local population. At this point the events started to unfold along lines dictated by military discipline, with several participating units of AK pooling their resources and sharing weapons.

Shortly after the attack at Szych’s house, in order to justify his action, and to refute the apparent accusations from his superiors, Lieutenant Krzyszkiewicz wrote up a detailed report. A copy of this report, which was drafted days or at most weeks after the “action,” has been preserved in the archives. The document, contemporaneous to the described events, is important enough to be quoted verbatim.²⁰ “To the Area Command. I duly report that the action of liquidating the jews [translation preserves the orthographical errors of the original – J.G.] undertaken under my command went as follows: in the aforementioned action 14 members of the organization were involved. Having taken over the house and having discovered the hidden chamber, we ordered the jews to leave the hideout and to go to the hall. Four jews and one jewess complied [with the order]; one refused, and was shot on the spot. Later Józef searched [the Jews] and took away their wallets with cash (later he told me that there was 130 dollars and about 10 000 zlotys), 3 watches and 3 rings. When the search had been completed, I entered the hideout in order to look for

¹⁸ In one study of 106th AK Infantry Division, Reserve Lieutenant/Captain Bolesław Krzyszkiewicz was described as “a hero and a martyr, who, for his innocence, was sentenced to life in prison, who was tortured by the State Security, and who spent 16 years in jail.” See: B.M. Nieczuja-Ostrowski, *Inspektorat AK „Maria” w walce*, t. 2 (1) (Elbląg, 2001), 96. The guerilla accomplishments of Krzyczkowski are also mentioned by Józef Guzik, *W obronie miechowskiej wsi, 1939-1945* (Warsaw, 1981), 178.

¹⁹ B. M. Nieczuja-Ostrowski, *Inspektorat AK „Maria” w walce*, t. 2 (1) (Elbląg, 2001), 381.

²⁰ APKr, SAKr, 1029 IV K 180/50, k. 10-10v.

weapons which were supposed to have been stashed there. Afterwards I searched the clothing, and [soldiers] took whatever they needed. Antoni took two pairs of yellow shoes and a jacket, "Słowik," with two of his people, filled one backpack with Jews' underwear and took two coats as well. I took a coat for myself, too. The other seven [soldiers] took nothing. We left the remaining stuff behind. When we left for this action, we did not think about theft and personal gain. We wanted to get rid of the Jews and to take the weapons which they were supposed to have had. Seven people who took part in the operation achieved no personal gains whatsoever. As far as I am concerned, I have to admit that there were certain shortcomings, which I can only blame on [my] lack of experience, because I could never have guessed that I and my men would stand accused of pillage. When the search was over, and when no weapons were found, the Jews were marched back inside, and – lined against the wall – they were shot one by one. Once the task had been completed, I swore all those present to strictest secrecy, and I ordered the lady of the house to quietly get rid of the bodies. The secret got out because of Józef, from the "Dominik" unit, who started to tell the local peasants over drinks about the operation. When I tactfully drew his attention to the fact that he should not socialize with these people, he threw himself at me. I assume full responsibility for any shortcomings, but – as a justification – I would like to add that I never expected to be accused of robbery. All I did was to allow my people to take whatever they needed, because in the course of the war they also lost their belongings."

Lieutenant Krzyszkiewicz's report leads us to several disturbing conclusions. First, there is no doubt that the "liquidation" was not a vigilante action undertaken by undisciplined troops, but that it had been ordered at least at the level of the District Commander of the AK.²¹ Second, it is striking that the mission's failure to locate any firearms (which supposedly justified the "liquidation" mission) raised hardly any comment among the AK soldiers. These arms, according to some, were used to terrorize the local Poles. "Regiński's" report, which is rather an attempt to defend his own reputation, focuses on two issues which must have provoked the ire of his superiors: the theft of the property of the murdered Jews, and the lack of discipline among the troops involved. According to the commander of "Unit Cat," the Jewish property²² was fair game, just like goods taken off the enemy. The fate of innocent people who were murdered only because of their "wrong" racial origin raised no interest whatsoever among the officers of Home Army District "Maria." In the long run the murder in Rędziny Borek did not hurt Lieutenant Krzyszkiewicz's military career. Despite the criticisms expressed above, he preserved his command

²¹ The official sanction for the Rędziny-Borek murder finds additional confirmation in correspondence exchanged between the commanding officers of Miechów AK. These documents were seized by the State Security together with the archive of Miechów AK during the arrest of Nieczuja-Ostrowski, the last commander of the Miechów area. See: AIPN, MBP, AK, 407. I am grateful to Dr. Dariusz Libionka for bringing these documents to my attention.

²² In the Polish language there is a special expression to describe property previously owned by Jews: "*dobra żydowskie*."

and, in 1944, during “Operation Storm,” he took part in guerilla warfare against the retreating Germans.

But before we move any further, we should go back to the evening of the “liquidation action” and listen to other testimonies, which bring to light other aspects of the Rędziny operation: aspects omitted from the hasty report cited above. Preparing the liquidation of the Jews, Krzyszkiewicz requested reinforcements from “Żbik” [“Lynx”], the commander of the special Home Army Action Group [“Grupa Dywersyjna,” or Kedyw] in the Miechów County.²³ “Lynx” obliged and sent five armed men, and Stanisław Choma, the commander of the AK unit from Książ Wielki, made a personal appearance, and brought three more armed soldiers in tow. The whole group met in a forest, close to Kalina Wielka, and later this reinforced company started to continue a “tactical march”²⁴ towards Rędziny-Borek. Before leaving Krzyszkiewicz distributed weapons to his people and told them that “they were going to shoot the Jews who are in Szych’s house.” It is not far from Kalina to Borek; one has to climb a steep hill and later march through the woods over flat terrain. Once in place, one part of the company surrounded the house, several soldiers guarded the approaches from the forest, and the previously selected execution squad broke into the house. Bolesław Żakowski, “Sęp” [“Vulture”], who took part in the operation, later recalled:²⁵ “two people opened the door to the hideout; we could see one jew, the others were hidden. ‘Regiński’ and I stood in the door. Regiński ordered the jew to raise his hands and when the jew refused, ‘Regiński’ ordered me to shoot. I gave one warning shot, and when the jew failed to pay heed, I shot him through the knee, and then the jew was shot again. At this point the other jews and one jewess left their shelter. Two AK soldiers – whom I did not know – took these jews to the hallway and searched them. They took away their wallets, watches and rings.” At this point, according to “Vulture,” the Jews were marched again into their hideout and lined against the wall. “‘Regiński,’ with a pistol, stood next to two soldiers whom I didn’t know, I was the fourth and Wesołowski the fifth. We had carbines and the others had pistols. When all was ready, the jews begged for mercy, and they said to us, ‘spare our lives!’ but “Regiński” shot the first jew through the head, and we all started shooting them through their heads.” At the end “Vulture” added that he only followed the orders given by his commanding officer and he obeyed, as a soldier of the Home Army. After the execution, “Regiński” ordered Szych’s wife to bury the bodies. In Polish villages, there was a certain ritual linked to the burial of murdered Jews. In the most general terms, the distance between the burial area and the house where the Jews had been found was related to the trust and respect enjoyed by the helpers in their own community. The lesser the trust, the closer the bodies were

²³ Reserve Lieutenant Stanisław Jazdowski. “Lynx” is also discussed – in a very unkind way – by B. Hojacki, *Wyjść z mroku* (Warsaw, 1980), 159–161.

²⁴ “*Marsz ubezpieczony*” – Pol.

²⁵ APKr, SAKr, 1029 IV K 180/50, The interrogation of Bolesław Żakowski “Sęp” [“Vulture”], 2 May 1950, pp. 71–72.

buried. In the case of people who were "caught" hiding Jews (as opposed to those who gave up their Jewish guests), the victims were often buried in the immediate vicinity of the house. Sometimes the Jews were buried along the walls of the house, under the windows, and – in extreme cases – the bodies were even left under the floor of the house, in order to punish the helpers for their transgressions against the common good. First, it was considered that the helpers exposed the entire community to the danger of German reprisals and, second, hiding Jews was often perceived as an unjustified and egoistical drive to enrich oneself while depriving the others of possible revenue.

Can the "liquidation" of Jews in Rędziny-Borek let us extrapolate, and reach broader conclusions regarding the Miechów Home Army and the Jews? At this point it is hard to say, but this murder was not a unique occurrence, not an aberration, in the fighting history of unit "Cat" of the Home Army. Some time later Krzyszkiewicz led a platoon of his men²⁶ on a reconnaissance mission. "We were" – "Regiński" said – "under the command of Chebliński vel 'Hubert' and we reached the village of Kropidło, or Doślinki. Someone reported to 'Hubert' that there was a Jew in Kropidło, and that he needed to be liquidated. We went into the village, to the [house] of a peasant where the Jew was hiding. When we came closer, an adult individual of Jewish nationality saw us, armed men, and started to run. First to fire were Stanisław Gola and Andrzej Wesołowski; after a few shots the Jew fell down. Later we searched him and ordered the peasant to bury the body. Then we continued the reconnaissance." It is hard to imagine a more matter-of-fact account of a murder. "There was a Jew who needed to be liquidated." Why? Were there any particular reasons which made "the Jew" an obvious candidate for execution? Was it simply a matter of course that encountered Jews were killed by members of the Home Army? This hostile (to use an understatement) attitude towards the Jews was, as it seems, not a unique trait of this particular platoon and this particular lieutenant. On the basis of preserved archival evidence we can even venture that the murder in Rędziny-Borek was – even as far as military planning goes – not an isolated event. A very similar massacre occurred a few months later in Chruszczyna Wielka (a village located some 12 miles east of the discussed events), where a Jewish family of five, hidden at a local farm, was robbed and then slaughtered by a unit of the Security Corps of the Peasants' Battalions. The whole "liquidation action" closely resembles the operation executed by the forces of the Home Army from Kalina Wielka.²⁷

Some more information about the state of minds in the Miechów AK can be gathered from the local underground newspaper. In December 1944 the "*Information to the AK Communiqués*" published an article under the title "Destroy the Weeds!" The

²⁶ Ibidem, The interrogation of Krzyszkiewicz, 26 January 1950, p. 144.

²⁷ AIPN, GK 306, 32, Sąd Wojewódzki w Kielcach. The unit belonged to the Korpus Bezpieczeństwa Batalionów Chłopskich [Security Corps of the Peasants' Battalions]. I am grateful to Alina Skibińska for drawing my attention to this case.

article is enlightening, indeed: “even among the best-tended fields, there will be bad weeds which pollute the grains. The same happens even among the best of humans – there are always murderous individuals who poison the others. Our own Home Army did not escape this fate, either. There are people who joined our forces just to seek an alibi for the future. What is even worse, they look at their time in the AK as the best chance to act on their murderous instincts, to satisfy their lust for blood and pillage”²⁸ – wrote the underground paper.

The author of this article thought, however, about vigilante-style actions, and secret murders done by unscrupulous and unauthorized people. He could hardly refer to well-planned and officially sanctioned operations, such as the “liquidation” in Rędziny-Borek.

The End

At the end of 1949 the Citizens’ Militia (*Milicja Obywatelska*) in Miechów received a confidential report about the 1943 murders. A visit to Szych’s house confirmed the report’s true value, a search of Krzyszkiewicz’s house revealed the hidden note written shortly after the massacre, and the depressed ground in Szych’s barn allowed the place of burial of the murdered Jews to be quickly located. As we have noted at the beginning, some remains were exhumed and buried in a cemetery nearby and the remaining body parts were left in the same pit in which they have lain since the tragic events in November 1943.

Bolesław Krzyszkiewicz “Regiński,” the main culprit, was sentenced to death by the regional court in Kraków. His three accomplices were also sentenced to death. In 1951 all of them received a presidential pardon from Bolesław Bierut, and Krzyszkiewicz’s sentence was commuted to life in prison. The commander of the unit “Cat” from Kalina Wielka finally left prison in 1965. One has to admit that, as far as sentences for murdering Jews are concerned, Krzyszkiewicz spent an extraordinarily long period of time in prison. The murderers of Jews, in the vast majority of cases (including all of “Regiński’s” co-accused), left prison during the 1955–57 period.

Thirty years later, after the fall of communism, in democratic Poland, Krzyszkiewicz requested that the Kraków court recognize him as a victim of communist persecution. “Regiński” admitted his role in the murder of the Jews, but argued that he was just a soldier following the orders of his superiors. The court rejected Krzyszkiewicz’s request, stating that the 1951 sentence did not deal with any kind of patriotic activity, but only with the murder of Jews. “While we do not question Bolesław Krzyszkiewicz’s fighting record in the Home Army” – wrote the judges

²⁸ *Wiadomości do Komunikatów AK 5* (Maria [Miechów]), 17 December 1944. This newspaper can be located in the collections of the National Library, Warsaw, collection: “underground newspapers”. The commander of the Kraków area made, on November 29, 1944, a similar appeal to his soldiers. See: Archiwum Akt Nowych [Archive of New Records], Armia Krajowa (AK), 203/XI-43, [Mf 2396/3], p. 36.



Major W. Podkowa decorates Bolesław Krzyszkiewicz, "Regiński," Miechów, 1 June 2004. Photo: Dziennik Polski, June 3, 2004.

Today, in Rędziny-Borek, there is no trace of anyone from Szych's family. Nothing is left of the barn under which the Jews were buried, either. And at the local cemetery there is no trace remaining of the grave of the exhumed bodies.

- "we have to restate that the deeds of which he was convicted were in no way related to, and could not have possibly served the cause of, the resurrection of the independent existence of the Polish state."²⁹

The Polish Army, undeterred by the court's decision, took a more benign view of "Regiński's" career. According to the local paper *Gazeta Miechowska* on July 11, 2001 in the headquarters of the local branch of the AK Soldiers' Union, a "nice meeting took place during which the representative of the army recruitment center from Kraków-Nowa Huta handed to Bolesław Krzyszkiewicz a nomination to the rank of major in the Polish army." This was not the end of Major Krzyszkiewicz "Regiński's" military career. Three years later, on 1 June 2004 one Major Wiesław Podkowa from the Polish Army's southern command handed Krzyszkiewicz another nomination - this time to the rank of light colonel. The nomination had been signed by the President of Poland, Aleksander Kwaśniewski himself³⁰.

²⁹ In 1992 the District Court in Cracow rejected a similar request made by Andrzej W. "Słowik," who was originally sentenced to 10 years in prison. He left jail in 1956 and thirty years later tried to have the time of incarceration added to his insurable years of work, in order to seek increased pension payments.

³⁰ *Dziennik Polski*, 3 June 2004.

DOCUMENTS

No. 1

APKr, SAKr, 1029, IV K 180/50, p. 24

Minutes

of exhumation of the corpse in the Rędziny Borek village commune, Raclawice commune, with Szych Franciszek on 8 March, ordered by the Appellate Prosecutor, cit[izen] Brandys.

Present:

1. Deputy Public Prosecutor of the District Court: Julian Findysz
2. County Physician: Dr Rymarowicz Antoni
3. PUBP representative: 2nd Lt. Kubański
4. Commandant of the MO station in Raclawice: cit[izen] Makuszewski Mieczysław
5. Village elder of the Rędziny-Borek village commune: Klimczyk Stanisław

In the barn of cit[izen] Szych Franciszek, at the depth of 3 m, in a pit 150 × 150 cm, in a visible place, marked with a dip that sets it off from the rest of the barn floor, a human skeleton was found, length: 170 cm. The skull on the skeleton was not damaged. In some places, the skeleton on the back side had remains of muscular tissue. The skeleton showed that it was a man of medium height. The examination of the skull shows that the structure of the man's skull was correct, symmetrical, with no traces of hair, and 10 teeth were found in the upper jaw. The lower jaw had 12 preserved teeth. When the skull was removed from the ground, the teeth started falling apart. It was ascertained that 10 teeth in the jaws were golden, which officially as evidence were submitted to the PUBP in Miechów. Immediately under the first skeleton, an osseous skeleton without the soft tissue was found, a medium-sized skull, symmetrical, the frontal bone [was] low, only in part covered with partly flaccid muscular tissue. The skull is undamaged, with a considerable number of missing teeth, some of the teeth [are] artificial, a bridge of white metal, probably golden, which as material evidence was handed over to the PUBP in Miechów. Under the osseous skeleton, a part of the trunk was found, thus: the rib cage, the abdominal cavity and the upper limbs as if glued to the abdominal cavity, so that the left palm covers the visible hair over the pubic bone. The whole was highly moist and formed a unified mass susceptible to pressure. The entire mass exuded an unpleasant, rotten smell. By the skull tufts of straw-color hair were found. Under the skeleton a shapeless mass, highly moist, and exuding an unpleasant smell, was found. At the same time, another skull, without hair, was found, with an aperture near the temporal and occipital bone, 1 cm in diameter, uneven. As the edges of the aperture show, the aperture shows the exit of a bullet. Next to the skull, two more skulls were found, of which one had preserved hair, long, grayish, indicating that

the hair is female. In the skull an aperture in the upper jaw was found, which shows that it was the entry of a bullet. After thorough inspection no exit was found. In the skull, grey cerebral tissue in a semi-fluid state was found. In the last skull, it was established that a part of the upper jaw was missing and there was missing bone structure in the back of the skull, with uneven edges. As the mass was completely formless and thus it was impossible to identify the different parts, it was decided not to take it out from the ground. The remaining parts of the skull and the skeleton were put in a coffin, and it was decided to place the first skeleton in a separate casket. The skeletons were buried at the cemetery in the Rędziny Borek commune.

No. 2

Suspect interrogation record

Miechów, 28 December 1949 Kubański Jan, investigating officer of the Dis[trict] Office of State Security in Miechów, interrogated the suspect:

Surname and first name: Krzyszkwicz Bolesław, pseudonym "Regiński"
 Decorations and medals: The Brown Order of Merit from the Home Army
 Party affiliation: PZPR (Polish United Workers' Party)

As to organizational matters, I explain: In December 1939, Szarek Teofil, resident of Kalina Mała, came to me and in a conversation proposed that I join the underground, i.e. the Armed Combat Union (ZWZ) organization, to which I agreed. On the same day, [others] joined the organization: Wojtas Franciszek, Regnicki Józef and Tondos Julian, res[idents] of Kalina Mała, Wielkie Zagórze commune, Miechów County. Once the new organization was founded, Teofil Szarek was the ZWZ commandant. The first task of the ZWZ was spreading propaganda and keeping up the spirits of the population. In 1941, Major "Paweł" and Darek came to me; they were machinists in Rybnik or Pszczyna. At the same time, our group joined the organization "Konfederacja Zbrojna" (Armed Confederation), whose commandant was Major "Paweł,"³¹ in Miechów and the vicinity. Having joined "Konfederacja Zbrojna," we began mass recruitment of members, and the work consisted in spreading propaganda. In 1943 the ZWZ was combined with "Konfederacja Zbrojna" into the AK (Home Army) organization. After the merger, Major "Paweł" was recalled from his post, and replaced by "Janusz"³² as commandant of the AK Miechów district. At the same time, the AK organization was reorganized into territorial units:

³¹ Paweł Włoczek, "Paweł," organizer and commandant of Konfederacja Zbrojna, second deputy of the Commandant of the Miechów District.

³² Error. The commandant of the Miechów District became not "Janusz" but Jerzy Jasielski, pseudonym "Jawa." See J. Guzik, *Raławickie wezwania. Monografia okupacyjna ziemi miechowskiej, 1939-1945* (Wawrzeńczyce, 1987), 225.

companies, battalions, regiments, and divisions. I, i.e. Bolesław Krzyszkiewicz, pseudonym “Regiński,” was 1st company leader; the company operated the area of Kalina Mała and Wielka, Rędziny, Brzuchanie, Strzeżów I and II, Siedliska. The leader of the 2nd company was Trapiołek, pseudonym “Mnich,” resident of Ilkowice, Słaboszów community, which operated in the Słaboszów area. The leader of the 3rd company was “Cedro,” surname Bożek, resident of Książ Wielki, Miechów County, which operated in the Książ Wielki commune. The three companies were part of the 1st Battalion, initially commanded by Malinowski, the principal of the school in Książ Wielki, pseudonym “Słowik,” who commanded the battalion until 1944.³³ In the spring of 1944, the command was taken over by Sikorski, pseudonym “Kara,” resident of Miechów. Apart from that there was the 2nd Battalion, led by “Fałat,” whose surname I do not know. The two battalions, 1st and 2nd, were called “eastern” and “western.” The “eastern” battalion was led by Sikorski, pseudonym “Kara,” the “western” by “Fałat.”³⁴ The battalions were part of a regiment commanded by Captain “Mak,”³⁵ directly subordinated to the division commander, Ostrowski, pseudonym “Tysiąc.”³⁶ In 1943, the division commander established the sabotage group, commanded by “Żbik.”³⁷ The sabotage groups were scattered all over the area, and not until 1944 were the groups merged into the 1st Platoon, named “Skrzetuski,” commanded by “Żbik.” At the same time, the territorial detachments formed a Gendarmerie Platoon, led by Antoni Bac, pseudonym “Lutek,” resident of Strzeżów, Wielkie Zagórze commune, Miechów County. From my area, in the Gendarmerie Platoon there was also Stanisław Włodarczyk of Kalina Mała. The Gendarmerie group’s task was to maintain order and carry out executions on the command’s order.

The division command had a Communications Platoon and a radio, kept by Danecki, resident of Miechów.

Question: Tell [us] about the incident with the citizens of Jewish origin.

A: In the month of October 1943, I can’t recall the exact date, Antoni B., commander of the Gendarmerie Platoon, came to me and said that in my operational area, with Szych, resident of Rędziny Borek, Raclawice commune, Miechów County, there was a group of Jews, and he wanted me to liquidate them myself. As regards this matter, having received such information, I personally went to the district

³³ 2nd Lt. Res./Captain Julian Malinowski “Słowik,” Lt. commandant of the Subdistrict Książ Wielki, “Kazia.”

³⁴ Lt. Res. Julian Stanik, pseudonym “Fałat,” the first commandant of the Miechów District, “Mech-Magdalena.”

³⁵ Captain Emil Gutowski, pseudonym “Mak.”

³⁶ Bolesław Michał Nieczuja-Ostrowski, since 1 September 1943 commander of the AK Inspectorate Miechów and 106th AK Division.

³⁷ 2nd Lt. Res. Stanisław Jazdowski. “Żbik” died in a combat against the Germans in August 1944. See *Rzeczpospolita partyzancka*, 413–416.

commandant, "Janusz," whom I told that in my [operational] area there was a group of Jews, and what should I do with them. "Janusz," the commander, ordered me to liquidate the Jews. Having received the information, I contacted "Żbik," the commander of the Sabotage Group, and ordered that he hand me those people in order to liquidate the Jews, where I received 5 armed men of "Żbik's" Sabotage Group. Apart from that, I contacted Stanisław Ch., resident of Giebułtów, Książ Wielki commune, Miechów County, so that he would give me men in order to liquidate the Jews, to which he agreed, coming himself with three other unknown, armed men. Several days later, all the members from "Żbik" and Ch. arrived on the agreed spot by the woods in Kalina, as well as myself with my members, i.e. Teofil Sz. of Kalina Mała, Mieczysław L., resident of Kalina Mała, Raclawice commune, and we went to the place I had indicated. On arrival, I waited by the woods for the men who were supposed to come, and when they did, I told them what the objective was, that we were to shoot the Jews who were in Szych's home. At 10 p.m. we were outside the house, which was surrounded by my men at my disposal as the commandant of the execution platoon. When we knocked on the house door, no one answered, so we wrenched it off and when we entered, we then found a woman, whom "Żbik's" members asked where the Jews were. Then the woman showed us the door with her finger. I personally did not ask, because I was afraid that she might recognize me. When we entered the flat she pointed to, I found 4 Jews and one Jewess, sitting alone in the room. In the first place, the Jews and the Jewess were searched and everything was taken from them, and later they were lined up against the wall and shot in the back in that very flat. When we shot the Jews and the Jewess, I ordered the woman to remove them from the flat and bury them. What she did with the five corpses I don't know, and I am not aware where she buried them, but we didn't bury them.

I stress that the Jews were deprived of everything they had, i.e. clothes, overcoats, rings, and other items, and they were shot only after the search. After the execution of the 4 Jews and the Jewess I notified the district commandant, "Janusz," that the Jews had been shot. What kind of weapons had Mieczysław L. and Teofil Sz., who took part in the execution, I cannot recall.

No. 3

APKr, SAKr, 1029, IV K 180/50, pp. 39-40

Andrzej W. interrogation record, 14 February 1950.

"Throughout the entire occupation I didn't work anywhere, and earned a living only by petty trade until the liberation of Poland from the German occupation. I joined the underground organization Konfederacja Zbrojna in April 1940. I swore the oath of allegiance to the organization before Major "Paweł," and received the

pseudonym “Słowik.” Konfederacja Zbrojna was incorporated into the ZWZ and thus the Home Army was formed. In the Home Army, my appointed commander was Bolesław Krzyszkiewicz, pseudonym “Regiński,” subordinated to the Region commander. In 1943, when I was visiting “Regiński,” I was appointed by “Regiński” the commandant of the post of Kalina Wisiołek and Zarzecze. As post commandant I had 10 men under my command.

Q: When and with whom did you take part in the shooting of cit[izens] of Jewish nationality?

A: It was in the winter of 1943, I can’t remember the exact date, I was ordered by Krzyszkiewicz, pseudonym “Regiński,” to report to him with my group of men. I followed the order and on the same day, together with K., Ż., G. M., we went to Kalina Mała to Krzyszkiewicz’s home, when we were armed with weapons, and then I found there other members, also armed. When everything was ready, Krzyszkiewicz led us in skirmish line to Kalina Rędziny, to a farmer who lived by the woods. Near the woods, Krzyszkiewicz, pseudonym “Regiński,” announced that in the house there were Jews, and later told us to surround the house, while he and the others went inside in order to ascertain whether the Jews were actually there. The Jews, around five of them, were shot in the flat because individual shots were heard within. When Krzyszkiewicz left the house of Szych, he ordered everyone to go home, while the weapons my people were armed with were returned to Krzyszkiewicz’s group. I am aware that the things of the Jews such as wristwatches and rings were taken away from them.

Apart from those mentioned above, in the liquidation of the Jews there participated Mieczysław L. and many others whose names I can’t recall. Let me add here that I heard from the people of Kalina Mała that Szych had betrayed those Jews and demanded that they be liquidated, because he was afraid that the Germans might shoot him and his family. Krzyszkiewicz Bolesław, pseudonym Regiński, or Mieczysław L should know more on this matter. Later, in 1944, I can’t remember the exact date, in the summer, I and my members, i.e. Stanisław G., resident of Kalina Wysiołek, Władysław M., resident of Kalina Wysiołek, A., Mieczysław L., Krzyszkiewicz Bolesław and other members of the Kalina Wielka group, whose names can be precisely delivered by A. Apart from that there were members of Hubert’s group and Hubert himself. The above-mentioned members of the group of 106th Division “Tysiąc,” under Lt. Hubert’s command, were on patrol at that time; the total number of all men was around 40. During the night patrol in Doślonka, Miechów County, we found in a farmer’s barn a citizen of Jewish nationality, who was shot in the barn, [but] who shot whom I don’t know exactly. After the shooting of the Jew, the command ordered that the Jew be buried. I personally didn’t shoot the Jew.

No. 4

APKr, SAKr, 1029, IV K 180/50, pp. 71-72

Interrogation record of Bolesław Ż, pseudonym "Sęp" of 2 May 1950

It was in the winter of 1943, I can't recall the exact date, Marian G., Home Army member of Kalina Wielka, Raclawice commune, came to me and informed me that I was to report to an assembly in the designated place, i.e. in the forest near Kalina Wielka. Having received such news, in the evening I went, together with him, to the designated place. In the forest, when we got there, I found Andrzej W., pseudonym "Słowik," and the already deceased Kazimierz J., and we went together to Kalina Mała, to the "Regiński" company commander. In Regiński's home we found several men I didn't know, some of them armed. When everyone had arrived, the "Regiński" company leader led us across the fields to the house, near the woods in Rędziny Borek, to a farmer I didn't know. Outside the house, "Regiński" stopped the entire group and said that in the building there were Jews and gave the order to secure it. When the house was secured, two members unknown to me smashed the windows of the flat, and then opened the door to the hall. "Regiński" entered, with me and Andrzej W., pseudonym "Słowik." It was then that two unknown individuals opened the door to the chamber, where there was one Jew, while the others were hiding. In the doorway stood I and "Regiński," who ordered the Jew to raise his hands, and when he declined, "Regiński" ordered me to shoot, and I then fired a warning shot, and when he did not raise his hands, I fired another shot in the knee, and the Jew was shot, and the rest of the Jews and one Jewess left the hideout. Two Home Army members I hadn't known before led the Jews into the hall and carried out a search, during which their wallets, wristwatches and rings were taken away from them by the two individuals I didn't know. When they had been searched, they were led out of the hall back into the chamber and lined up facing the wall. Then "Regiński," gun in hand, stood first by the two unknown individuals, I was the fourth, and W. the fifth; we had rifles, and the two unknown individuals had pistols. When everything was ready, the Jews begged and spoke the words "spare our lives," but despite that "Regiński" fired the first shot in the Jew's back, and then all of us fired shots in the back of the head. Having carried out the death sentence on the Jews, I went home together with Andrzej W., and J. and with Marian G.

"I wish to add that I was not aware what I was doing because the commander, i.e. "Regiński," gave the order and I carried [it] out as a soldier of the Home Army."

JUDGMENT

In the Name of the Republic of Poland

24 October 1950:

The Appellate Court in Cracow, Third Criminal Division, in the bench composed of:

Judge Presiding: A.B. Kobylarz

Jurors: 1) Franciszek Garło

2) Witold Kielar

Clerk: [legal] int[ern] K. Kępiński

In the presence of the public prosecutor: Provincial Public Prosecutor Z. Jasiński

Having examined on 23–24 October 1950 the cases of:

1) Bolesław Krzyszkiewicz, pseudonym “Regiński”... social background - working class, an official of the PDT in Chorzów, secondary education, no property owned, 1 child, PZPR member, [previously] convicted by the Reg[ional] Military Court in Cracow for possession of a weapon and sentenced to 10 years imprisonment, arrested on 16 December 1949, Polish citizen.

2) Andrzej W. pseudonym “Słowik”... social background - peasant, no property owned, employee of the Polish State Railways (PKP) management in Szczecin, PZPR member, previously convicted, arrested on 10 February 1950,

3) Bolesław Ż. pseudonym “Sęp,” Polish citizen, social background - working class, guard of the Railway Protection Service of the PKP, education - 6 grades of elementary school, 2 children, no property owned, no previous convictions, no party affiliation, arrested on 22 February 1950.

4) Mieczysław L., pseudonym “Sęp,” son of a blue policeman, a white-collar worker, secondary education, married, 3 children, no property owned, allegedly no previous convictions, PZPR member...

5) Ignacy K., pseudonym “Wels,” social background - peasant, worker, education - 3 grades of el[ementary] sch[ool], official, single, no property owned, allegedly no previous convictions, PZPR member, arrested on 16 January 1950, platoon leader in the reserve of the RKU [Regional Draft Board], Miechów,

6) Marian G., pseudonym “Wieczorek”..., Polish citizen social background - working class, occupation - miller, official, currently employed as electrical installer, education - 7 grades of elementary school, single, no property owned, allegedly no previous convictions, PZPR member, arrested on 26 February 1950...

7) Bolesław Ż., pseudonym “Sęp,” Polish citizen, social background - peasant, social affiliation - peasant, farmer, education - 7 grades of elementary school, 1 child, no property owned, no previous convictions, no party affiliation, arrested on 18 February 1950, RKU Miechów.

charged:

that:

In November 1943 in Rędziny Borek, Raclawice commune, Miechów County, in line with the German state, as members of the AK (Home Army), 106th Division "Tysiąc," under the command of Bolesław Krzyszkiewicz, pseudonym "Regiński," took active part in the shooting of 6 Jews, who were hiding in Franciszek Szych's house,

and furthermore 1) Bolesław Krzyszkiewicz, pseudonym "Regiński... , son of Jakub

2) Andrzej W., pseudonym "Słowik" ...

3) Mieczysław L., pseudonym "Sęp"

4) Stanisław G., pseudonym "Błędowski" ... Polish citizen, social background –peasant, farmer, owner of 4 hectares of land and farming buildings, education – 7 grades of elementary school, allegedly no previous convictions, no party affiliation, arrested on 6 February 1950, Corporal in the Reserve, RKU Cracow

charged:

that:

II. In 1944 in Dosławice, Miechów County, in line with the German state, as members of the AK (Home Army), 106th Division "Tysiąc," acting jointly with other unidentified perpetrators, took active part in the shooting of 1 Jew,

i.e. of acts specified in items I and II as provided for in Art. 1 item 1 of the Decree of 31 August 1944, Dz.U.R.P., no. 69, item 377.

Krzyszkiewicz Bolesław, pseudonym "Regiński," Andrzej W., pseudonym "Słowik," Bolesław Z., pseudonym "Sęp," Mieczysław L., pseudonym "Sęp," Ignacy K., pseudonym "Wels," and Marian G., pseudonym "Wieczorek," are found guilty as charged in item I of the indictment, i.e. of the felony as specified in Art. 1 item 1 of the Decr[ee] of 31 August 1944, Dz.U.R.P. no. 69 item 377/46, and by virtue of Art. 1 and Art. 7 of the decree sentences:

1) Bolesław Krzyszkiewicz, pseudonym "Regiński ...

2) Andrzej W., pseudonym "Słowik," and

3) Bolesław Ż., pseudonym "Sęp," to death and the permanent loss of public and civil honorary rights and the forfeiture of the entire property of all the defendants.

In consideration that Mieczysław L., pseudonym "Sęp," Ignacy K., pseudonym "Wels," and Marian G., pseudonym "Wieczorek," committed the act on the order of their superiors, and for the above act by virtue of Art. 1 item 1 and Art. 7, in conjunction with Art. 5 § 1 and 2 of the decree, each of them is sentenced to 6 (six) years imprisonment and the loss of public and civil honorary rights for 2 (two) years and forfeiture of the entire property of each of them.

II. Krzyszkiewicz Bolesław, pseudonym "Regiński," is found guilty of the act as specified in item II of the indictment, which is tantamount to felony by virtue of Art. 1 item of the Decree of 31 August 1944, and for this act, by virtue of Art. 1 item and Art. 7 of the said decree he is sentenced to death and the permanent loss of public and civil honorary rights and the forfeiture of the entire property of the defendant.

III. By virtue of Art. 31 and 34 of the C[riminal] C[ode] defendant Bolesław Krzyszkiewicz, pseudonym “Regiński,” is sentenced to death and to permanent loss of public and civil honorary rights and the forfeiture of the entire property of the defendant.

The court acquits the defendants Andrzej W., pseudonym “Słowik,” Mieczysław L., pseudonym “Sęp,” of the charge under item II of the indictment, and the defendants Tomasz M., pseudonym “Rzeka,” and Stanisław G., pseudonym “Błędowski,” are completely acquitted of the charges in the indictment, and the costs of the proceedings are to be borne by the State Treasury.

IV. The defendants Krzyszkiewicz Bolesław, pseudonym “Regiński,” Andrzej W., pseudonym “Słowik,” Bolesław Z., pseudonym “Sęp,” Mieczysław L., pseudonym “Sęp,” Ignacy K., pseudonym “Wels,” and Marian G., pseudonym “Wieczorek,” are released from the obligation to pay the court fee and to bear the costs of proceedings, which are to be borne by the State Treasury.

V. For the defendants: 1) Mieczysław L., pseudonym “Sęp” – the period of temporary arrest from 3 January 1950 to 24 October 1950 is included in the sentence; 2) Ignacy K., pseudonym “Wels,” from 16 January 1950 to 24 October 1950 and 3) Marian G., pseudonym “Wieczorek,” from 26 February 1950 to 24 October 1950.

SUBSTANTIATION

All the defendants, at the beginning of the occupation, realized that it was necessary to fight against the occupier and went where, as they imagined, and where it was preached, that the necessity of the moment called for combat. Through the ZWZ and then through Konfederacja Zbrojna, and finally through the Home Army, they were hoping to fulfill their soldierly duty. Eventually, the pernicious policy of the Home Army leadership failed the broad circles of the undoubtedly patriotically-oriented soldiers, [and] put them on alert, arms in hand, which as a result, in many cases, completely perverted the attitude of the rank-and-file and frequently drove them to crime and to activity that was in line with the occupation-time German policy.

The defendants, living and operating in Miechów County, were members of the 106th “Tysiąc” Division, whereas the def[endant] was the company leader and Andrzej W. was the leader of the platoon whose members were Bolesław Z., Mieczysław L. and others, except Ignacy K., who was a member of the “Roland” platoon.

During the main trial, after the statements of the defendants and witnesses’ testimonies had been heard, it was ascertained that in November 1943, def[endant] Krzyszkiewicz Bolesław was approached by the commander of a Gendarmerie detachment, Antoni B., and informed him that in the Rędziny Borek commune in Franciszek Szych’s house, hiding was a group of Jews, who committed armed robberies and thus were dangerous to the population and unwanted in the area, and which, therefore, had to be liquidated.

The defendant Krzyszkiewicz Bolesław undertook the task and without closer analysis, against the background of the situation caused by the war, whether such

an opinion was justified, ordered his subordinates to assemble arms-in-hand, and designated his house in Kalina Mała as the assembly point. On the specified date and time, AK members reported [as] summoned by their commanders, [namely] all the defendants except def[endant] Tomasz M., because in the proceedings no one ascertained or noticed his presence in the action, except def[endant] Andrzej W., who during the trial revoked such a testimony given in the interrogation, stating that in light of firm statements by others in this matter he was clearly wrong, and except def[endant] Stanisław G., who had not been summoned for the action, and other members of the neighboring "Żbik's" group reported as well.

At the assembly point, defendant Krzyszkiewicz Bolesław carried out a briefing, if not with all then, in any event, with platoon leaders, and informed them about the purpose of the expedition.

Subsequently, the entire group went to Rędziny Borek and having reached the destination, near Szuch's house, def[endant] Krzyszkiewicz again informed them of the objective, and then divided responsibilities and assigned security posts. He himself, together with Bolesław Ż. and two members of "Żbik's" [unit], decided to carry out the liquidation of the Jews inside the house.

As [the owners] didn't want to let them into the flat, two members of "Żbik's" [unit] barged in through the window and opened the door to the hall, through which entered Bolesław Krzyszkiewicz and Ż., immediately followed by Andrzej W. summoned inside. He, as he did not have his own weapon, took Marian G.'s rifle and went into the house.

The only person present in the flat was Franciszek Szych's wife, who, terrorized by the weapons, pointed at the chamber as the place where the Jews were hiding. Indeed, in the flat, for a longer [period of] time a group of people of Jewish nationality was hiding from extermination by the occupier.

After opening the chamber and lighting it with an electrical lamp, the presence of one Jew was ascertained, and then Krzyszkiewicz Bolesław gave the order to fire, which was carried out by Bolesław Ż, killing the Jew on the spot.

The others were told to go into the hall, where a search was carried out. As a result of the search, no weapons were found on them, nor were any found in her flat.

According to Bolesław Krzyszkiewicz's report of the action (p. 10), during the search money was found on those people, [as well as] wristwatches and personal clothes, which were taken away.

Although it was ascertained that those people were among those hiding from the Germans and despite having established that they had no weapons and were not involved in robberies, but only remained in hiding, defendant Krzyszkiewicz Bolesław did not refrain from carrying out the criminal order, as he witnessed himself, and was followed by the other participants, and having lined the Jews up against the wall, Krzyszkiewicz Bolesław designated a victim to each of those present, and then gave the signal to fire, and those people were killed.

Having committed the crime, the attackers left the flat, ordering the owners to cover the traces of the crime, and in the field Krzyszkiewicz Bolesław ended the

action, ordering the others to go home, and called on the participants to maintain secrecy.

After the action Krzyszkiewicz Bolesław drafted a report for the district command (p. 10).

The suspects, except Krzyszkiewicz Bolesław, who immediately pleaded guilty and in his defense underlined that he had acted only to follow the order, pleaded not guilty, admitting they actually had taken part in the action. They underlined that they either had not been informed of the nature of the action at all [Mieczysław L., Ignacy K., Marian G.], or that the objective was *liquidation* of a group harassing the population. [Andrzej W., Bolesław Ż.]

In the light of the results of the proceedings, the statements of the defendants are not worthy of trust and one should state that in embarking on combat action Krzyszkiewicz Bolesław must have discussed the task of the action, and in front of Szych's house "on the starting position" [must have] discussed the detailed action plan, which he in fact did, assigning men to direct action and security measures.

In light of the court proceedings, the defendants' guilt was proven and regarded as a crime under Art. 1 item 2 of the decree of 31 August 1944.

As regards the defendants Krzyszkiewicz Bolesław, Andrzej W. and Bolesław Ż., the Court found no circumstances that would justify refraining from imposing the statutory penalty, whereas with respect to def[endant] Andrzej W. it ought to be emphasized that his statements at the trial about the action itself do merit credibility. If one considers that the defendant, when called into the house, took a rifle from G. and that, according to the findings of the interrogation and the trial, *it should be assumed* that the rifle was damaged but fit for firing, and next in light of the defendant's attitude towards the delinquents, *in consequence* it should be assumed that the defendant wanted to carry out Krzyszkiewicz Bolesław's order and acquiesced in the fact. And it is immaterial whether a man died by his hand or not; it is a fact that def[endant] W. acquiesced in committing the crime.

All the three defendants were at the scene of the crime, directly encountered the victims and personally ascertained that the liquidation order had been based on false premises, to say the least.

The defendants' explanations that they acted as soldiers in the execution of the order do not stand up to criticism when confronted with reality. A soldier is obliged to carry out an order, but has the right and the duty to refuse to carry out one that is a crime or leads to a crime, and the defendant Krzyszkiewicz Bolesław, having ascertained on the spot that they were only people hiding from the Germans, and that those people had no weapons, and that the execution of the "order" was nothing but a realization of German exterminationist policy towards the Jews, was obliged to stop the execution of the "order," and W. and Ż had the same obligation.

As to defendants L., K. and G., the Court ascertained that the said [men] had been called into action, and according to military discipline turned up for action, that they were subsequently misinformed about the essence of the matter, that it was the liquidation of the Jews robbing arms in hand, that subsequently they were

not inside the house and were unable to ascertain that the assumption was wrong and did not correspond to the truth, that subsequently they were not directly involved in the murder, [and] having considered these circumstances the Court decided that there are grounds for extraordinary mitigation of punishment and mitigated the punishment in the sentence, in view of testimonies of witnesses, who in other cases underlined signs of their positive activity.

Furthermore, in the court proceedings, based on the statements of the defendants it was ascertained that in 1944, near Dosłonka, Miechów County, there were field exercises of an AK group, with def[endants] Bolesław Krzyszkiewicz, Andrzej W., Mieczysław L. and others under "Hubert's" command.

During the exercise, at night, when the participants reached the village of Dosłonka, recess and rest were ordered. During the recess, def[endant] Krzyszkiewicz was informed that in a barn of a certain farmer a Jew was hiding, [and] in view of this went to the [said] place and shot the Jew.

Different explanations of the defendant are not trustworthy and in view of the statements of the defendants W. and L. it should be assumed that ascribing the crime to def[endant] Stanisław G. was the desire to cast off responsibility.

Defendant G. pleaded not guilty, [and] from the beginning claimed that he did not take part in the exercise, whereas def[endant] W. stated that upon hearing the shot, together with many others, driven by curiosity he ran to the spot, [and] found def[endants] Krzyszkiewicz Bolesław and J. leaving the barn, and in the barn noticed a man lying on the barn floor. During the trial def[endant] Krzyszkiewicz Bolesław did not confirm charges against def[endant] G., and the Court acquitted this def[endant] as well as others due to lack of evidence, deciding that the above act was committed by def[endant] Krzyszkiewicz Bolesław.

...

The decision regarding the loss of rights and forfeiture of property is the statutory consequence of being sentenced for a crime under the "August Decree," and the release of the defendants [of the obligation to cover] the costs of the proceedings is its further consequence.

Judge Presiding: A.B. Kobylarz [signature]

Jurors: Franciszek Garło [signature]

Witold Kielar [signature]

**CUMULATIVE JUDGMENT
IN THE NAME OF THE REPUBLIC OF POLAND.**

On 8 February 1952

The Provincial Court in Cracow, Fourth Criminal Division, in the bench composed of:

[Judge] Presiding: W.F. Bańbuła

Judges J. Biedroń

Jurors S. Filek

Clerk S. Fiutakowa

in the presence of Prov[incial] public prosecutor A. Mizerski

Having examined on 8 February 1952 the case of Bolesław Krzyszkiewicz, **born** 30 October 1913 **in** Czeladź, **son (daughter)** of Jakub and Maria Kupczyk sentenced him:

I. by a final judgment of the Regional Military Court in Cracow of 12 April 1950, file no. Sr.187/50 for crime under Art. 4 § 1 of the Decree of 13 April 1946, to 10 (ten) years' imprisonment and the loss of civil and honorary citizens' rights for 3 (three) years

II. by a judgment of the Appellate Court in Cracow of 24 October 1950, no. K.180/50 for crime under Art. 1 item 1 of the Decree of 31 August 1944 to death and the permanent loss of public and civil honorary rights and the forfeiture of property, upheld by the decision of the Supreme Court of 30 May 1951. II k.368/51

III. by the decision of the President of the R[epublic of] P[oland] of 28 August 1951 was commuted to life imprisonment adjudicated:

For punishments adjudicated in the above judgments Bolesław Krzyszkiewicz, pseudonym "Regiński," is sentenced to life imprisonment and to permanent loss of public and civil honorary rights and the forfeiture of property.

Bolesław Krzyszkiewicz is released from the obligation to pay the court fee and the reimbursement of the cost of the proceedings.

[signature]

[signature]

[signature]

Copies to:

1) *Krzyszkiewicz B. in the prison in Cracow [struck out: Wiśnicz Nowy]*

2) *Mil[itary] Pros[ecutor] to I S 50/50*

7 wor[king] days

[seal] *Dispatched on 19 March, 26 March 1952*

[seal] *def[endant] Bolesław Krzyszkiewicz's criminal record was dispatched to Min[istry] of Kr 22/I 57 [signature]*