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Mateusz Szpytma

CRIMES AGAINST THE JEWISH POPULATION AT MARKOWA IN 1942 IN THE CONTEXT OF 1949–1954 CRIMINAL PROCEEDINGS

I. Local communities under German occupation

Joint military operations of the aggressors (Germany, the USSR and Slovakia) in 1939 made it impossible for the Republic of Poland to effectively protect her citizens against the invaders' terror. Since 1939, the German state exercised complete control over nearly half of the territory of the Republic of Poland. In 1941 this power was extended to almost all of Polish territory.

The Polish exiled authorities and their secret representations in the occupied country, which operated during the entire war, had only limited opportunities to counteract the terror of the occupying forces. The initiatives undertaken in international circles and the gathering of evidence of the crimes committed could not replace the military force needed to protect the population against violence. The statements issued by the Polish Underground State consistently warned against engaging in any form of collaboration with the occupant against fellow citizens, and expressly called it "treason, within the meaning of the applicable Polish regulations, for which the heaviest penalties may be imposed, including the death penalty"¹.

Germany introduced their own legislation in the occupied territories, quite against international laws. They imposed new restrictions and obligations on the population, in line with their ideological goals. They enforced them against Polish citizens of various nationalities by measures of compulsion, imprisonment, deportation to concentration camps, as well as public and secret executions. They used a variety of other methods aimed at intimidation and at forcing into obedience to new, often Draconian orders. The atomization

¹ Declaration of the *Delegat Rządu RP na Kraj* (Delegate of the Exiled Polish Government) Jan Piekalkiewicz of 15 October 1942 [in:] *Armia Krajowa w dokumentach*, vol. 6: *Uzupełnienia*, Wrocław 1991, Ed. T. Pelczyński and others, p. 260.

of the population, the attempts to deepen the existing divisions and to create new ones, were to serve the occupying power along the spirit of ‘divide et impera’.

The Germans implemented their criminal program in the occupied country, despite the fact that under the Fourth Hague Convention of 1907, which the Third Reich had ratified, they were fully responsible not only for maintaining public order, but also for ensuring the security of the civilian population in the area they controlled.² However, the years of the German occupation proved quite the opposite: the invaders, through their legislation and criminal practice, condemned at their discretion entire groups of population to annihilation. One of the priority objectives of Germany during the period of the Third Reich’s greatest victories was to completely exterminate the Jewish people. As a result of the German plans at European level, genocide projects were implemented in local scale.

To counteract any form of support to the Jewish people, on 15 October 1941 the Germans issued a regulation on restrictions of residence in the *General Gouvernement*³. It announced that death penalty would apply not only to the Jews who “leave their designated area without authority”, but also to all those who harbor them⁴. A regulation issued a year later extended the restriction: “Whoever obtains information that a Jew is unlawfully staying outside the area of residence, and does not report this to police, will be subjected to police security measures”⁵.

Under threat of persecution, the occupants also demanded civilian population to cooperate in the enforcement of the orders, both against the hiding Jews and against other people

² Article 43 of the Regulations respecting the laws and customs of war on land, which was an Annex to the Convention “Laws and Customs of War on Land” (Fourth Hague Convention) of 1907, stated: “The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country”. (English quote from: <https://www.loc.gov/law/help/us-treaties/bevans/m-ust000001-0631.pdf>, accessed December 2017).

³ German *Generalgouvernement* (GG for short) was the term used by the Germans for those parts of the pre-WWII Poland that they considered an occupied Polish territory, as opposed to the parts of Poland that they annexed and incorporated into Germany. (Translator’s note)

⁴ The third regulation on restrictions of residence in the *General Gouvernement*, of 15 October 1941 [in:] *Polacy – Żydzi 1939–1945. Wybór źródeł/Polen – Juden 1939–1945. Quellenauswahl/Poles – Jews 1939–1945. Selection of documents*, prep. by A.K. Kunert, introduction by W. Bartoszewski, Warsaw 2001, pp. 484–485.

⁵ Order of the Supreme Commander of the SS and Police in the GG on the formation of Jewish residential districts in the Radom, Krakau and Galizien Districts of 14 November 1942 [in:] „*Żegota*”. *Rada Pomocy Żydom 1942–1945. Wybór dokumentów poprzedzony wywiadem A. Friszke z W. Bartoszewskim*, prep. by A.K. Kunert, Warsaw 2002, p. 52.

whom they regarded as opposed to the Third Reich, including those who sought shelter in the forests. On the other hand, they tried to reward all those who joined in the collaboration, including the collaborators who informed about illegal activities or cases of sabotaging German orders. Thus, even individual persons who were trusted collaborators of the Germans broadened the scale of intimidation and provided the occupying forces with more control over small locations⁶.

A special place in the German occupation administration was assigned to the local state official (*starosta*). These posts were entrusted to their own people, often to Germans coming from the Reich. As part of the occupation administration, they made the *starosta* a strong authority with very broad powers. In the implementation of extensive military and occupation tasks, they were unable to provide new people for the thousands of lower local administration posts at municipal and local levels. They decided to retain a number of previous officials in the *General Gouvernement*, imposing upon them new rules of functioning and new duties in accordance with the occupants' orders.

The Germans have removed only a part of the village leaders. In many places these were replaced by *Volksdeutsche* (German nationals). Village leaders, however, who were inhabitants of the individual villages, were mostly not replaced. On the contrary, they were forbidden from resigning their posts under prison penalty. Full obedience to the new orders was also forced by the threat of severe repression. This is how it was proclaimed in posters by the *Kreishauptmann* of Rzeszów: “[...] Polish officials were re-appointed into service. They perform their duties using the means ordered by their superior authorities. There are cases of resisting and hindering the work of these Polish officials (e.g. village leaders, commune heads, tax officials, etc.). [...] those resisting the orders of the authorities will be punished with heavy prison or even the death penalty. Such authority is also possessed by those Polish officials who act on the basis of a direct or indirect order from the German authorities”⁷. Transmitting the orders of the occupant to local people became the principal

⁶ Announcement of the *Kreishauptmann* promising reward for help in denouncing the Jews and those Poles who harbor them, Grójec, 19 December 1941 [in:] *Polacy ratujący Żydów. Teka edukacyjna IPN*, Warsaw 2008, p. 9.

⁷ Announcement of the *Kreishauptmann* on hindering the work of aldermen, village headmen, tax officials, etc., Rzeszów, 11 May 1940 [in:] *Propaganda i rzeczywistość*, albums of exhibitions: „*Życie na papierze. Niemiecka okupacja Rzeszowszczyzny w afiszach, obwieszczeniach i plakatach (1939–1944)*”, „*Wczorajsze dzisiaj. Rzeszów z lat okupacji 1939–1945. Ze zbiorów*

responsibility of the village leaders. They were personally responsible for making sure these were implemented. Under the conditions of the time the Germans tolerated no form of contestation of the occupant's orders. Large villages were further divided by the Germans into areas (*rejony*), for which the so-called area leaders (*rejonowi*) were responsible. They were subordinated to the commune head and co-responsible for the enforcement of the occupation authorities' orders.

The Germans often treated the potential of a village as an additional free logistics facility for their undertakings in the area. For example, village headmen often received orders to provide a sufficient number of carters with horse-carts. In 1941 these formed additional means of transporting military equipment to the eastern front. Similar orders were sent to village leaders in 1942. This time the carts were to be used to transport Jews to railway stations or directly to labor camps.

Rural communities were often given the duty to search for Jews or partisans according to German orders⁸. At the request of the Germans, village leaders had to organize manhunts or searches for indicated groups of "criminals" on their own. Neither the village leaders nor the people were allowed to evade executing such orders. Collective refusal to do so would be treated as a rebellion against the occupying authorities and the whole place would be exposed to a ruthless pacification carried out by the Germans according to the collective responsibility principle. If the occupant's orders were executed, the scale of real involvement and zeal of the people participating in such searches was of particular importance. After the war, it was also the subject of criminal proceedings and court hearings.

In order to help fulfill these duties, the village leaders had night guards, also known as rural guards, appointed since 1942. These were supposed to support the maintenance of peace and order in the village and prevent crime. In German practice of action the latter meant any form of non-observance of the occupant's regulations, and thus also harboring Jewish people.

Such guard reported to the village leader, and was led by a man called commandant (*komendant*) or decurion (*dziesiątnik*). The latter would hold the post for a prolonged time

Bogusława Kotuli", introduction by M. Krzanicki, consult. K. Kaczmarek, Rzeszów 2007, p. 29.

⁸ For a description of this kind of manhunt against the partisans organized by local population forced by German orders see, for example, M. Korcuć, *Józef Kuraś „Ogień”*. *Podhalańska wojna 1939–1945*, Kraków 2011, pp. 177–178.

and was therefore remunerated from rural funds. They also recruited the ordinary members of the guard, who were periodically changed, and were to guard certain parts of their villages. The guardsmen were appointed from among the population for a specified time, after which they were replaced in rotation. Many larger villages also had separate guard troops made up of firemen.

The Germans realized that a part of the population may carry out some of the regulations with reluctance or only pretend to do so. To terrorize the people and force the observance of the occupant's legislation, they additionally applied a specific form of personalized collective responsibility. They named groups of hostages who would guarantee with their lives the exact execution of the authorities' orders. The hostages among the villagers were designated by the 'navy blue' policemen⁹ or by the commune head. The latter had to identify the potential victims, he had no right to refuse or refrain from executing such orders. In the practice of the occupation, the hostages became a group used to perform particular tasks. Their lack of cooperation could result in deportation to a labor camp, and in the event of major misconduct the hostages were the first to be shot¹⁰.

It was a sophisticated method of using the fear for one's own personal safety and that of one's family as a form of psychological pressure. In this way, all residents were preventively warned about who would be the first to pay for any potential insubordination. Subsequently, the responsibility could also be borne by the rest of the population.

Orders to start a manhunt or search for any hiding people were given to the commune heads by the Germans or by the village leaders. They were responsible for effective mobilization of the guardsmen, the firemen, the hostages. If necessary, they also had to appoint ordinary residents of the village. The execution of the orders was often supervised by 'navy blue' policemen. Sometimes also by German policemen or *gendarmes*.

⁹ *Polnische Polizei im Generalgouvernement* was created in 1939 by the German Reich on occupied Polish territories. It was a subordinate part of the German *Ordnungspolizei*. Its core was composed of some of the forcefully incorporated Polish pre-war policemen, who the Germans now used to implement the occupation policy of the German Reich. Commonly known as the "Navy - Blue" police – deriving from the color of their uniforms. Ardent officers of the "Navy - Blue" police became, in the eyes of Poles, a synonym of national treason (Translator's note)

¹⁰ J. Grabowski, *Spoleczność wiejska, policja granatowa i ukrywający się Żydzi: powiat Dąbrowa Tarnowska 1942–1945* [in:] *Zarys krajobrazu. Wieś polska wobec zagłady Żydów 1942–1945*, Ed. B. Engelking, J. Grabowski, Warsaw 2011, pp. 143–153.

The farmers appointed by the village headman were obliged to bring the captured people to the ‘navy blue’ police stations or to a kind of communal jail in the village. Once captured, they were supposed to await the arrival of representatives of the occupying authorities. These searches usually ended tragically for those who had been found. At the time of the “final solution”, the Germans usually carried out individual or collective executions. Most of the shootings were carried out by themselves. Sometimes they also used the ‘navy blue’ police.

The tragedy of those days, which resulted from the behavior of the German authorities’, often consisted in the fact that even the sympathy of some of the village leaders, guardsmen or hostages to who were wanted could not be exposed in the form of phony searches or attempts to free those already captured. If the group charged with executing the orders included just one informer or collaborator of the Germans, that was enough to threaten that such conduct would be punished by death for sabotaging the orders¹¹. The eager collaborators were just as dangerous as the occupants.

Still, there were cases of sabotaging German orders. These always involved risking one’s own life or that of others. In this context, it is worth pointing out a part of the justification for one post-war judgment relevant to participating in arresting people who had been hiding: "[...] The court notes a difference between the passive participation in catching or escorting and the participation in arresting. During the German occupation at least 1/4 of the total Polish rural population was forced to take part in raids against themselves. Often the whole partisan part of the population took part in raids against themselves [i.e. participated in the searches of partisans – M.Sz.] and found nobody, of course. Often, the peasants performing a manhunt made it easier for the hiding to avoid being caught. Many people, including Jews, owed their lives to the fact that Polish peasants pursued them or escorted those already captured in such a way that they helped them hide or escape once caught”¹².

¹¹ *Ibid*, pp. 154–159.

¹² AIPN Rz, 357/106/DVD, *Akta Sądu Okręgowego w Rzeszowie dot. Władysława Szpunara, Uzasadnienie wyroku w sprawie IV K 168/48 dot. Władysława Szpunara, Stanisława Ruszla, Stanisława Pasierba*, Rzeszów, 11 March 1949, p. 264. This sentence should be taken into particular account since it was formulated by the court (composed of Judge Władysław Piątkowski and jury members Jan Gliwa and Władysław Gońko) that planned to sentence Władysław Szpunar, the chief defendant, to death for denouncing Estera Goldberg, captured at Sonin (a village neighboring Markowa), and it was solely because Szpunar had earlier helped a Jewish child, Abraham Segal, that the penalty was reduced to life imprisonment.

II. The extermination of the Jews at Markowa in 1942 – an attempt to reconstruct the events¹³

Markowa was one of thousands of Polish villages and towns where the Germans implemented the principles of the criminal ideology. During the war the village had about 4,500 inhabitants. In the interwar period it had well-organized co-operative movement (the first countryside Health Service Co-operative in Poland was established at Markowa in 1935). In political terms the peasant movement was the most influential. Vast majority of the inhabitants were Polish, but there was also a small Jewish community. According to the 1921 census, 126 people living at Markowa declared their religion as Jewish. This number could have dropped to about 120 by the outbreak of the war. The topography of Jewish families at Markowa indicated that their houses did not form a major group. With exception of two places these were simply scattered throughout the village. Most of the Markowa Jews were in trade business. Two families were farmers. The relations between the Poles and the Jews were generally correct. For religious and cultural reasons, the two communities chose to live side by side, without interfering with one another. This did not translate into relations between children, who naturally undertook shared fun activities and who also attended the same school. According to data from the last years before the war, in the school year of 1938/1939 the village school at Markowa had 22 pupils of Jewish origin. No major conflict in the relations between Polish and Jewish children had ever been recorded. The division could only be reminded during the Holy Week by the habit of hanging a “Judas puppet” on trees in front of Jewish homes by the youth, which acted as a primitive and impertinent reference to the Biblical history.

During the war the Germans liquidated the Przeworsk county. Markowa remained the seat of the community, but it became part of the occupation-time Jarosław county¹⁴. As a large

¹³ This subchapter is based primarily on the findings made on the basis of the criminal proceedings described below. To avoid multiplying the already extensive footnotes, I only refer to those sources and quotes from literature that were not included there.

¹⁴ Germans held the *starosta* post: Carl Hermann Rieger, Georg Eisenlohr, Julius Renz, Michael Andreas Zuzic. For their biographical information, see: M. Roth, *Die deutschen Kreishauptleute im besetzten Polen – Karrierewege, Herrschaftspraxis und Nachgeschichte*, Göttingen 2009, pp. 444, 470, 496, 513. Until March 1942 the post of alderman of the Community of Markowa was held by Józef Szatkowski, who had performed the duties before the war; then until March 1943 by Władysław Urban; and later, until the end of the German occupation, by Michał Baraksza. None of them had originated from Markowa.

village, Markowa was divided into several areas. There was a ‘navy blue’ police post in the village. 3 to 5 policemen served there. One of them was a particularly dangerous *Volksdeutsch* Konstanty Kindler¹⁵ from Wielkopolska. He quickly became known as an over-eager executor of German orders. Among others, he participated personally in shooting the captives. He saw it as a way to obtain a promotion and a possibility of transfer to service with the German *Gendarmerie*.

From 1 January 1941 the policemen from Markowa were supervised by a newly formed, 10 km distant, German police post at Łańcut. It was headed by Lt. Eilert Dieken¹⁶, a German from the north-western regions of the Reich. In subsequent years, Dieken led a number of pacification actions in the area of Łańcut. He took direct part in murders of Jews and Poles.¹⁷ He was the main executor and organizer of the anti-Jewish action “Reinhardt”¹⁸ in the area. The main part of the action in the Jarosław county took place in the summer and fall of 1942. Its aim was to bring together all the Jews from the area into the camp at Pełkinie and murder

¹⁵ Konstanty Kindler, son of Karol, born on 20 July 1914 at Grodziec, an officer of the Polish State Police from September 1938, and from July 1939, at the post at Czarna near Łańcut, during the war he was, in sequence, a ‘navy blue’ policeman at Czarna, at Markowa, a German *gendarme* at Dobromil, at Górnio near Kolbuszowa, at Słomniki, a *Wehrmacht* soldier. In 1947 he was sentenced to life imprisonment by the Rzeszów District Court, released in 1955 (AIPN Rz, 11/26, *Akta Sądu Okręgowego w Rzeszowie, o IV K 69/47 dotyczące Konstatego Kindlera*). Crimes on the Jewish inhabitants of Markowa were not the subject of the proceedings, it appears from the files that this *Volksdeutsche* from Wielkopolska served at Markowa until June 1942, and then as German *gendarme* in another area. On the other hand, records of the underground resistance (and accounts of residents) indicate a different period of Kindler’s stay at Markowa: “from spring to fall 1942”; they also say: “He acted as an executioner for the Jews (an individual deprived of any human feelings, he used to confiscate food from the inhabitants, smashed the quern, etc.” (AP Przemysł, 891, *Teki Stanisława Kojdra, teczka 13, Wykazy policjantów granatowych w powiecie Przeworsk wraz z charakterystyką* [first half of 1944], p. 14).

¹⁶ Eilert Dieken, born on 23 September 1898, died 23 September 1960. From 1 January 1941 to the summer of 1944 he commanded (at the rank of Lieutenant) of the German police post at Łańcut. Responsible for the shooting of hundreds of Jews at Łańcut and surrounding villages. He led, among others, the execution of the Ulma family and the Jews they harbored. After the war he served in the German police at Esens, West Germany. He was never punished (author’s own findings, including an interview with his daughter, Grete Wilbers).

¹⁷ Bundesarchiv, Ludwigsburg department, Files of the Prosecutor’s Office at the Land Court in Dortmund, Justification for dismissal of the investigation 45 Js 7/67 on crimes against Jews and Poles in the occupied Jarosław county, Dortmund, 15 July 1971. It also covered the activities of Eilert Dieken, the investigation into his case was discontinued due to Dieken’s earlier death. Those who were not brought to justice in connection with the dismissal probably included the *gendarmes* who shot the Jews at Markowa on 14 December 1942.

¹⁸ *Aktion „Reinhardt”* was a codename for the German action launched on 16 March 1942, aimed at the extermination of Jews living in the *Generalgouvernement*. For more information see *Akcja Reinhardt. Zagłada Żydów w Generalnym Gubernatorstwie*, Ed. D. Libionka, Warsaw 2004.

them in its vicinity. The Germans were going to take a part of the captured from Pełkinie to the death camp at Bełżec¹⁹. From the beginning of August 1942 Jews were being deported from Łańcut and its neighboring villages, including Markowa. In the same month the Germans banned residence at Markowa for the Jews. The German *Gendarmerie*, who arrived every few days, took care that the orders were executed precisely. The *gendarmes* monitored the conduct of the ‘navy blue’ police, as well as the execution of the occupation forces’ orders by the village leaders and his subordinates, that is the area leaders, the guardsmen and the hostages.

At the same time, the Germans ordered local peasants to report with horse-carts, which were to provide a means of transport for the Jews. Although it was announced that the latter would depart to work, it should be assumed that most of the Jews already understood that it would be their road to death. In spite of this, according to varying data, six or eight Jews from Markowa reported upon the German order to leave²⁰.

Several dozen others, expecting repression for failure to carry out the orders, escaped from their homes into the fields and woods, or hid in buildings of various farmers. They tried to wait until the end of the uncertain time. There were those who managed to persuade some farmers to provide permanent assistance by harboring them in their houses, while others hid in barns or stables without permission from the owners. Still others hid in the fields, and only came to the village in the evenings, asking for food and overnight accommodation. One group stayed in the woods at Husów, while the family of Ryfka Tencer/Trinczer²¹ with the

¹⁹ M. Szpytma, *Sprawiedliwi i ich świat. Markowa w fotografii Józefa Ulmy*, Warsaw–Cracow 2007, pp. 17–24; E. Rączy, *Zagłada Żydów w dystrykcie krakowskim w latach 1939–1945*, Rzeszów 2014, pp. 309–312.

²⁰ Audio and written account of Edward Szpytma: recording of 22 February 2010, written report: *Żydzi w Markowej*, Cracow, October 2014, typescript, in the author’s collection. Some of the Jews left Markowa shortly after the start of the war, so their number was probably reduced to several dozen.

²¹ That is Rywka/Ryfka Tencer/Trinczer her two daughters and a granddaughter. More about them and a photo of the daughters and the granddaughter of Rywka in: P. Zychowicz, *Krople krwi na starej fotografii*, ‘Rzeczpospolita’, 11 February 2011. In this article it was reported that one of Rywka’s daughters was named Fredzia. Perhaps it is this family covered by the data from the Central Database of Shoah Victims’ Names, ran by Yad Vashem, where the murdered Jews associated with Markowa include Roza/Roiza Trinczer born 1890, Rywka Trinczer born 1907; Miriam Trinczer born 1924; Mania Trinczer born 1934 (<http://db.yadvashem.org/names/nameResults.html?lastName=trinczer&lastNameType=THESAURUS&place=Markowa&placeType=THESAURUS&language=en>, accessed December 2012

help of Józef Ulma²² made a shelter for themselves in the ravines near a stream. At least one Jewish family, the Riesenbachs²³ was warned about the deportation by two ‘navy blue’ policemen from a local police post.

Many peasants, however, were afraid to provide any help because they knew that this was punishable by death. On occasion, German *gendarmes* with ‘navy blue’ policemen conducted ad hoc searches in one or several houses. It also happened that a hiding Jew, unable to find a suitable hiding place before the onset of bitter cold weather, gave up and reported to the police post himself. At least one hiding woman died of exhaustion. It is difficult to say how many Markowa Jews were murdered in 1942 between the beginning of August and 13 December. Some of them were shot by the policeman mentioned above, *Volksdeutsch* Kindler. When he was promoted to a *gendarme* and given another post, the murders were carried out by German *gendarmes*, arriving from Łańcut on each occasion. Considering the number of bodies exhumed after the war and the fact that executions of Jews at Markowa had already taken place before the deportation action, less than twenty Jews may have been killed during that period²⁴.

The Germans were aware that despite the earlier orders many Jews were hiding at Markowa, as well as in other villages in the area and in the nearby fields and woods. In early December 1942 they organized a search for the hiding Jews at Husów nearby. Immediately afterwards, similar activities were organized at Markowa. The village headman Andrzej Kud²⁵ was ordered by the Germans to conduct a search for the hiding Jews on Sunday, 13 December. He could not refuse executing the order but, importantly, before noon on that day

²² More about Józef Ulma and his family further down in the text.

²³ More about this family further down in the text.

²⁴ Probably even before August 1942 seven Jews were murdered, among others. For the exhumation of their bodies from the garden of Bienia Miller (the true name was probably Beniamin Müller) see T. Markiel, A. Skibińska, „*Jakie to ma znaczenie, czy zrobili to z chciwości?*”. *Zagłada domu Tryncherów*, Warsaw 2011, p. 185. The fact that the execution took place before the order to move to Pełkinie was stated by Edward Szpytma (Audio and written account of Edward Szpytma: recording of 22 February 2010, written report: *Żydzi w Markowej*, Cracow, October 2014, typescript, in the author’s collection). The people shot on the so-called trench included at least one Jew from outside Markowa, Chaim Lempel from Sietesz (AIPN Rz, 353/114/DVD, *Akta sprawy karnej dot. Augustyna Wiglusza i innych* [hereinafter: AIPN Rz, 353/114/DVD], *Protokół przesłuchania Kreindli Frieder*, Szczecin, 11 July 1948, p. 41; *Ibid*, *Zeznania Jakuba Einhorna przed Sądem Apelacyjnym*, Rzeszów, 21 April 1950, p. 338).

²⁵ Andrzej Kud, son of Jan, born 4 July 1891 at Markowa, was the commune head at Markowa at least from 1939 to 1943

he publicly informed the inhabitants about this order as part of the announcements that he made to the inhabitants in front of the church every Sunday.²⁶ This way of warning about the search allowed the farmers who were harboring Jews to take extra care and to better camouflage the hideouts. It is known that immediately upon returning from the church the family of Józef and Julia Bar²⁷, who were harboring the Riesenbachs, did just that, while Franciszek Bar²⁸ prepared a new hiding place for Jakub Einhorn²⁹.

(Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

²⁶ J. Riesenbach, *The Story of the Survival of the Riesenbach family* (<http://www.riesenbach.com/riesenbachsto-ry.html>, accessed December 2012). Riesenbach reports that the information about the search was announced by the priest in the church. In fact, this was done by Andrzej Kud from the place where the announcements were made, and which was located next to the church.

²⁷ Józef Bar, son of Walenty, born 24 January 1898 at Markowa; Julia Bar, daughter of Kazimierz, born 1 January 1902 at Markowa (Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

²⁸ Franciszek Bar, son of Katarzyna, born 30 November 1919 (AIPN Rz, 358/80/DVD, *Akta Sądu Wojewódzkiego w Rzeszowie dot. Andrzeja Rewera* [hereinafter: AIPN Rz, 358/80/DVD], *Protokół przesłuchania Franciszka Bara*, Markowa, 2 June 1950, p. 19; *Ibid*, *Protokół rozprawy przed Sądem Wojewódzkim w Rzeszowie*, Markowa, 21 April 1952, pp. 176–177).

²⁹ Jakub Einhorn (known at Markowa as Jankiel Wrona), son of Samuel, born 17 November 1907 at Markowa (according to other data at Sietesz), he lived at Markowa until 1938, then he got married at Husów, where he lived with his wife Klara/Keira and daughter Sabina. After they were murdered by the Germans, he hid at Husów, Markowa and Sietesz. After the war he settled in Szczecin, where he worked for the *Państwowa Komunikacja Samochodowa* (PKS; National Automotive Transport). He was married twice more (his photograph was published in: M. Szpytma, *The Risk of Survival. The rescue of the Jews by the Poles and the tragic consequences for the Ulma family from Markowa*, Warsaw–Cracow 2009, p. 68) (AIPN Rz, 358/80/DVD, *Protokół przesłuchania J[akuba] Einhorna*, Rzeszów, 16 December 1950, p. 15; AIPN Rz, 358/142/DVD, *Akta Sądu Wojewódzkiego w Rzeszowie dotyczące Bonifacego Słoty* [hereinafter: AIPN Rz, 358/142/DVD], *Protokół przesłuchania Jakuba Einhorna*, Szczecin, 14 November 1952, p. 116; *Ibid*, *Akt oskarżenia Bonifacego Słoty*, Łańcut, 22 November 1952, p. 138; AIPN Rz, 353/114/DVD, *Protokół przesłuchania Jakuba Einhorna*, Przemyśl, 11 August 1949, p. 97; AIPN, 2912/1, 1479, *Karta z kartoteki odtworzeniowej Biura „C” MSW dot. Jakuba Einhorna*, dated 10 June 1974). The following note was found in the documentation related to Einhorn: “The above named was suspected of collaboration with the occupying forces and of illicit trafficking of various articles in the Przeworsk county area. Records show that after the liberation, during several criminal trials taking place in Rzeszów, the above named was a witness who wrongly charged people, causing them to be arrested for alleged participation in capturing Jews during the German occupation. On the basis of court hearings it was found that the above named testified untruth, and in result those arrested were released from custody. During 1951–1955 he was investigated by Dept. II of the *Wojewódzki Urząd Bezpieczeństwa Publicznego* (WUBP; Voivodeship Authority of Public Security – the political police) in Szczecin as a member of the *Zarząd Kongregacji Wyznaniowej* (Religious Congregation Board) for the City of Szczecin” (AIPN, 2912/1, 1479, *Karta z kartoteki odtworzeniowej Biura „C” MSW dot. Jakuba Einhorna*, dated 10 June 1974). The first statement in this note probably echoes the testimonies of Husów residents who claimed that before 1942 Einhorn informed the Germans about persons who illegally slaughtered livestock, but he denied these accusations (AIPN Rz, 358/142/DVD, *Zeznania Pawła Kota przed Sądem Wojewódzkim w Rzeszowie*, Rzeszów, 14 March 1953, p. 337; *Ibid*, *Zeznania Jakuba Einhorna przed Sądem Wojewódzkim w Rzeszowie*, Łańcut, 22 June 1954, p. 547). About Einhorn see also T. Markiel, A. Skibińska, „*Jakie to ma znaczenie, czy zrobili to*

When executing the German order, the village leader involved the firefighters, guardsmen and area leaders in the search. The latter ones were going to name the people in their areas who would participate in the action. When interrogated after the war, the witnesses most frequently reported that firefighters were involved in these activities (it was reported similarly in later accounts, collected in 2003), but also guards, hostages, area leaders and sometimes civilians were also mentioned. The latter would certainly include the above-mentioned hostages and area leaders. It is difficult to ascertain how many people participated in this action, but probably there were at least 26³⁰. Considering what happened a few days earlier at Husów, the searchers understood that any person found would be murdered by the Germans.

There is no certainty that ‘navy blue’ policemen were involved in the search as such. Their participation was only pointed out during subsequent stages of post-war criminal proceedings concerning persons involved in the search for Jews³¹. Andrzej Rewer³², one of those tried after the war, testified, as did some witnesses, that a Gestapo officer named Fryszko³³ was at Markowa during the search for Jews on 13 December. Regardless of whether this information is true, there is no doubt that the search for hidden Jews took place at the orders of the Germans. And it was the latter that shot the captives. The exact number of Jews found that day could not be determined. Various documents include the numbers of 25, 20, 17 or the term *kilkunastu* (a dozen or so). Probably the number of “about 17” given by Jakub Einhorn is closest to the truth. One could say that the number included his siblings: three brothers Markieł, Abraham, Nuchym³⁴ and two sisters³⁵; Rywka/Ryfka Tencer/Trinczer

z chciwości?” ..., p. 246.

³⁰ The group involved in the search was described as the largest by Franciszek Bar who stated: “Nearly from every apartment somebody had to joint this raid” (AIPN Rz, 358/80/DVD, *Protokół przesłuchania F. Bara*, Markowa, 2 June 1950, p. 19). However, this statement is not confirmed in other sources.

³¹ Edward Szpytma, in turn, says in his audio account that, apart from the firefighters and 2–3 other residents of Markowa, ‘navy blue’ policemen from Markowa and Jarosław took part in that search (Recording of 22 February 2010, in the author’s collection).

³² For more information about him see further down in the text.

³³ No details could be found, probably the name was distorted.

³⁴ Martek/Markieł Einhorn, no details could be found; Abraham Einhorn, son of Samuel, born 11 May 1909 at Markowa (AP Przemyśl, *Akta gminy Markowa, 116, Wnioski o wystawienie karty rozpoznawczej dla mieszkańców gromady Markowa, 1942–1944* [hereinafter: AP Przemyśl, *Wnioski o wystawienie karty rozpoznawczej*], *Wniosek Abrahama Einhorna*, Markowa, 30

with two daughters and a granddaughter; Zelik/Zelig/Zeilig with his wife and two children³⁶; the Najderg/Neüberg family³⁷ and a person hiding with false documents of “Stanisław Ciołkosz”³⁸. The ‘navy blue’ policemen incarcerated the Jews in the so-called communal jail, located at the main road intersection in the village. They were held there all the night of 13 December. The next morning German *gendarmes* arrived at Markowa. They took all those prisoners out of the building and shot them in the former trench (turned into a burial ground for animals), used during the war as an execution place.

There are no reports that any such searches were organized at a later date.³⁹ From the point of view of the Germans these would have been justified, since even after December 1942 many farmers at Markowa continued to harbor Jews against the German ban. Michał and Maria Bar, who lived with their children Stefania, Janina, Weronika, Antonina and Antoni, harbored Chaim and Ruzia Lorbenfeld and their baby Pesia⁴⁰. Julia and Józef Bar, who lived with their daughter Janina, harbored the Riesenbach family: Jakub and Ita with their son

April 1942, pp. 57–58); Nuchym Einhorn, son of Samuel, born 12 September 1913 at Markowa (*Ibid*, *Wniosek Nuchyma Einhorna*, Markowa, 30 April 1942, pp. 33–34).

³⁵ It is possible that three sisters (Libka, Golda, Freuda/Fredzia) and two brothers of Jakub Einhorn were caught. The names of the sisters are based on a conversation with their neighbor (Note from an interview with Weronika Bar, Markowa, 10 November 2003, in the author’s collection).

³⁶ No details could be found. Perhaps two persons from the family: Sora or Layka and Mania Zeilig, were pictured in the photo published at <http://www.riesenbach.com/riesenbachstory.html> (accessed December 2012) as an illustration of the account in: J. Riesenbach, *The story...*

³⁷ No details of this family could be found.

³⁸ No details of this person could be found.

³⁹ Joseph Riesenbach points out that on 1 April 1944 the farm where he was hiding was approached by several people with dogs, but they did not enter due to the absence of the hosts. It is difficult to say whether this was related to the harboring of Jews in that house and at Markowa in general (J. Riesenbach, *The story...*).

⁴⁰ Michał Bar, son of Walenty, born 5 September 1881; Maria Bar, daughter of Antoni, born 27 August 1887; Stefania Bar, born 15 September 1922 at Markowa (a photo of Michał, Maria and Stefania in: M. Szpytma, *The Risk....*, p. 67); Janina Bar, born 20 August 1924 at Markowa; Weronika Bar, born 16 April 1927 at Markowa; Antonina Bar, born 16 February 1930 at Markowa; Antoni Bar, born 11 February 1933 at Markowa; Chaim Lorbenfeld, son of Wolf, born in 1899; Ruzia Lorbenfeld, daughter of Samson, born in 1899; Pesia Lorbenfeld, born in 1936. (Note from an interview with Weronika Bar, Markowa, 10 November 2003, in the author’s collection; Note from an interview with Antoni Kuźniar, Markowa, 9 November 2003, in the author’s collection; Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records. After the war, the Lorbenfeld family reported to the Jewish Committee that they had survived at Markowa, I would like to thank Elżbieta Rączy for providing me with a copy of this list, found in the archives of the *Żydowski Instytut Historyczny* (ŻIH; Jewish Historical Institute)).

Josek and daughters Gienia and Mania⁴¹. The house of Antoni and Dorota Szylar, who lived with their children Zofia, Helena, Eugeniusz, Franciszek and Janina, was the hiding place for six members of the Weltz family from January 1943: Miriam with her children Moniek, Abraham, Reška, Aron and the latter's wife Shirley, and after a few months they were joined by Leon, the son of Aron and Shirley who was several years old⁴². The home of Michał and Katarzyna Cwynar, who were raising their grandson Jan⁴³, was the shelter where a Jew who used the first name of Władysław⁴⁴ has survived. This may have been Mozes Reich⁴⁵, who testified after the war that he was hiding at Markowa. Jakub Einhorn was originally hiding alternately at Husów, Sietesz and Markowa. In the latter village he had several hiding places. First, he used the hospitality of Michał and Wiktoria Drewniak, who lived with their children Antoni and Józef, and of Katarzyna Bar, her son Franciszek Bar and daughter Stefania Bar (the latter was raising her daughter Helena at the time). After the death of Michał Drewniak in 1943, Einhorn found a new hideout with Jan and Weronika Przybylak, who were raising

⁴¹ Janina Bar, born 23 February 1924 at Markowa; Jacob/Jakub Riesenbach, son of Izaak, born 1 June 1903; Ita Riesenbach, daughter of Dawid, born 7 September 1907; Joseph/Josek Riesenbach, born 8 June 1929 at Markowa; Jenni/Gienia Riesenbach, born 8 November 1931; Marion/Mania Riesenbach, born 27 February 1932 (Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records; J. Riesenbach, *The story...; Księga sprawiedliwych wśród narodów świata: ratujący Żydów podczas Holocaustu: Polska 1, Polska 2*, Ed. I. Gutman, Cracow 2009, p. 21). After the war, the Riesenbach family (who quoted the name Fedmaus used many years earlier) reported to the Jewish Committee that they had survived at Markowa (I would like to thank Elżbieta Rączy for providing me with a copy of this list, found in the archives of the ŻIH). It is worth mentioning that for the first few months Gienia and Mania were harbored by the Kielar family and only later they joined their parents and brother (J. Matusz, *Kto ratuje jedno życie*, 'Rzeczpospolita', 24 March 2004).

⁴² Antoni Szylar, son of Wojciech, born 11 November 1894 at Markowa; Dorota Szylar, daughter of Paweł, born 21 January 1902 at Markowa; Zofia Szylar, born 21 March 1923 at Markowa; Helena Szylar, born 16 October 1927 at Markowa; Eugeniusz Szylar, born 12 January 1932 at Markowa; Franciszek Szylar, born 16 June 1935 at Markowa; Janina Szylar, born 27 May 1940 at Markowa; Miriam Weltz, born in 1887; Moniek Weltz, born in 1907; Aron Weltz, born in 1911; Shirley Weltz, born in 1910; Abraham Weltz, born in 1916; Reška Weltz, born in 1920; Leon Weltz, born in 1939 (Verbal account of Helena Kielar, Janina Kluz, Anna Olszak, Markowa, 24 March 2004; *Księga sprawiedliwych...*, pp. 730–731; a photo of Helena Kielar with Aron Weltz and his daughter Sarah and the act of donation of land for Antoni Szylar [in:] M. Szpytma, *The Risk...*, p. 114; Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

⁴³ Michał Cwynar, son of Paweł, born 7 July 1879 at Markowa; Katarzyna Cwynar, daughter of Antoni, born 16 February 1888 at Markowa; Jan Cwynar, son of Antoni, born 15 May 1931 at Markowa (audio account of Jan Cwynar, in the author's collection; AIPN Rz, 383/14/DVD, *Akta Prokuratury Powiatowej w Przeworsku, Sm 295/53/P przeciwko Franciszkowi Hawro* [hereinafter: 383/14/DVD], *Protokół przesłuchania Mozesa Reicha*, Rzeszów, 8 July 1952, p. 4).

⁴⁴ No details of this person could be found.

⁴⁵ Mozes Reich, son of Dawid, born 15 September 1930 at Trzeboś (AIPN Rz, 383/14/DVD, *Protokół przesłuchania Mozesa Reicha*, Rzeszów, 8 July 1952, p. 4).

their children Bronisław and Zofia⁴⁶. According to a post-war account of Eugenia Einhorn, Einhorn's widow, a Jewish family of three who were his friends were also hiding with the Przybylak family⁴⁷. From the summer of 1943 Abraham Segal lived and worked on the farm of Jan and Helena Cwynar, who lived with their daughters Maria and Czesława. He used the name of Roman Kaliszewski. The account suggests that the employers continued to harbor him once they realized his Jewish origin after some time. It was even more dangerous because at that time Cwynar was a member of the leadership of the underground resistance peasants' movement in the Przeworsk county, and one of the intercepted denunciations said that "he is a subversive and a peasant ringleader"⁴⁸.

The largest group of Jews was harbored by Józef and Wiktoria Ulma, who were raising their children Stanisława, Barbara, Władysław, Franciszek, Antoni and Maria⁴⁹. They gave

⁴⁶ Michał Drewniak, son of Kasper, born 9 September 1903, died 14 November 1943; Wiktoria Drewniak, daughter of Wojciech, born 24 November 1915 at Markowa; Antoni Drewniak, born 28 July 1939 at Markowa; Józef Drewniak, born 5 January 1941 at Markowa; Katarzyna Bar, daughter of Józef, born 23 October 1891 at Markowa; Stefania Bar, daughter of Katarzyna, born 1 December 1915; Helena Katarzyna Bar, born 2 January 1942 at Markowa; Jan Przybylak, son of Szymon, born 20 July 1911 at Markowa [his photo in: M. Szpytma, *The Risk...*, p. 68]; Weronika Przybylak, daughter of Jan, born 10 June 1913 at Markowa; Bronisław Przybylak, born 22 February 1939 at Markowa; Zofia Przybylak, born 14 February 1942 at Markowa (Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records; AIPN Rz, 358/80/DVD, *Protokół rozprawy przed Sądem Wojewódzkim w Rzeszowie*, Rzeszów, 26 March 1952, pp. 105–108; *Ibid*, *Protokół rozprawy przed Sądem Wojewódzkim w Rzeszowie*, Markowa, 21 April 1952, pp. 175–177; *Ibid*, *Protokół przesłuchania Jana Przybylaka*, Przeworsk, 13 October 1949, p. 25; AIPN Rz, 353/114/ DVD, *Protokół przesłuchania Jakuba Einhorna*, Przemyśl, 11 August 1949, p. 97).

⁴⁷ Eugenia Einhorn, daughter of Mojżesz, born 22 June 1922 in Kiev (Archiwum ŻIH, *Oświadczenie Eugenii Einhorn*, Szczecin, 1 July 1993. A copy of this document is displayed in the exhibition of the IPN branch office in Rzeszów "Righteous Among the Nations. Poles' Assistance for the Jewish people in Małopolska during 1939–1945", first shown in Cracow on 27 January 2008). According to Weronika Przybylak, the names of the harbored Jewish family were: married couple Szmul and Sianga, and their daughter Pesa (*Polacy Ratujący Żydów na Rzeszowszczyźnie*, prep. by E. Rączy, I. Witowicz, Rzeszów 2011, p. 14).

⁴⁸ Jan Cwynar, son of Antoni, born 25 April 1891 at Markowa, an activist of the peasant movement, during the war a member of the County Trio of the *Ruch Oporu Chłopskiego* (ROCh; Peasants' Resistance Movement); Helena Cwynar, daughter of Wojciech, born 20 September 1910 at Markowa; Maria Cwynar, born 10 June 1932 at Markowa; Czesława Cwynar, born 3 May 1934 at Markowa; Abraham Izaak Segal, son of Ozjasz, born 14 May 1930 at Łańcut (E. Augustyn, *Romek, czyli Abraham*, www.forum-znak.org.pl, accessed December 2012; J. Matusz, *Parciane portki Michała*, 'Rzeczpospolita', 2–3 April 2005; Letter of A. Segal to the Cwynar family [in:] E. Rączy, *Pomoc...*, p. 255; A. Fitowa, J. Marcinkowski, *Ruch ludowy w Małopolsce i na Śląsku 1939–1945*, Warsaw 1987, pp. 643–644; A. Balawejder, *Jan Cwynar (1891–1968)* [in:] *Z dziejów wsi Markowa*, Ed. J. Półciwiatek, Rzeszów 1993, pp. 443–445; Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

⁴⁹ Józef Ulma, son of Marcin, born 2 March 1900 at Markowa; Wiktoria Ulma, daughter of Jan, born 10 December 1912 at Markowa; the Ulma children: Stanisława, born 18 July 1936 at Markowa; Barbara, born 6 October 1937 at Markowa; Władysław,

shelter in their house to Saul Goldman with four sons (known at Łańcut under the name of Szall)⁵⁰ and two daughters and a granddaughter of Chaim Goldman from Markowa, probably Lea (also called Layka) Didner with a daughter of unknown name, and Gienia (also called Gołda) Grünfeld⁵¹. All these harbored people, and the whole family who gave them shelter, including Wiktoria who was pregnant at the time, were murdered by the German *gendarmierie* on 24 March 1944⁵².

Despite such dramatic manifestations of German cruelty, the remaining 21 Jews mentioned above could continue to count on the support of the inhabitants of Markowa. They survived until the end of the German occupation, which ended in this village on 27 July 1944.

In their postwar court testimonies, the Jews who survived spoke of the varied attitudes of the inhabitants of Markowa. Although there were those among the farmers who secretly and

born 5 December 1938 at Markowa; Franciszek, born 3 April 1940 at Markowa; Antoni, born 6 June 1941 at Markowa; Maria, born 16 September 1942 at Markowa (Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records). Wiktoria Ulma neé Niemczak was the sister of my father's mother.

⁵⁰ No details could be found regarding the Goldmans from Łańcut. Photos of Saul and his sons in: M. Szpytma, *The Risk...*, pp. 40, 94–95; Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records. The real name of the Jews from Łańcut who were harbored by the Ulmas was identified by Stanisław Niemczak in 2013. At the monument in Markowa, all the names of the Jews are in the form that had been in common use.

⁵¹ Chaim Goldman had at least four daughters who were still alive in the spring of 1942. They were: Lea Didner, born 1 July 1907 (AP Przemyśl, *Wnioski o wystawienie karty rozpoznawczej, Wniosek Lai Didner*, Markowa, 30 April 1942, pp. 15–16); Gienia Grünfeld, born 24 January 1913 (*Ibid, Wniosek Gieni Grünfeld*, Markowa, [30 April 1942], pp. 21–22); Hana Goldman, born 9 March 1916 (*Ibid, Wniosek Hany Goldman*, Markowa, 30 April 1942, pp. 25–26); Matylda Goldman, born 5 April 1918 (*Ibid, Wniosek Matyldy Goldman*, Markowa, 30 April 1942, pp. 17–18). An interview with Helena Szpytma, the closest neighbor of the Goldmans, suggests that those harbored with the Ulma certainly included Gienia (Note from an interview with Helena Szpytma, Markowa, 10 November 2003, in the author's collection). For information about Gołda Goldman see AIPN Rz, 107/1608, *Akta Sądu Wojewódzkiego w Rzeszowie dotyczące Józefa Kokota, Protokół przesłuchania Franciszka Szylara*, Rzeszów, 1 March 1958, p. 191. The data provided by Alina Skibińska indicate that six women's and two men's bodies were found during the exhumation in the garden of Józef Ulma (T. Markiel, A. Skibińska, „*Jakie to ma znaczenie, czy zrobili to z chciwości?*”..., p. 185). If this last finding was not due an error of the persons who completed the exhumation report, it might indicate that the Ulmas harbored Chaim's wife (her name is not known), four daughters and a granddaughter, and Saul Goldman and one of his sons. This, however, would contradict many other sources; the Ulmas were supported in the harboring of the Jews by Antoni Szpytma, son of Jan, born 4 October 1902 at Markowa, known as 'Pisarz' ('Writer'), who was the closest friend of Józef Ulma (Note from an interview with Stanisława Kuźniar, Markowa, 27 July 2003; Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

⁵² For more information about the Ulma family and the Jews they harbored see, among others: M. Szpytma, *Sprawiedliwi i ich świat...*; *Księga sprawiedliwych...*, p. 777.

illegally helped them, the few thousand residents of the village also included people zealously engaged in the execution of the German orders.

The activities of the latter have been the subject of several criminal proceedings in the post-war period.

III. Source research

For several decades the topic of the annihilation of the Jewish community at Markowa in 1942, including the search for Jews, remained unresearched. The number of Jews murdered at Markowa and the dates of their executions were mentioned in the *Register of places and facts of the crimes committed by the Nazi German occupant of Poland during 1939–1945. Rzeszów Voivodeship*⁵³ The monograph of Markowa published in 1993 summed the subject up in one sentence, stating that the Germans shot 30 Jews from Markowa and its surrounding areas at the animal burial ground. The problem of the search for Jews who were hiding following the main wave of extermination was mentioned only marginally in the context of neighboring villages: “The Jewish population also found refuge [apart from peasants’ houses] in woods and groves somewhat distant from the buildings. And those, too, used various forms of assistance from the local population. At the village of Gać a family of four was hiding for a year in a dugout at in Ziębowe Wały in the so-called Wielki Dół. At Chodakówka, 11 Jews lived in identical conditions. Despite the precautions taken, the *gendarmier* discovered them in July 1941 [this should probably read 1943] and shot them on the spot”⁵⁴.

In 2003, in connection with the construction of the Ulma family memorial, I decided to examine in detail the history of the assistance given to the Jews by that family. At that time I

⁵³ *Rejestr miejsc i faktów zbrodni popełnionych przez okupanta hitlerowskiego na ziemiach polskich w latach 1939–1945. Województwo rzeszowskie*, Warsaw 1984, pp. 114–115. This book says that at Markowa the German *gendarmier* shot 67 Jews in 1942: ten on 28 September, fourteen on 7 October, eighteen on 18 October, twenty five in the fall, and two Jewish families, name Szal and Goldman, harbored by the Ulmas. According to the book „*Jakie to ma znaczenie, czy zrobili to z chciwości?*”... by Markiel and Skibińska the number of 67 Jewish victims is overstated. Skibińska says in pp. 185–186 that, according to the exhumation reports, bodies of 48 Jews were found in 1947 at Markowa: eight at the house of the Ulmas, seven in the garden of Bienio Miller and 33 at the dead animal burial ground which was used by the Germans to murder Jews during the war. The exhumed remains were deposited in the cemetery at Jagiełła-Niechciałki (documents related to this burial held at the Community Authority at Tryńcza suggest that 49 bodies were found at Markowa; Skibińska has stated mistakenly that 33 were found in the dead animal burial ground, while in fact there were 34).

⁵⁴ S. Dobosz, *W walce z okupantem hitlerowskim [in:] Z dziejów wsi...*, p. 95.

encountered not only other cases of hiding Jews in Markowa, but also other elements of Markowa Jews' history during the war. In the first scientific study on this subject, which I published in 2005, I wrote that in July 1942 the Germans ordered the Jews to report in Łańcut, from where they would be transported to a labor camp located in the village of Pełkinie, but most of them remained where they were. The same year the German occupants have exterminated them at Markowa. I have determined that murders of Jews took place in the summer and fall of that year, which involved the German *gendarmierie* and possibly other formations as well. Many of the Jews, including one family forewarned by the 'navy blue' policemen, hid in the fields shortly before the first search action. They were searched, arrested in the so-called communal jail, and then shot by the Germans on the outskirts of the village. When, after a few months, the German occupants realized that they had not killed all the local Jews, in November 1942 they issued orders to the *Ochotnicza Straż Pożarna* (OSP; Voluntary Fire Brigade) to search all houses, farm buildings and hideouts in the fields, and to find and deliver any Jews who were still alive. I have also stated that the firefighters carried out these orders in groups of several people each. However, I noted that the effects of these searches were not known. The question of how many Jews were found remained open⁵⁵. That description and other ones included in subsequent publications were based primarily on the accounts, not always precise, collected in 2003 from persons who had lived at Markowa during the war⁵⁶.

⁵⁵ M. Szpytma, *Stracili życie – uratowali świat. Rozstrzelanie 24 marca 1944 r. Józefa i Wiktorii Ulmów i ich dzieci za ukrywanie Żydów* [in:] *Z przeszłości Żydów polskich. Polityka – gospodarka – kultura – społeczeństwo*, Ed. J. Wijaczka, G. Miernik, Cracow 2005, pp. 215–218. This period was presented similarly in the books: M. Szpytma, *The Risk...*, pp. 56–57; *idem*, *Sprawiedliwi i ich świat...*, p. 23.

⁵⁶ Inaccurate or misleading details are also found in some Jewish accounts. In one of them, Yehuda Erlich who was hiding at Sietesz wrote that on the day after the crime against the Ulma family “bodies of 24 Jews murdered by Polish peasants were found in the fields”. No sources other than this account mention Jewish bodies found in the fields, but at the orders of the Germans some inhabitants of Sietesz captured about a dozen in a manhunt during 1942. In my opinion, the manhunt or the search for Jews at Markowa in December 1942 and the murder of Ulmas in 1944 have blended into one in his memory (especially so as he had heard about these, but had not witnessed them). Jan Grabowski differs in his opinion about this (J. Grabowski, *Prawda leży w mogiłach*, ‘Więź’ 2011, nr 8/9, p. 104. See also the polemic with this text: M. Szpytma, *Sprawiedliwi i inni*, ‘Więź’ 2011, nr 10, pp. 100–10_1. I have recently found another account, of Mosze Weltsch, held at the Yad Vashem archives in the M.1.E collection of accounts, reference number 1369. Weltsch stated that he had heard that the Poles had murdered 18 Jews at Markowa. The number was not clear, he may have quoted the number as 28. It is certainly echoing the participation of some residents in the search for Jews in 1942. Weltsch reports that the action he described was led by Antoni Cyran. The low credibility of the

As these publications began to reach a broad audience and the story of the Ulma family became well known, I began to receive signals from the inhabitants of Markowa that a few years after the end of the war criminal proceedings were held, related to the liquidation action against the Jews in 1942, and that Markowa residents were also tried in these proceedings. In connection with this, I decided to resume the earlier archival research of 2003. I have acquainted myself again with the documentation gathered in the archives of the branch office of *Instytut Pamięci Narodowej* (IPN; Institute of National Remembrance) in Rzeszów, the *Archiwum Państwowe* (AP; National Archives) in Rzeszów and Przemyśl, and (randomly, because the huge collection had not been sorted in order at the time) at the *Biuro Udostępniania i Archiwizacji Dokumentów IPN* (BUiAD IPN; IPN Office of Presentation and Archiving of Documents) in the collection of the former *Główna Komisja Badania Zbrodni Hitlerowskich w Polsce* (GKBZHWP; Chief Commission for the Study of Nazi Crimes in Poland). Once again, the research failed to give the results I had expected, I have only found a few entries, unclear for me at the time, in various prosecutors' and court repertoires. On 22 October 2010, at the scientific conference "Irena Sendler. Humanism of the heart, pt. 2: The Remembrance of the Righteous and the Holocaust", organized by the Warsaw University, the European Centre for Penological Studies and the Celestynów Cultural Society, I said that records unknown to researchers may still exist, but have not been accessed yet, and I have repeated that a year later in 'Więź' magazine. In the latter publication I wrote: "[At Markowa] German *gendarmes* and the 'navy blue' police took part in the anti-Jewish actions in the second half of 1942. Were other people involved, in addition to the firefighters (whose participation in the November search has been confirmed)? I cannot answer this question. Criminal proceedings on the crime against the Jewish inhabitants of Markowa have probably been held after the war. Files of this case could explain a lot. Therefore, many years ago I have looked for documentation on the subject in the archives in Przemyśl and Rzeszów. I have found files related to crimes against Jews in other nearby towns, I failed to come across those related to Markowa. Perhaps there were no such proceedings, after all, or their files have not survived. It is also possible that they are in

information is also suggested by the fact that it also includes a passage about a mass grave at Markowa, which holds "bodies of up to 200 Jews from all over the area, who were shot by Poles throughout the time". In fact, as mentioned above, the bodies of 34 Jews shot by the Germans were placed there.

the huge collection of files collected in Warsaw by the former GKBZHWP. Due to the enormous amount of material in this collection, it has not yet been subjected to a full scale research even by those persons, related to the Center for the Study of the Holocaust of Jews, who have been working on it for many years”⁵⁷. In 2011 the Association connected with the latter center has published the work of Tadeusz Markiel and Alina Skibińska on the participation of the inhabitants of Gniewczyna Łańcucka in crimes against the Jews. That publication has also included references to court trial material related to Husów, which is near Markowa⁵⁸.

After a break resulting from the transfer of the records of the so-called ‘sierpniówki’ (‘August cases’), that is the proceedings against those charged on the basis of the decree of the *Polski Komitet Wyzwolenia Narodowego* (Polish National Liberation Committee) of 31 August 1944 on “the sentences for the Fascist-Hitler’s criminals” from the BUiAD IPN to the IPN branch offices, I was able to proceed with further research. As a result, I managed to find the files of court proceedings against four Markowa residents and of the prosecutor’s investigation against another one, all taking part in the German-ordered search for Jews in 1942 and delivering them to the provisional jail in a communal building. Based on these documents, it can be stated that 22 other people related to Markowa were also initially suspected, but for 20 of them prosecution was quickly denied or proceedings were dismissed, probably due to lack of evidence, while the cases of two others continued for a longer time but were dismissed also⁵⁹.

IV. Post-war criminal proceedings regarding complicity of residents in German crimes

1. Case with subsequent reference numbers: 1525-S/49 and 2441-S/49; III S 59/49/A, Sz 12/49, III S 36/50/A, I K 57/50

The first known proceedings regarding the crime against Jewish people committed at Markowa in 1942 were conducted in 1949 by the *Referat Śledczy* (Investigative Section) of

⁵⁷ Conference material from that session has not been published yet (M. Szpytma, *Kilka uwag dotyczących badania i upamiętniania Polaków Ratujących Żydów oraz problemów związanych z tą działalnością* [in:] *Humanizm serca. Pamięć o Zagładzie i Sprawiedliwych* [in print]; *idem, Markowa po „Złoty Żniwach”*, ‘Więź’ 2011, nr 7, pp. 71–72).

⁵⁸ T. Markiel, A. Skibińska, „*Jakie to ma znaczenie, czy zrobili to z chciwości?*” ..., pp. 246–249.

⁵⁹ I have ordered them in May and June 2013, and received them in succession from July 2013 to February 2014. They

the *Komenda Powiatowa* (County Command) of the *Milicja Obywatelska* (MO; Citizens' Militia – the criminal police) at Przeworsk, reference numbers 1525-S/49 and 2441-S/49. These were collateral cases of the same *Komenda* investigation, ref. no. 1183-S/49, related to the crimes against the Jewish population at Sietesz near Markowa. The part related to Markowa included the name of Andrzej Rewer, who lived at Sietesz after the war, suspected of “catching the people of Jewish nationality in the community of Markowa and handing them over into the hands of the occupant”⁶⁰. Rewer came from Markowa, but upon graduating from elementary school he moved to Sułkowice to learn at an industrial school for three years. Then he worked as a fitter at the Łańcut power plant, and after his military service at Jarosław he was employed, also as a fitter, at Zakłady Zieleniewskiego factory in Cracow. In 1928 he left for France, where he was employed consecutively at Citroen and Renault car factories. After the outbreak of the Spanish Civil War he and ten of his colleagues went to that country and fought for more than two years in the ranks of the 13th International Brigade ‘Jarosław Dąbrowski’. After leaving Spain he briefly stayed in Paris, and then he returned to Poland in the summer of 1939. Until the outbreak of the war he worked at Sarzyna in a factory of the Central Industrial District. During the war he lived at Markowa. In 1942 he commanded the communal guard and was a hostage, and from 1944 he

allowed me to access further archive material, including many repertoires and files of the Supreme Court.

⁶⁰ The files of the cases concerning Sietesz and Markowa were handed over in August and December 1949 for further action to the Prosecutor's Office of the Court of Appeal in Rzeszów and registered there originally with reference number III S 59/49/A. This unit then transferred these on 3 September and 1 December 1949 to the Prosecutor's Office of the District Court in Przemyśl, which on 17 December 1949 excluded the part related to Markowa from Sz 12/49 and handed it back to the Prosecutor's Office of the Court of Appeal in Rzeszów, where it was registered with ref. number III S 36/50/A. In February 1950 the files of this investigation were submitted to the Court of Appeal in Rzeszów, where they were given the ref. no. of IK 57/50 (AIPN Rz, 358/81 / DVD, *Akta Sądu Apelacyjnego w Rzeszowie dot. Andrzeja Rewera* [hereinafter: AIPN Rz, 358/81/DVD], *Pismo Komendy Powiatowej MO w Przeworsku do Prokuratury Sądu Apelacyjnego w Rzeszowie*, Przeworsk, 29 August 1949, p. 3; *Ibid*, *Pismo Prokuratury Sądu Apelacyjnego w Rzeszowie do Prokuratora Sądu Okręgowego w Przemyślu*, Rzeszów, 3 September 1949, p. 24; *Ibid*, *Pismo Komendy Powiatowej MO w Przeworsku do Prokuratury Sądu Apelacyjnego w Rzeszowie*, Przeworsk, 1 December 1949, p. 27; AIPN Rz, 353/114/DVD, *Pismo Prokuratury Sądu Apelacyjnego w Rzeszowie do Prokuratury Sądu Okręgowego w Przemyślu*, [Rzeszów], 9 December 1949, p. 154; *Ibid*, *Postanowienie Prokuratury Sądu Okręgowego w Przemyślu o wyłączeniu do odrębnego postępowania sprawy przeciwko Janowi Gałuszce, Andrzejowi Rewerowi i Franciszkowi Homie*, [Przemyśl], 17 December 1949 r, p. 175). Under the excluded proceedings, registered with ref. no. III S 36/50/A, it was found that Franciszek Homa had died, while Jan Gałuszka was hiding. The author failed to find out whether Gałuszka was suspected of any crime other than those committed at Sietesz, or what was the further fate of himself or the proceedings against him.

was a soldier of the *Bataliony Chłopskie*⁶¹. In 1945 he married a girl from Sietesz and settled there, working from then on in the Rural Construction Co-operative at Sośnica near Radymno, and since 1950 in Cracow-Nowa Huta⁶².

It is difficult to say whose direct report or testimony resulted in charges against Rewer. Chronologically, the first document in the file of the case is the report of his interrogation on 23 March 1949, already as a suspect. Its contents show that Rewer was suspected at the time of “catching Jews at Markowa”, as it was formulated. During the interrogation he did not admit guilty of the charge, but said that, being a guardsman, at the order of a ‘navy blue’ policeman named Kuśnierz⁶³, along with two other guardsmen, he was forced to assist him in the search for Jews apparently hiding at the yard of Michał Bar⁶⁴. Rewer also added that there was no indication of the Jews being there at the time⁶⁵.

He was probably aware, however, what threat the undergoing investigation could be for him, as he left his place of residence in June 1949 and hid with his sisters, in turn in the Inowrocław and Gryfino counties. However, he was arrested there in July of that year. He was transported to Przeworsk, where after another interrogation he was detained. The report stated that he had testified that he was on guard in front of the jail where the Jews were imprisoned, but he did so only because of the order of Kuśnierz, the ‘navy blue’ policeman. He also stated that the policeman threatened him with a “death sentence” in case he refused to guard or released the detained Jews. He has also added that after some time Franciszek Homa⁶⁶, at the time the head of the OSP at Markowa, released him from the guard duty.

⁶¹ *Bataliony Chłopskie* (BCh; Peasants’ Battalions) – an armed underground resistance organization of the peasant movement. (Translator’s note).

⁶² Andrzej Rewer, son of Franciszka, born 16 October 1905 at Markowa, was single during the war (AIPN Rz, 358/81/DVD, *Protokół przesłuchania Andrzeja Rewera*, Gryfino, 23 July 1949; AIPN Rz, 358/80/DVD, *Protokół rozprawy przed Sądem Wojewódzkim w Rzeszowie*, [Rzeszów], 26 March 1952, p. 103).

⁶³ Michał Kuśnierz, born 13 September 1900 at Wólka Małkowa, served in 1942 at Markowa at the rank of *starszy posterunkowy* of the ‘navy blue’ police. Rewer stated that he was the deputy commandant of the police post at Markowa, and that he was shot by “illegal organizations” before the end of the war (AP Przemyśl, *Wnioski o wystawienie karty rozpoznawczej, Wniosek Michała Kuśnierza*, Markowa, 29 April 1942, pp. 647–648; AIPN Rz, 358/81/DVD, *Protokół przesłuchania A. Rewera*, Przeworsk, 23 March 1949, p. 5).

⁶⁴ Michał Bar, probably referring to the person mentioned above, in whose home the Lorbenfelds were harbored.

⁶⁵ AIPN Rz, 358/81/DVD, *Protokół przesłuchania A. Rewera*, Przeworsk, 23 March 1949, pp. 4–5.

⁶⁶ Franciszek Homa, son of Kasper, born 1 October 1895 at Markowa. During 1940–1943 he was the commandant of the OSP at Markowa. He was murdered on 17 June 1943 at Konotopy near Sokal by Ukrainian nationalists (Archive of the Roman

Rewer also upheld his explanation of 23 March 1949 as regarded the search in the house of Michał Bar⁶⁷.

Many actions in the case of the crime against the Jews at Markowa, including the participation of Andrzej Rewer, were conducted in October 1949. It was not possible to question Michał Kuźniarz or Franciszek Homa, who had both been dead by then. Testimonies were taken from four other inhabitants of Markowa: Jan Przybylak, Antoni Kuźniarz⁶⁸, Józef Rusinek⁶⁹ and Stanisław Hawer⁷⁰. They stated that Kud, the commune head, announced that on that day, 13 December 1942, as search for Jews hiding at Markowa would be conducted, in the peasants' houses and in the fields and near streams⁷¹. The search took place, as can be deduced from Rusinek's interrogation, among others, on the order of the "German police", this name being used interchangeably with the word "Gestapo" to refer to the German *gendarmarie*. It was recorded in the report of Hawer's interrogation that the area leaders were tasked by the commune head to appoint the persons who would search for the Jews. Przybylak said: "members of the Fire Brigade were going to participate in the roundup, and, so I heard, [...] Rewer Andrzej, Cznadel Michał⁷², Wojciech Krauz⁷³, all resided at Markowa, and Orzechowski N.⁷⁴ [*sic*, M.Sz.] resident at Gać" and he added that the caught Jews were guarded by Rewer. Kuźniarz testified that the search, in which the

Catholic Parish of St Dorothea at Markowa, register records; L. Cyran, J. Lonc, *Kronika OSP w Markowej 1911–1961*, http://www.markowa.osp.org.pl/downloads.php?cat_id=1, accessed December 2012).

⁶⁷ AIPN Rz, 358/81/DVD, *Protokół przesłuchania A. Rewera*, Przeworsk, 11 August 1949, pp. 6–7.

⁶⁸ Antoni Kuźniarz, son of Jan, born 20 May 1896 at Markowa (AIPN Rz, 358/80/DVD, *Protokół przesłuchania Antoniego Kuźniara*, Przeworsk, 13 October 1949, p. 27).

⁶⁹ Józef Rusinek, son of Antoni, born 23 January 1912 at Markowa (AIPN Rz, 358/80/DVD, *Protokół przesłuchania Józefa Rusinka*, Przeworsk, 13 October 1949, p. 29).

⁷⁰ Stanisław Hawer, son of Andrzej, born 5 May 1905 at Gać, after the war he was a policeman at the police post at Markowa (AIPN Rz, 358/81/DVD, *Protokół przesłuchania Stanisława Hawera*, Markowa, 21 October 1949, p. 25).

⁷¹ The interrogations most often stated that the search took place in the fall of 1942, other documents make it possible to ascertain that it was the Sunday, 13 December 1942.

⁷² In fact Michał Trznadel, son of Stanisław, in December 1942 he was one of the area leaders at Markowa (AIPN Rz, 358/80/DVD, *Protokół przesłuchania Franciszka Bara*, Markowa, 2 June 1950, p. 19).

⁷³ Wojciech Krauz, son of Stanisław, born 18 April 1907 at Markowa. He has completed three classes of the primary school, he was a farmer, owner of 56 ares of land (AIPN Rz, 358/80/DVD, *Akt oskarżenia Wojciecha Krauza, Antoniego Bara, Michała Szpytmy*, Rzeszów, 26 February 1951, p. 39).

⁷⁴ N. Orzechowski, in fact Stanisław Orzechowski, lived at Gać during the war, his wife came from Markowa, no details could be found.

firefighters and civilians took place, resulted in arresting about 20 men. He said that three brothers of Jakub Einhorn were among those arrested. In his opinion one of them, Martek, was taken to the so-called jail by Wojciech Krauz. Einhorn was unable to tell, however, who had caught Abraham and Nuchym at the house of Wojciech Kluz⁷⁵. Rewer's participation in guarding the detainees was confirmed by Rusinek. He has also added that he had heard that Wojciech Krauz, Stanisław Orzechowski and Franciszek Antoni Homa⁷⁶ (a young man, not to be confused with the head of the OSP) took part in the search. Hauer confirmed the latter's participation, and said that, as he was sent by the area leader to assist in the action, he saw Homa point out, near the streams, the hiding place of three women known at Markowa as Ryfki, and of one child. Witnesses also stated that all arrested Jews were placed in the so-called communal jail, which was located in the house at the main crossroads, rented (already since pre-war times) by the community authorities from Franciszek Niemczak⁷⁷, where they were guarded by Rewer, and the next day they were shot by the German *gendarmierie* at the so-called horse-trench place at Markowa⁷⁸.

Andrzej Rewer was interrogated for the last time during the investigation on 28 January 1950. He stated at the time "I do not feel guilty of taking part in a roundup of the Jews, but only I was forced by the order of the 'navy blue' policeman Kuśnierz to guard them after they were caught and imprisoned in the basement, and that was at the order of the policeman Kuśnierz, who made me do it". Subsequently, the Prosecutor's Office of the Court of Appeal drew up an indictment in which Rewer was accused that: "I. working with other perpetrators, he took part in a manhunt, which resulted in the capture of 25 persons, Polish citizens of Jewish origin; II. at the same time and place, during a period of 5 hours, he stood guard next

⁷⁵ Wojciech Kluz, probably the son of Antoni, born about 1898, in a hearing before the court he denied that Einhorn brothers were harbored in his house (AIPN Rz, 358/80/DVD, *Protokół przesłuchania Wojciecha Kluza*, Przeworsk, 21 December 1951, p. 53).

⁷⁶ Franciszek Antoni Homa, son of Jan, born 23 March 1921 at Markowa (Archive of the Roman Catholic Parish of St Dorothea at Markowa, register records).

⁷⁷ Franciszek Niemczak, son of Jan, born 28 December 1912 at Markowa, brother of Wiktoria Ulma (*Ibid*).

⁷⁸ AIPN Rz, 358/81/DVD, *Protokół przesłuchania J. Przybylaka*, Przeworsk, 13 October 1949, pp. 28–29; *Ibid*, *Protokół przesłuchania A. Kuźniara*, Przeworsk, 13 October 1949, pp. 30–31; *Ibid*, *Protokół przesłuchania J. Rusinka*, Przeworsk, 13 October 1949, pp. 32–33; *Ibid*, *Protokół przesłuchania S. Hawera*, Przeworsk, 21 October 1949, pp. 25–26; Contract between F. Niemczak and the Community Management Board at Markowa for renting the premises for the Markowa Community, Markowa, 18 October 1935, in the author's collection.

to the house where the persons captured during the manhunt were imprisoned. [...] Justification. In June [error, it should read December – M.Sz.] 1942 at Markowa at the instructions of the German authorities, a manhunt was organized, with participation of a number of inhabitants, so-called hostages, members of the fire brigade and other citizens. As a result of this manhunt which, having surrounded the whole village, searched the neighboring fields in detail, about 25 persons were arrested, and these were exclusively Jews who had been hiding, and who were then brought in groups into the communal jail [...]”⁷⁹. It may be added that the indictment described the events of 13 December 1942 in exaggeration as “a manhunt that surrounded the whole village”, since Markowa with its fields has about 20 square kilometers. In order to “search the neighboring fields in detail” a much bigger force would have to be employed than the one at the disposal of the village leader that day, as it turns out from the files of other investigations into the case (see below).

The Court of Appeal in Rzeszów ordered that the hearing be held on 23 May 1950 at an off-site session in Przeworsk. Rewer defended himself there by saying that he took no part in the search whatsoever, and that he was forced to guard the jail as a hostage by the ‘navy blue’ policeman under the death penalty: “it had been announced that if a hostage fails to carry out instructions, he would face the death penalty”. He has also added, having initially not said that during the investigation, that he did not know that Jews were being held in the jail and that a Gestapo man named Fryszko was at Markowa that day, and that was the man who told him and Franciszek Homa, also present at the jail that they were guarding Jews. He also pointed out that there were ‘navy blue’ policemen present there. Moreover, he has added that after a few hours he deserted from the guard. When giving testimony at the court Jan Przybylak, Antoni Kuźniar, Józef Rusinek, unlike during the investigation, said that the search was organized by “some police”. As regarded Andrzej Rewer’s participation in this action they said that there was talk in the village that he had taken in it, but they themselves had not seen that.

During the hearing before the court, the matter of Rewer’s participation in the war in

⁷⁹ AIPN Rz, 358/81/DVD, *Protokół końcowego przesłuchania A. Rewera*, Przeworsk, 28 January 1950, p. 41; *Ibid*, *Akt oskarżenia o III S 36/50/A wobec A. Rewera przygotowany przez Prokuraturę Sądu Apelacyjnego w Rzeszowie*, [Rzeszów], 30 January 1950, p. 45. The investigation which includes the name of Wojciech Krauz and most other names mentioned in the October 1949 witness interrogation reports will be discussed further below.

Spain and in the anti-German resistance movement was mentioned for the first time. Three inhabitants of Markowa and Rewer's wife said that before 1939 he had served under Gen. Karol Świerczewski and had fought in the 'Dąbrowski' Brigade, and that during the war he was in the BCh.⁸⁰ It is impossible to say, based on the court files, whether the service in the 13th Brigade 'Jarosław Dąbrowski' has influenced the content of the court ruling.

The judgment passed on 23 May 1950 acquitted Andrzej Rewer. In the justification, the court essentially fully agreed with the arguments of defense and stated, among others: "The court has found that in the fall of 1942, when the Germans had already shot the Jews, some police came to Markowa and organized a manhunt against the hiding Jews". It was also said that Rewer was a hostage, but did not know that Jews were being searched, and his participation in guarding the prisoners was explained as follows: "It is notorious that the hostage was under threat of the death penalty for failure to carry out police instructions"⁸¹. The next day Rewer was released from custody. As it turned out, he was soon arrested again in connection with another investigation that concerned the search for the Jews.

2. Case with subsequent reference numbers: 2141/49, 1380/50, III S 739/50/A, VI K 31/51, II K 716/51, III KO 15/53, VI K 56/53

The crime against the Jewish population at Markowa in 1942 became the subject of yet another prosecutorial proceeding in 1950. Since the main files of this investigation and trial have not been located, and only the Supreme Court files and copies in other proceedings are known, it is difficult to state what decided that it was started⁸². As part of it, Wojciech Krauz, Antoni Bar⁸³ and Michał Szpytma⁸⁴ were arrested on 12 September 1950. Little is known

⁸⁰ *Ibid*, *Protokół z rozprawy głównej Sądu Apelacyjnego w Rzeszowie o I K 57/50 w sprawie Andrzeja Rewera na sesji wyjazdowej w Przeworsku 23 V 1950*, Przeworsk, 23 May 1950, pp. 86–91.

⁸¹ *Ibid*, *Sentencja wyroku z 23 V 1950 Sądu Apelacyjnego w Rzeszowie wraz z uzasadnieniem, I K 57/50 w sprawie Andrzeja Rewera*, Przeworsk, 23 May 1950, pp. 92–93.

⁸² It was conducted initially by the County Command of the MO at Przeworsk with ref. nos. 2141/49 and 1380/50, then briefly with III S 739/50/A from 10 August 1950 by the Prosecutor's Office of the Court of Appeal in Rzeszów, and then by the Voivodeship Prosecutor's Office in Rzeszów that replaced it (AIPN Rz, 67/11, *Repertorium „S” Wydziału II Śledczego Prokuratury Sądu Apelacyjnego w Rzeszowie za rok 1950*, pp. 5–6). I have acquainted myself with this repertoire a few years ago, but it was only after it was compared with the transcripts of the investigation that it was possible to link this entry with the proceedings concerning the search for Jews.

⁸³ Antoni Bar, son of Jan, born 9 October 1907 at Markowa. He completed three classes of the primary school, he was a farmer, owned 3 hectares of land (AIPN Rz, 358/80/DVD, *Akt oskarżenia Wojciecha Krauzy, Antoniego Bara, Michała Szpytmy*,

about them except that they were farmers from Markowa. The latter one had served as a firefighter during the war, after the war he lived in the village of Kosina near Markowa.

Jakub Einhorn was certainly a key witness in this proceeding, he was interrogated on 16 December 1950 by the Voivodeship Prosecutor's Office. He testified at the time very broadly about the events at Markowa in late 1942. He reported that after his wife and child were arrested by the inhabitants of Husów and murdered by the Germans, he was hiding with his sisters and brothers at Markowa with the family of Katarzyna Bar, Franciszek Bar and in the house of Michał Drewniak. He stated that on Sunday 13 December 1942 he witnessed the search for Jews at Markowa. He said that this was organized by the then guards commandant Andrzej Rewer and that he could see from his hiding place Wojciech Krauz and Stanisław Orzechowski arrest his two brothers in the house of Wojciech Kluza. One of them, injured in the head, was beaten by Wojciech Krauz. Antoni Bar then reacted: "Why are you beating him? Isn't it enough that you're turning him in for death?" The sisters of Jakub Einhorn were also arrested. All the Jews who were found were placed in the communal jail. According to Einhorn, the same evening Andrzej Rewer, Wojciech Krauz and Franciszek Antoni Homa have also arrested a Jew who was hiding using the so-called 'Aryan papers', under the name Stanisław Ciołkosz. He has also listed Michał Trznadel and Franciszek Inglot⁸⁵ among those involved in the search for Jews, and he has also mentioned that the entire Fire Brigade was involved in it. He said that Rywka Tencer, her two daughters and a little baby were arrested the same day. Einhorn added that no one wanted to search for Zelik, who was hiding with his wife and children at Albigowa, as they were armed, apparently. As a result, the German *gendarmierie* was called with a request to send in an "assist". The *gendarmes*, however, most likely ordered the firefighters to take care of the matter. Finally, as Einhorn says, on the night of 13 December Zelik and his family were escorted into the jail

Rzeszów, 26 February 1951, p. 39).

⁸⁴ Michał Szpytma, son of Andrzej, born 19 August 1919 at Markowa, after the war he lived at Kosina. He completed four classes of the primary school. During the war he was single, a farmer, owned 1 hectare 12 ares of land. He was the brother of my mother's father (AIPN Rz, 358/80/DVD, *Akt oskarżenia Wojciecha Krauza, Antoniego Bara, Michała Szpytmy*, Rzeszów, 26 February 1951, p. 39). Between 24 March and 27 July 1944 the father of Michał Szpytma received an anonymous note with threats and a demand that he removes the Jews his family harbored. However, I found no information confirming that the Szpytmas harbored any Jews (M. Szpytma, *The Risk...*, p. 74).

⁸⁵ Franciszek Inglot, no details could be found.

by Andrzej Rewer, Michał Szpytma and other members of the Fire Brigade⁸⁶. Einhorn talked most about Rewer in his testimony. He testified that the latter had a rifle and guarded the arrested ones and that he had heard from others, that he said he could personally shoot the arrested if he got 50 zlotys for each of them⁸⁷.

The file included a copy of Stanislaw Haver's interrogation of 20 December 1949. This document contained information that Haver had heard from other people that Andrzej Rewer and Franciszek Homa had been involved in the search for members of the Zelik family, and that after they were arrested and detained in the jail with other Jews, he guarded them, he maltreated them, and that earlier, during the search, he prevented Zelik's daughter from escaping. Haver has also confirmed what he said during the interrogation in October 1949 that he had seen with his own eyes Franciszek Antoni Homa taking part in the arrest of the Jewesses near the streams⁸⁸.

By February 1951, the investigation with ref. no. III S 739/50/A covered 26 people. On 26 and 28 February 1951 the prosecutor made three substantive decisions. The proceedings for Andrzej Kuda, Andrzej Rewer and Stanisław Orzechowski, were suspended in connection with them being hiding, while the indictment was filed in reference to Wojciech Krauz, Antoni Bar and Michał Szpytma⁸⁹. Less is known about the fate of other people, the entry for them in the prosecutor's repertoire can be found under the heading of "investigation dismissed or prosecution rejected"⁹⁰. Krauz and Bar were accused that "together with other perpetrators they arrested 2 Einhorn brothers and 3 sisters, and unidentified 'Stanisław', harbored by Katarzyna Bar, who after being detained throughout the night in the basement, were shot the next day by the arriving [German] police, and M[ichał] Szpytma that, together

⁸⁶ Andrzej Rewer was not a member of the fire brigade.

⁸⁷ AIPN Rz, 358/80/DVD, *Odpis protokołu przesłuchania Jakuba Einhorna przez Prokuraturę Wojewódzką w Rzeszowie w dniu 16 XII 1950 do III S 739/50/A*, Przeworsk, 17 August 1951, pp. 15–17.

⁸⁸ *Ibid*, *Odpis protokołu przesłuchania Stanisława Hawera przez Prokuraturę Wojewódzką w Rzeszowie w dniu 20 XII 1949*, Przeworsk, 17 August 1951, p. 18.

⁸⁹ *Ibid*, *Odpis wniosku Prokuratury Wojewódzkiej w Rzeszowie z 26 II 1951 o zawieszenie śledztwa w sprawie Andrzeja Kuda, Andrzeja Rewera i Stanisława Orzechowskiego*, Rzeszów, 30 November 1951, pp. 11–12. The case of Rewer was continued after his arrest with a different reference number (see further down in the text).

⁹⁰ AIPN Rz, 67/11, *Repertorium „S” Wydziału II Śledczego Prokuratury Sądu Apelacyjnego w Rzeszowie za rok 1950*, pp. 5–6. It was noted in the "notes" field that file III 739/50/A was archived with the number 9/364/57, and on 10 May 1961 it was re-categorized as waste paper.

with other perpetrators he has arrested the ‘Zelik’ family of four, and Rywka Tencer, who, too, were shot the next day by the police after an overnight stay in the basement”. In the justification based on Jakub Einhorn’s testimony of 16 December 1950, as quoted above, the prosecutor has also described the problems he had in the course of the proceedings: “At the time of the start of the investigation, and then in the course of the investigation, difficulties were encountered in the unearthing and gathering of evidence of guilt of the captors of those people. It is a fact that about a dozen local citizens have participated in the manhunt, and the investigators, despite a partial identification of the names of those people, faced the solidarity in defense in the form of unanimous blaming the persons who were hiding or dead. Only on the basis of the testimony of the witness Jakub Einhorn was it possible to identify the active participation of persons subject to indictment”⁹¹.

The case of Wojciech Krauz, Antoni Bar and Michał Szpytma took place at the Voivodeship Court in Rzeszów, Centre at Przemyśl with the reference number VI K 31/51. The verdict was issued on 4 May 1951. The court found that Krauz “along with other perpetrators arrested two Einhorn brothers and 3 sisters, and the unidentified ‘Stanisław’ who were hiding with Katarzyna Bar, and sentenced him to 6 years in prison. At the same time the court explained that the punishment was so mild because “before the critical roundup the defendant had helped the Jews like others, and was not hostile towards them”⁹², and he took the part in the roundup in question at the instructions of the police and the village headman in the same manner as the others”. In the case of Antoni Bar, the court stated that he did not participate in the search for Jews. As for Michał Szpytma, the court found that there was insufficient evidence to support his participation in the arrest of Zelik and his family⁹³. The acquitted were released after almost 8 months of imprisonment.

Krauz decided to appeal to the Supreme Court. His defense attorney, in his revision speech, took the precaution of pleading his client guilty, but not of capturing, just merely of

⁹¹ AIPN Rz, 358/80/DVD, *Odpis aktu oskarżenia wraz z uzasadnieniem Wojciecha Krauz, Antoniego Bara, Michała Szpytmy przez Prokuraturę Wojewódzką w Rzeszowie z 26 XII 1951*, Rzeszów, 14 March 1951, pp. 39–41.

⁹² There are no documents to confirm this information, perhaps these were included in the investigation files that have not been found.

⁹³ AAN, 932, *Sąd Najwyższy* (Supreme Court) [hereinafter: AAN, 932], 2/17628, *Akta Izby Karnej II K 716/51 dot. Wojciecha Krauz* [hereinafter: 2/17628], *Odpis wyroku Sądu Wojewódzkiego w Rzeszowie Ośrodek w Przemyślu o VI K 31/51*, Przemyśl, 4 May 1951, pp. 4–7.

escorting to jail the Jews found by others, which was an offense punishable by a lower penalty. While demanding abrogation of the sentence, he also questioned the reliability of Jakub Einhorn's testimony and accused the Court in Przemyśl of not hearing the witnesses filed by the defense⁹⁴. The Supreme Court, by a verdict of 6 March 1952, dismissed all reservations of the defense attorney and upheld the current judgment⁹⁵. In the summer of 1952, the defense attorney of Wojciech Krauz submitted to the Supreme Court a motion for the resumption of proceedings terminated by a final judgment. The lawyer was persuaded to file the motion by the acquittal verdict of 21 April 1952, ref. no. IV K 48/52, concerning Andrzej Rewer. The Supreme Court upheld the defense claim, and at the meeting on 8 October 1953 it annulled the previous rulings in the part relevant to Krauz, and referred the case to the Voivodeship Court in Rzeszów, to the Centre in Przemyśl for a re-trial. It also ordered the release of Wojciech Krauz from prison (including his period of temporary detention he had spent over three years there). The justification for the judgment shows that the result of the crime scene visit at Markowa carried out in Andrzej Rewer case was decisive for the court⁹⁶.

At the Regional Court in Rzeszów, in the Centre in Przemyśl, the case of Wojciech Krauz was conducted with the reference number VI K 56/53. According to the records of the court, Krauz was acquitted on 6 September 1954. Absence of the files of the case makes it impossible to state precisely what were the reasons of the court when issuing the judgment. However, it may be assumed that it followed the earlier judgment of the court in the case of Andrzej Rewer⁹⁷.

⁹⁴ AAN, 932, 2/17628, *Wywód rewizji sprawy VI 31/51*, [no location, no date], *wpłynął do Sądu Woj. w Rzeszowie, Ośrodek w Przemyślu*, 8 June 1951, pp. 1–3.

⁹⁵ *Ibid*, *Wyrok Sądu Najwyższego II K 715/51*, Warsaw, 6 March 1952, pp. 24–26.

⁹⁶ AAN, 932, 2/21314, *Akta Izby Karnej III KO 13/53 dot. Wojciecha Krauz* [hereinafter: 2/21314], *Postanowienie Sądu Najwyższego o III KO 13/53*, Warsaw, 8 October 1953, pp. 19–20.

⁹⁷ AIPN Rz, 358/80/DVD, *Pismo Sądu Wojewódzkiego w Rzeszowie Ośrodek w Przemyślu do Sądu Wojewódzkiego w Rzeszowie*, [Przemyśl], 31 March 1954, p. 221; *Sąd Okręgowy w Rzeszowie, II Wydział Karny, Repertorium Sądu Wojewódzkiego w Rzeszowie, Ośrodek w Przemyślu za lata 1951–1953*, pp 8, 54. Due to the impossibility to access the files of the case VI K 56/53 nothing more can be established on the subject. The inscription in the repertoire in the “notes” field: “*Podjęto do VI Kow. 17/57. 28 II 1957*” also remains unclear. Since the Kow repertoire of the Rzeszów Voivodeship Court of that period covers, among others, the indemnification cases, it can be assumed that Wojciech Krauz has applied for compensation for his imprisonment.

Andrzej Kud and Stanisław Orzechowski were arrested in July 1953. The investigation against them, resumed on 8 August 1953, was conducted by the County Prosecutor's Office in Przeworsk. It was dismissed on 18 November 1953⁹⁸. Absence of the files makes it impossible to state the reason for this decision. However, it can be assumed that since the prosecutor's office used the Supreme Court files re. Wojciech Krauz, it was probably based on the findings of the crime scene visit at Markowa mentioned above⁹⁹.

3. Case with reference numbers: Sm 215/51/P and IV K 48/52

The investigation regarding Andrzej Rewer, suspended on 26 February 1951, may have been resumed after several months. The suspect was arrested in July 1951 in Cracow and transported to Rzeszów, where he was temporarily detained¹⁰⁰. Since in the meantime the main case was already in court, the Rzeszów Provincial Prosecutor's Office decided that the part relevant to Rewer would be run separately by the County Prosecutor's Office in Przeworsk¹⁰¹. The case was given the reference number of Sm 215/51/P. When interrogated in prison, Andrzej Rewer did not admit to the charges alleged by witnesses, claiming that Jakub Einhorn and others who had charged him in their testimony were lying. He added that he had already been tried and acquitted in this case¹⁰². The latter convinced the prosecutors to take action to verify whether this was true. When, after reviewing the proceedings of the

⁹⁸ The files concerning Stanisław Orzechowski and Andrzej Kud were transferred to the Rzeszów Voivodeship Prosecutor's Office on 24 March 1966, which on 23 April 1966 sent these to the GKBZHWP. These files have not yet been found in the archival collections of the IPN (AP Przemysł, *Zespół 1894, Prokuratura Powiatowa w Przeworsku, 6, Repertorium Sb i Sm 1951–1953, wpis Sm 237 z 1953*, pp. 212–213; AIPN Rz, 66/37, vol. 1, *Repertorium Smn za 1953 Prokuratury Wojewódzkiej w Rzeszowie, wpis 66 dot. Stanisława Orzechowskiego i Andrzeja Kuda*, pp. 118–119; *Archiwum Prokuratury Okręgowej w Rzeszowie, Repertorium Prez. Prokuratury Wojewódzkiej w Rzeszowie z 1966, wpis 659*, p. 34; *Ibid, Pismo Prokuratury Wojewódzkiej w Rzeszowie przekazujące akta spraw postępowań w sprawie zbrodni hitlerowskich do GKBZH*, Rzeszów, 23 April 1966).

⁹⁹ AAN, 932, 2/21314, *Pismo Sądu Najwyższego w Warszawie do Prokuratury Wojewódzkiej w Rzeszowie*, Warsaw, 31 July 1953, p. 11.

¹⁰⁰ AIPN Rz, 358/80/DVD, *Pismo informujące Prokuraturę Wojewódzką w Rzeszowie o doprowadzeniu przez KW MO w Krakowie do KW MO w Rzeszowie A. Rewera poszukiwanego pismem z dnia 23 IV 1951 o II S 739/50/4*, Rzeszów, 19 July 1951, p 2; *Ibid, Odpis postanowienie Prokuratury Wojewódzkiej w Rzeszowie z 19 VII 1951 o tymczasowym aresztowaniu Andrzeja Rewera*, Rzeszów, 19 July 1951, pp 4–5.

¹⁰¹ *Ibid, Pismo Prokuratury Wojewódzkiej w Rzeszowie do Prokuratury Powiatowej w Przeworsku*, Rzeszów, 30 July 1951, p. 13.

¹⁰² AIPN Rz, 358/80/DVD, *Protokół przesłuchania podejrzanego Andrzeja Rewera przez Prokuratora Miasta i Powiatu w Rzeszowie*, Rzeszów, 30 August 1951, pp. 23–24.

previous court trial (I K 57/50), the prosecutor's office was inclined to dismiss the investigation in accordance with the *res iudicata* principle, but it was decided to hear Jakub Einhorn once again¹⁰³. He upheld his testimony of 16 December 1950 (as quoted above), and provided details of the arrests of Jews, and he also stated that during the search, which Michał Trznadel called 'hare catching', 17 Jews were arrested (including the Najderg and Tencer families). Einhorn also added new information about Rewer: "Three Gestapo men came the next morning and Andrzej Rewer himself tied the hands of all of them [the Jews – M.Sz.] in the basement and they were taken to the horse-trench place where they were murdered. Andrzej Rewer was there during the murdering until the end. As I noticed, Andrzej Rewer was only involved in a rounding up Jews all the time. Michał Drewniak described all this to me exactly"¹⁰⁴. Einhorn's testimony decided that the prosecutor's office applied to the Supreme Court for the resumption of the trial of Andrzej Rewer, previously ended by acquittal. The application was granted positively and the case was referred to the Voivodeship Court in Rzeszów for re-trial¹⁰⁵.

Prior to the hearing Rewer's lawyer motioned for numerous witnesses to be heard. Some of them had been accused in earlier years by Einhorn of participating in searches and round-ups of Jews in villages neighboring Markowa, but they were acquitted by courts. The defendant also asked to accept evidence from the files of the trial in which Einhorn had testified earlier¹⁰⁶. The first hearing, with the new reference number IV K 48/52, took place in Rzeszów on 26 March 1952. Rewer repeated what he had said during the last interrogations during the investigation and added that he was forced to stand guard not only by the 'navy blue' policeman, but also by Fryszko the Gestapo man, also has presented his

¹⁰³ AIPN Rz, 383/5/DVD, *Akta Prokuratury Powiatowej w Przeworsku dot. Andrzeja Rewera* [hereinafter: AIPN Rz, 383/5/DVD], *Pismo Prokuratury Powiatowej w Przeworsku do Sądu Wojewódzkiego w Rzeszowie*, Rzeszów, 30 August 1951, p. 103.

¹⁰⁴ AIPN Rz, 358/80/DVD, *Protokół przesłuchania J. Einhorna przez Prokuraturę Miasta i Powiatu Szczecińskiego, Szczecin*, 21 November 1951, pp. 35–36.

¹⁰⁵ AIPN Rz, 383/5/DVD, *Pismo Prokuratury Powiatowej w Przeworsku do Prokuratury Wojewódzkiej w Rzeszowie o przedstawienie sprawy A. Rewera Sądowi Najwyższemu z wnioskiem o wznowienie postępowania I K 57/50*, Przeworsk, 22 December 1951, p. 40; *Ibid*, *Odpis postanowienia wraz z uzasadnieniem Sądu Najwyższego z 26 II 1952 nr akt KO 44/52 dot. wznowienia postępowania karnego przeciwko A. Rewerowi*, pp. 47–49.

¹⁰⁶ AIPN Rz, 358/80/DVD, *Pismo adwokata Józefa Szczepanika do Sądu Wojewódzkiego w Rzeszowie*, [no location, submitted to the court on 25 March 1952], pp. 72–73.

biography in detail, this time pointing out the fact that before the war he had fought in Spain with the Dąbrowski Army, and that since 1944¹⁰⁷ he belonged to the BCh. In turn, Jakub Einhorn repeated his statements from the investigations and explained in detail that he had seen with his own eyes from his hideout what was happening at Markowa on the critical day. He also added, not having mentioned that earlier, that he persuaded Michał Drewniak to go check in the evening who was guarding the Jews imprisoned in the basement. He also testified that when Maria Hajduk¹⁰⁸ asked Józef Rusinek how he could have watched the shooting of the Jews by the Germans, he replied that he could shoot them himself (Hajduk denied before the court that such a conversation had taken place). At the request of the defense, Einhorn had to explain in detail from what part of the house where he had been hiding he had watched the search and the Jews being led into custody. The court then ordered a crime scene visit at the house of Katarzyna Bar, in which Einhorn was hiding during the search, agreed to call witnesses for defense and to examine the trial files as proposed by the defense and postponed the hearing, stating that it would be continued at Markowa¹⁰⁹.

The trial at Markowa took place on 21 April 1952. The defendant Andrzej Rewer was questioned first. Compared to the previous testimonies he explained the differences in his interrogations in a different way than before (certainly referring to the fact that during some interrogations he had admitted that he was aware that Jews were held in the jail he was guarding, while during others he had said he did not know that and showed no interest in this), claiming he had been beaten during the investigation. A large part of the witnesses testified that they did not know anything about the subject matter of the trial, some denied what they had said during the investigation. Katarzyna Bar and Stefania Bar said that Jakub Einhorn could not see what was happening at that time from the henhouse in which he was hiding,. Bar pointed out that the search for Jews was led by ‘navy blue’ policemen and by Franciszek Homa. Jan Przybylak testified that he had not told Einhorn that Rewer was apparently capturing the Jews and that he had not seen him carry a rifle with him at the time.

¹⁰⁷ The report stated 1945 and that was probably a misspelling, as in other testimonies they was quote as 1944.

¹⁰⁸ No details could be found.

¹⁰⁹ AIPN Rz, 358/80/DVD, *Protokół z rozprawy głównej z 26 III 1952 przeciwko A. Rewerowi*, [Rzeszów], 26 March 1952, pp. 101–108.

Teofil Kielar¹¹⁰ and Jan Szylar¹¹¹ confirmed the words of Rewer that he deserted from the guard and was wanted by the ‘navy blue’ police. Szylar also testified that on the day of the search, the question of imprisoning the Jews was not only undertaken by the ‘navy blue’ police but also by a German. Władysław Nycz from Sietesz¹¹² said that Einhorn had wrongly accused him of arresting the Jews, claiming that he had seen it with his own eyes, while the trial showed that this was not true. Antonina Szpunar from Husów¹¹³, on the other hand, testified that when she was hiding Einhorn he wanted her, for his own security, to get rid of his sister-in-law and her husband, who were hiding with him (Einhorn denied persuading her to do so). A crime scene visit was also made at Katarzyna Bar’s house. On the basis of these examinations, the court found that the possibility of observing the Markowa crossroads from the hiding place was very limited and only after leaving it and lying down, one could see the place where the jail was located. It is impossible to determine whether Einhorn, risking his own life, watched what was happening there or, as Katarzyna and Stefania Bar testified, he was hiding in a henhouse where he was safer, but from where he could not see the events he was describing. In any event, having testified after the crime scene visit and despite the fact that the witnesses had denied his version, he merely stated that he sustained his testimony made before the court on 26 March 1952. The court also examined the file of the VI K 33/51 case and the judgment of the IV K 236/51 case¹¹⁴.

On 21 April 1952 the court announced a verdict, which acquitted Rewer. The justification said, among others, “Comparing the above testimony of witness Jakub Einhorn with the testimony of witnesses questioned in the course of the trial and with the results of the court’s eyewitness findings [crime scene visit – M.Sz.], and, moreover, taking into account the fact, as determined by the Court based on the files of this Court ref. nos. VI K 33/51 and IV K

¹¹⁰ Teofil Kielar, son of Wojciech, born 2 October 1897, Markowa village headman of 1943 (AIPN Rz, 052/317/DVD, *Akta kontrolno-śledcze dotyczące Józefa Kokota, Protokół przesłuchania Teofila Kielara*, 21 March 1958, p. 77).

¹¹¹ Jan Szylar, nicknamed “Francuz” (“Frenchman”), born about 1890 at Markowa (AIPN Rz, 358/80/DVD, *Protokół rozprawy przed Sądem Wojewódzkim w Rzeszowie*, Markowa, 21 April 1952, p. 175).

¹¹² Władysław Nycz, son of Antoni, born 11 June 1904 at Husów (AIPN Rz, 353/114/DVD, *Protokół przesłuchania Władysława Nycza*, Przeworsk, 21 January 1949, p. 12).

¹¹³ Antonina Szpunar, born in 1902, during the war she lived at Husów (AIPN Rz, 358/142/DVD, *Protokół z rozprawy przed Sądem Wojewódzkim w Rzeszowie dotyczącej Bonifacego Sloty*, Rzeszów, 9 January 1953, p. 229).

¹¹⁴ AIPN Rz, 358/80/DVD, *Protokół z rozprawy głównej 21 III 1952 przeciwko A. Rewerowi*, Markowa, 21 April 1952, pp. 172–182.

236/51, that the witness Einhorn Jakub had charged the defendants with his testimony, but in both cases the Court did not give credence to the testimony of Jakub Einhorn, in the present case the Court similarly could not give credence to the testimony of witness Jakub Einhorn, which not only was not backed up by testimony of [other] witnesses but also contradicted the results of the court's eyewitness findings. It is unlikely, according to the Court, that the witness, hiding during a roundup, left his hideout and watched what was going on, knowing that at any moment he might be captured by the Germans or the 'navy blue' police, and knowing that in such case he would be punishable by death, which had already happened to his child, wife, brothers and sisters"¹¹⁵.

This verdict and the files of the case regarding Andrzej Rewer were further analyzed by the Voivodeship Prosecutor's Office in Rzeszów. In July 1952 it informed the Voivodeship Court at Rzeszów that it would not request a revision of the judgment¹¹⁶.

4. Case with reference number: Sm 295/53/P

The last investigation into the crimes against the Jewish population at Markowa in 1942 involved Franciszek Hawro. He was a resident of Markowa, who had completed four years of tuition at a local school. After serving in the Austrian army he worked on a 1-hectare farm and dealt in leather making. Before 1939 he went to Germany for seasonal work. During the war, because he knew German, the German *gendarmarie* often visited him. In 1950 he was sentenced to half a year at a labor camp for illegal slaughter of livestock by the Special Commission for Combating Fraud and Economic Pest¹¹⁷. His name was mentioned during the interrogation of Mozes Reich, who was hiding at Markowa during the war. Reich was probably arrested already in 1952 by the *Wojewódzki Urząd Bezpieczeństwa Publicznego* (WUBP; Voivodeship Authority of Public Security – the political police) in Rzeszów in connection with suspicions of financial fraud¹¹⁸ and on 8 July of the year he was interrogated by an officer from the KW MO in Rzeszów. He testified that during the German occupation

¹¹⁵ *Ibid*, Wyrok wraz z uzasadnieniem w sprawie IV K 48/52 dot. A. Rewera, Markowa, 21 April 1952, pp. 182–189.

¹¹⁶ *Ibid*, Pismo Prokuratury Wojewódzkiej w Rzeszowie do Sądu Wojewódzkiego w Rzeszowie, Rzeszów, 12 July 1953 [in fact 1952], p. 226.

¹¹⁷ Franciszek Hawro, son of Stanisław, born 19 November 1892 at Markowa (AIPN Rz, 383/14/DVD, *Protokół przesłuchania Franciszka Hawro*, Markowa, 14 October 1953, pp. 55–56; *Ibid*, *Protokół przesłuchania Józefa Kuda*, Markowa, 22 October 1953, p. 62).

¹¹⁸ AIPN Rz, 383/14/DVD, *Uwagi dla referenta*, [Przeworsk], 18 November [1953], p. 54.

Franciszek Hawro was catching Jews at Markowa. He added that he saw with his own eyes how, after the harvest in the summer of 1942, within a few days Hawro arrested Hersz Lorbenfeld¹¹⁹ and Dawid Sajtelbach¹²⁰, and took them, one by one, beating them on the way, to the Gestapo at Markowa, where they were shot. He also said that there were many more such cases, but he did not see them, only heard from those who were hiding with him at the time, and who emigrated to Israel after the war. He listed Abraham Kiesten¹²¹, Bronisław Homa¹²² and Jan Cwynar¹²³ as other witnesses of these events, and added that “other residents of Markowa commune are fully aware of this”¹²⁴. During the interrogation, Jan Cwynar provided the most information, describing the case of the murder of Efraim Korblau¹²⁵ by the Germans in 1941. He has also added that the inhabitants of Markowa did not participate in the subsequent detentions and murders of the Jews¹²⁶. Little was added by the testimony taken in Wrocław from Kiesten. He stated that during the war he was hiding at Albigowa and possibly also for a while at Markowa, but he could say nothing on the subject. He suggested, as recorded in the report, that Jakub Ajnhorn (meaning Einhorn) from Szczecin should be interrogated. Due to this misspelling the search for this witness failed¹²⁷.

In March 1953 the investigation was handed over to the County Prosecutor’s Office in Przeworsk, which started an investigation against Franciszek Hawro on 9 September 1953, suspecting him that “[one day] of an undetermined date of 1953 [misspelling, this should read 1942 – M.Sz.] at Markowa, acting hand in hand with the German state authorities, he arrested several citizens of Jewish nationality and handed them over to the police, thereby

¹¹⁹ Hersz Lorbenfeld, born about 1897, resident of Markowa, no details could be found (AIPN Rz, 383/14/DVD, *Protokół przesłuchania Mojżesa Reicha*, Rzeszów, 8 July 1952, p. 5).

¹²⁰ Dawid Sajtelbach, lived at Markowa, no details could be found.

¹²¹ Abraham Kiesten, son of Chaim, born 8 September 1909 at Albigowa, in 1952 worked as a carter in Wrocław (AIPN Rz, 383/14/DVD, *Protokół przesłuchania A. Kiestena*, Wrocław, 11 November 1952, pp. 25–26).

¹²² Bronisław Homa, resident at Markowa, no details could be found. The files do not mention him being interrogated.

¹²³ Jan Cwynar, son of Michał, born 14 July 1912 at Markowa (AIPN Rz, 383/14/DVD, *Protokół przesłuchania J. Cwynara*, Markowa, 22 September 1952, pp. 18–19).

¹²⁴ *Ibid*, *Protokół przesłuchania Mojżesa Reicha w KW MO w Rzeszowie*, Rzeszów, 8 July 1952, pp. 4–7.

¹²⁵ Efraim Korblau, no details could be found; perhaps the name was distorted (e.g. Kornblau).

¹²⁶ *Ibid*, *Protokół przesłuchania J. Cwynara*, Markowa, 22 September 1952, pp. 18–19.

¹²⁷ *Ibid*, *Protokół przesłuchania A. Kiestena*, Wrocław, 11 November 1952, pp. 25–26.

acting to the detriment of them as ones persecuted for racial reasons”¹²⁸. The prosecutor’s office then commissioned the County Headquarters of the MO in Przeworsk to conduct an interrogation of Franciszek Hawro. He pled not guilty of the charges. A few days later, his version was upheld by four other residents of Markowa, who were interrogated at his request¹²⁹. The prosecutor’s office received the report of the interrogation of Franciszek Hawro with the following letter: “[...] the above named was not detained and not brought to the County Prosecutor’s Office there because the above named is close to us in class terms and is elderly, and also there is no evidence of guilt, of him committing the above mentioned offense, since only one witness has charged him, while the witnesses indicated by the witness of the indictment have strongly denied possession of information about this case, and no other evidence has been collected in the investigation”¹³⁰.

Absence of documents to indicate a reaction of the prosecutor’s office to this letter indicates that it was simply accepted. In this situation, in December 1953 the office decided to conduct a confrontation between Mozes Reich and Franciszek Hawro, and since Reich was in prison in Rzeszów, the action was ordered to the County Prosecutor’s Office of the City and County of Rzeszów¹³¹. The efforts of the prosecutor’s office in this respect ended in a fiasco. To each of the two calls the family presented information that Hawro was ill. The last one showed that he was on medical leave until the end of April 1954¹³². Documents in the file do not allow inferring why the prosecutor’s office did not wait until then but dismissed the investigation on 5 March 1954. The justification of the dismissal said: “The testimony of Mozes Reich, as isolated in the light of the outcome of the investigation, cannot provide sufficient evidence, and more so since witness Mozes Reich was at that time a

¹²⁸ *Ibid*, *Pismo komendy MO w Przeworsku do Prokuratury Powiatowej w Przeworsku*, Przeworsk, 1 March 1953, p. 32; *Ibid*, *Postanowienie Sm 295/53 Prokuratury Powiatowej w Przeworsku o wszczęciu śledztwa przeciwko F. Hawro*, Przeworsk, 9 September 1953, p. 51.

¹²⁹ *Ibid*, *Protokół przesłuchania F. Hawro*, Markowa, 14 October 1953, pp. 55–56; *Ibid*, *Protokół przesłuchania J. Homy*, Markowa, 22 October 1953, pp. 59–60; *Ibid*, *Protokół przesłuchania J. Kuda*, Markowa, 22 October 1953, pp. 61–62; *Ibid*, *Protokół przesłuchania J. Szylara*, Markowa, 22 October 1953, pp. 55–56; *Ibid*, *Protokół przesłuchania J. Flejszara*, Markowa, 22 October 1953, pp. 65–66.

¹³⁰ *Ibid*, *Pismo posterunku MO w Markowej do Prokuratury Powiatowej w Przeworsku*, Markowa, 14 October 1953, p. 53.

¹³¹ *Ibid*, *Wniosek Prokuratury Powiatowej w Przeworsku do Prokuratury Miasta i Powiatu*, Przeworsk, 17 December 1953, pp. 68–69.

¹³² *Ibid*, *Zapisek urzędowy*, Rzeszów, 14 January 1954, p. 72; *Ibid*, *Zapisek urzędowy*, Rzeszów, 27 February 1954, p. 78.

juvenile boy 12 years old. The above circumstance, based on the fact that Mozes Reich only informed the authorities in 1952, thus eight years after the liberation, raises doubts as to whether the testimony of Mozes Reich's witness is fully objective, especially since the witnesses brought in by Mozes Reich did not confirm the allegations against the suspect, and no other evidence was collected during the investigation. In the absence of grounds for initiating the court proceedings, the investigation had to be discontinued due to lack of evidence of an offense"¹³³.

V. Summary

No one was finally convicted in the above-mentioned post-war criminal proceedings concerning the extermination of Markowa Jews. The newly discovered records of these cases are, nevertheless, an extremely valuable historical source. Bearing in mind the shortcomings of the investigative and judicial documents and the acquitting sentences, it is difficult to make strong conclusions about the scale of the involvement of individuals in the execution of German orders¹³⁴. Most charges against the participants of the searches were based solely on the testimony of Jakub Einhorn, whose credibility was weakened by the fact that the courts proved him partial misrepresentation. Careful analysis of the files shows that, indeed, Einhorn sometimes testified that he saw certain events with his own eyes, while in fact he knew them from accounts of eyewitnesses. The fact that other witnesses were reluctant to discuss these subjects and denied certain parts of their investigation testimony before the court also does not make it any easier to ascertain the truth. How complicated the situation was and how difficult it was to understand the relations between the Poles and the Jews, is shown by the fact that when in November 1943 the prayers for the deceased Michał Drewniak took place at his home, Jakub Einhorn arrived there from his yet another hideout. The rosary was attended by many inhabitants of the village, almost certainly including those who had been involved in the search for Jews 11 months earlier. No one denounced

¹³³ *Ibid*, *Wniosek Prokuratury Powiatowej w Przeworsku Sm 295/53 o umorzenie śledztwa w sprawie F. Hawro*, Przeworsk, 5 March 1954, pp. 80–82.

¹³⁴ For more information about this type of source, see R. Śmietanka-Kruszelnicki, *Protokół przesłuchania jako źródło historyczne* [in:] *Wokół teczek bezpieki – zagadnienia metodologiczno-źródłoznawcze*, Ed. F. Musiał, Cracow 2006, pp. 357–366; A. Skibińska, „Dostał 10 lat, ale za co?”. *Analiza motywacji sprawców zbrodni na Żydach na wsi kieleckiej w latach 1942–1944* [in:] *Zarys krajobrazu...*, pp. 327–335.

Einhorn¹³⁵.

On the basis of various testimony, however, it can be stated that in December 1942, besides the village headman Andrzej Kuda who ordered the search because the Germans ordered him to, an important role in managing it and in the imprisoning of the Jews was played by Andrzej Rewer, a hostage and the commandant of the communal guard at the time, and by Franciszek Homa, the head of the local OSP (in the latter case, however, it is not impossible that attempts were made to blame him for actions of others, since the criminal proceedings took place after his death). Wojciech Krauz was a person who took part in the search with personal commitment, but who was also beating the Jews. Who were the other people searching for Jews? Most of the witness testimonies and accounts that mentioned this subject, pointed at the firefighters. Apart from Franciszek Homa, already mentioned, Michał Szpytma was a firefighter as were probably some other persons whose names appear as suspects in the files. Was their participation in the search mandatory, as it was for the communal guard, and was refusal punishable by death or other penalty? The files of the proceedings analyzed here do not allow a final answer to these questions. The firefighters wrote on the subject in the OSP diary after the war: “In 1941 [it should read ‘1942’] the Fire Brigade as an organization was drawn into a round-up of the Jews, which was a great trouble for the Brigade. Later, however, the Brigade was acquitted, because it was seeking so as to find no one”¹³⁶.

It is impossible today to determine beyond doubt what was the responsibility of individuals for what happened at Markowa in the summer and fall of 1942, but there is no doubt that those were among the most tragic days in the history of the village.

¹³⁵ Recording of an interview with Antoni Drewniak, in the author’s collection.

¹³⁶ L. Cyran, J. Lonc, *Kronika OSP w Markowej 1911–1961...*