

# The Executioner At War: Soldiers, Spies and Traitors

**A**lbert Pierrepoint was not called up when war broke out. But there were war-related changes for him as well. Not only murderers and murderesses could now be punished by death, there were sentences under the *Treason Act* and *Treachery Act* as well, both imposing »death« as the maximum penalty.

The *Treason Act* went back to an ancient law of King Edward III's time (1351). »Treason« was, first of all, any attack on the legitimate ruler, for instance by planning to murder him, or on the legitimacy of the succession to the throne: It was treason as well if someone tried to smuggle his genes into the royal family by adultery with the queen, the oldest daughter of the king or the crown prince's wife. This aspect of the law became surprisingly topical in our days: When it became known that Princess Diana while married to the Prince of Wales had had an affair with her riding instructor James Hewitt, there were quite some law experts who declared this to be a case of treason – following the letter of the Act, it doubtlessly was. However as it would have been difficult to find the two witnesses prescribed by the Act, a prosecution was never started. Just Hewitt's brother officers of the Household Cavalry did something: They »entered his name on the gate« which was equivalent to drumming him out of the regiment and declaring the barracks off limits for him.<sup>317</sup>

During World War II, it became important that a person committed treason if they supported the king's enemies in times of war. However: Treason of this kind could be committed only by those who owed »allegiance«, i.e. by those who were subjects of the crown or, at least, were living permanently in the country. Now what about foreigners who sneaked into the country as spies or saboteurs, or came by parachute? They could not be tried under the *Treason Act* but only under the *Official Secrets Act* or under the *Emergency*

*Powers [Defence] Act 1939*. These laws, however, only imposed prison terms. From the prosecution point of view it was awkward as well that the Treason Act demanded two witnesses at least in order to convict. The legal advisers of the War Cabinet agreed that this was insufficient, that an act should be drawn up carrying the obligatory death penalty for spies – just as was the case with murder –<sup>318</sup> and which, with regard to the proof required, was less demanding than the Treason Act.

Consequently in May 1940 the *Treachery Act* was hurried through Parliament. James Hayward<sup>319</sup> hints at the British counter-espionage (MI5) not being much interested in seeing spies and saboteurs hanged – a dead spy had no value at all. It was the politicians, first and foremost Winston Churchill and Lord Swinton, head of the Security Executive, who wanted to have spies executed, and accompanied by as much propaganda noise as possible.<sup>320</sup> Concerned M.P.'s were told during the reading that the Treachery Act was aiming at grave cases only; lighter ones could still be tried under the Defence Regulations. There was one hitch, however: It is basically for the court to decide whether certain acts (if proved) are to be regarded as »grave« or not. But this decision was now suddenly transferred to the prosecutor because it was his decision under which law he proceeded. During the debate, speakers for the government pointed out that prosecution could be made under the Treachery Act *and* the Defence Regulations, thus again leaving the decision on the weight of the guilt in the hands of the court. And this the prosecutor would certainly do. (He didn't – not always, that is.)

A further problem was that the Treachery Act spoke of »intent« as being a requisite element of the offence:

If, with intent to help the enemy, any person does, or attempts or conspires with any other person to do any act which is designed or likely to give assistance to the naval, military or air operations of the enemy, to impede such operations of His Majesty's forces, or to endanger life, he shall be guilty of felony and shall on conviction suffer death.<sup>321</sup>

Intent, however, is a *subjective* element of the offence and therefore hard to prove – like anything that happens inside a criminal's head. During the second reading of the Treachery Act, left-wing Labour M.P. Sydney Silverman demurred that the prosecution might be tempted not to prove intent but to merely infer intention, following the legal rule that every man is presumed to intend reasonable consequences of his intentional acts. So if I commit an

intentional act which has as its reasonable consequence something favourable to the enemy, according to this doctrine I »intended« this consequence as well, i.e. intended to help the enemy. Criminal intent would thus – albeit indirectly – be proved. The chief legal adviser of the government however, the Attorney General, rejected this fear in a grand gesture:

I really do not think there could be any such danger. The words are quite plain. We are dealing with a case of a most serious character—a capital charge—where the burden on the prosecution has to be fulfilled to the last scintilla, if one may use that expression, and although, of course, the circumstances may build up evidence from which a jury may draw an intent—after all, the last arbiters are the jury— I cannot imagine any possible subject matter in which 12 fair-minded Englishmen or Englishwomen would be more completely satisfied that criminal intent had to be proved than in a case of this kind.<sup>322</sup>

But precisely this unimaginable happened to the Abwehr agent Josef Jakobs<sup>323</sup>. Nothing more could be proved against him than his landing by parachute; he had broken his leg on the landing, and had himself attracted notice by firing pistol shots into the air; he denied any intention to fulfil his mission but had agent's equipment with him.

At this time, MI5 controlled all German spies who had been sneaked into the country, without exception. Some of the men were just kept prisoner and were interrogated as informants again and again – the MI5 people spoke of their »living library«, which they »consulted« every now and then –, some were turned and used as double agents. For this latter purpose, however, only those men were eligible who were not known to a large number of civilians as being taken prisoner and who had not yet used their wireless. But: »He (= Jakobs) was manifestly unemployable as a double agent«, said Colonel Robin Stephens, chief of »Camp 020« in Latchmere House, London, the interrogation centre for captured spies, »and blank as a tome of reference in the living counter-espionage library at 020. There was no good reason why he should continue to live.«<sup>324</sup>

This – and not the weight of his guilt – cost Jakobs his life; he was handed over to the politicians as free game. He was prosecuted under the Treachery Act – and not under the Defence Regulations –, was accused of attempted espionage, was tried – as a soldier – by a military court which meant there was no jury, was found guilty and shot at the London Tower on 15 August

1941. His was the last execution to be performed there, ever. The other 16 men who were accused and sentenced under the Treachery Act were hanged.

One of them was Karel Richard Richter.<sup>325</sup> Some MI5 agents were not happy at all about his execution and its subsequent publication. It seemed certain to them that Richter, among other things, had been given the task to find out whether another German spy – Wulf Schmidt aka TATE (English code name) aka LEONHARDT



**Karel Richard Richter**

Mug shots taken from his MI5 file.

(German code name) – was at large or was working as a double agent in British hands. They were afraid that the German Abwehr might consider this spy as exposed if they learnt that Richter's cover was blown. That would be the end of a promising double cross game for which the British used Wulf Schmidt. However the sceptics did not prevail with these arguments, and Richter was hanged.

The 29-year-old agent started a memorable and unique fight when Albert Pierrepont and assistant Stephen Wade entered his cell. First he ran his head with full force against the cell wall, possibly to stun himself. But he remained conscious, and resisted with might and main. He even succeeded to tear the pin of the buckle on his arm strap from the hole so that he was free again. Four prison warders, two executioners, and 17 minutes (!)<sup>326</sup> were required to subdue the prisoner who stood 5 foot 11.5 inch high and weighed 172 pounds, to pinion him anew and frogmarch him onto the trap doors.

There are different versions of what happened next. The better known is the one which Pierrepont gives in his memoirs (he calls the prisoner »Otto Schmidt«)<sup>327</sup> and which is confirmed by Stephen Wade's diary.<sup>328</sup> At the very moment when Pierrepont opened the trap doors, Richter jumped high, the rubber ring at the noose slipped, and the noose opened a bit. It did not slide over the head but was caught at the upper lip under the nose. In this position, the noose could not draw tight fully and could not occlude blood vessels and

airways. Pierrepoint asserts that »Schmidt« died of a broken neck, and the LPC4 entry confirms it: »Fracture dislocation between 3rd and 4th vertebrae with crushing of the cord.«

The other version is in Robert Jackson's biography of the London coroner Sir William Bentley Purchase.<sup>329</sup> There, a verbatim quote reports what allegedly a prison warder told Purchase after he had held the customary inquest following Richter's execution at Wandsworth:

...when we went into his cell to take him to the shed he announced that he didn't propose to be hanged by a lot of British bastards. We had to take him, but he put up a terrific fight, knocking us all over the place. But the British bastards hanged him all right, even though we had to strap him on a board to do it.

Such a board did indeed exist. At Wandsworth prison, it was kept together with other execution paraphernalia in a built-in cupboard below the stairs leading from the gallows chamber to the *pit*.<sup>330</sup> If Fielding is right, it was used in the execution of the spy Carl Heinrich Meier.<sup>331</sup>

An aspect in disfavour of Jackson's narrative is the fact that a man strapped on a board hardly could have jumped in the manner described by Pierrepoint. Another: that here a journalist (Jackson) quotes the words of an informant who is notorious for his penchant for drasticness and exaggeration (Purchase) who renders an alleged dialogue with a prison warder of whom we do not even know whether he claims to have been present or whether he just tells prison talk. Albert Pierrepoint, who mentions the board in question in his memoirs as well, denies however to ever having used it.<sup>332</sup> All in all: It is possible that at some time a spy was strapped on this board – just that it wasn't Richter.

I give another story told by Purchase and Jackson which illustrates perhaps even better their quality, and at the same time justifies my scepticism. Purchase, at that time still Deputy Coroner, and barrister in his principal occupation, meets a colleague in his club and calls him to his side:

»Remember So-and-So, that fellow convicted of knifing the girl?« he asked. Bolton nodded.

»I held an inquest on him this morning, and what do you think? His neck was stretched to this length.« Purchase held his hands apart to indicate a distance of more than a yard.

»Mr Purchase,« the shocked Bolton protested. »I am just having my tea.«

»But it's true,« insisted Purchase, ignoring Bolton's shock. »Yes,« he said, adjusting his hands to give a little more distance, »at least this length!«<sup>333</sup>

In the many LPC4 forms which I have seen, the difference between the drop length as decided upon before the hanging, and the drop length as measured one hour after the execution is round about two inches as a rule, sometimes up to four inches. There are about a dozen examples for more than that, but all of them are far away from a yard.

I know just two cases, documented on an LPC4 form, with a difference of more than ten inches: 4 April 1894 in Birmingham: 16 inches (Frederick William Fenton), and on 7 July 1896 in Reading: 11 inches (Charles Thomas Wooldridge, i.e. the »C.T.W.«, to whom Oscar Wilde's »Ballad of Reading Gaol« is dedicated). These two cases already seem so monstrous that one would prefer to believe in an error of measurement – let alone Purchase's »yard«.

For such an excessive elongation of the neck to happen, such as Purchase wants to make believe in his anecdote, all neck organs including muscles and sinews needed to be torn, with the exception of the skin which is, admittedly, very flexible. Until I find documentary proof to the contrary, I consider this a myth.

Three more spies were hanged at Pentonville by Stanley Cross who had been trained together with Albert Pierrepoint. Unfortunately, he seems to have had a poor head for arithmetic; on an earlier occasion in Pentonville he had reaped criticism on the LPC4 form: »He is not a suitable person on account of mental incapacity vide particulars of length of drop.«<sup>334</sup> Now, again, prison doctor James Liddell criticized him for being not good at figures and not certain of working out drops.<sup>335</sup> He was never again called upon as principal, and disappeared from the list in the following year (1941).

Another series of executions was caused by the war as well. There were American soldiers in Britain – »overpaid, oversexed and – over here«, as the saying went. The *United States of America (Visiting Forces) Act 1942* ruled which criminal law was to be applied to them if necessary: their own military law. This meant that delinquent American soldiers – even if their crime was not a military one – were tried, in Britain, by American military courts. Prison terms could be served in Shepton Mallet Prison (in Somerset in South West England). This old jail, dating from the beginning of the 17th century had

been closed in 1930 but was re-opened as a military prison for the British army in October 1939. In mid-1942 it was handed over to the Americans as a military prison. In the case of the death penalty – in the US military code still available for rape at that time – the methods of »musketry« (shooting by firing party) and hanging were eligible. A firing party had to be assembled by the US Army themselves, but when it came to hanging, they were required to resort to civil experts.

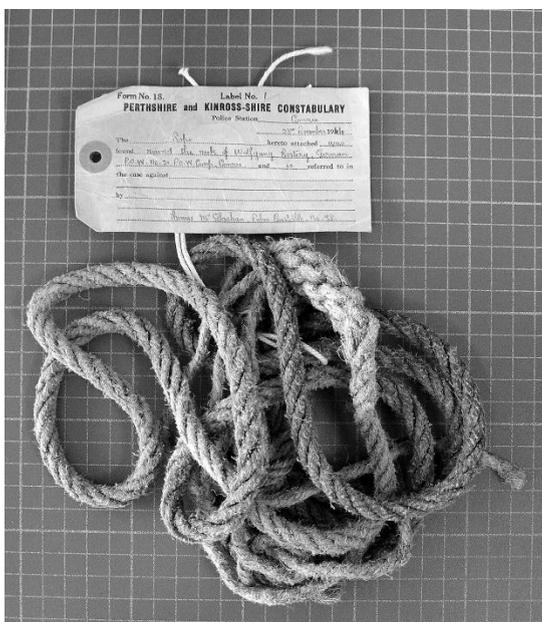
Thus it came to pass that the Pierreponts, uncle Tom and nephew Albert, were summoned 16 times all in all to Shepton Mallet where an annex with a British style gallows had been erected. Sources disagree whether Thomas Pierrepont was the principal at all executions or at 13 only (with Albert Pierrepont responsible for the remaining three). It is remarkable that in these executions, British and American traditions were mixed. The gallows, the pinions, the rope, the execution method proper were British; the time (1 a.m.) and the formalities preceding the final act, with the reading of charge sheet and sentence, prayer, last words of the culprit etc. were American. One such execution is featured in the opening scene of Robert Aldrich's movie »The Dirty Dozen« (1967): The rope used is of the British type but is put on over a black (instead of white) hood and is facing the wrong way at that, and US military police are officiating as executioners – to name just the most blatant mistakes.

In his memoirs, Albert Pierrepont says very candidly that waiting idly on the scaffold for perhaps six minutes was hard to get accustomed to whereas otherwise he would be looking down the open trap doors after twenty seconds. This delay caused by formalities he found very irksome. Others suffered from it, too: Pierrepont reports that on one occasion, the officer of the escort fell down in a faint.<sup>336</sup>

Other trials were related to the war, too: German prisoners of war faced trial for the murder of fellow prisoners. On 6 October 1945, at Pentonville, five German prisoners of war were hanged in five single executions. Stewart McLaughlin relates the preliminary events thus:

In September, 1944, the German POWs (i.e. the five just mentioned, TV) had all been incarcerated at a camp in Devizes, Wiltshire, where they had been working on an elaborate escape plan. The ringleader was Erich Pallme Koenig, a fervent Nazi. But it all came to nothing, for in December the plan was discovered. The result was that a

number of prisoners were swiftly transferred to Comrie in Perthshire – not exactly Colditz, but where, if nothing else, escape would be that much harder. Did someone betray the escape plan? If so, who was it? Koenig and his unofficial camp committee were convinced that it was Sergeant-Major Wolfgang Rostberg, a regular soldier in the German army, as distinct from a wartime conscript. Unlike many of the other POWs, Rostberg was in his mid-30s and not a Nazi. He could speak English and was employed as the camp's interpreter, which meant that he was in constant contact with the British authorities. Soon after the prisoners arrived at Comrie, Rostberg was dragged from his bed and given a summary »trial« by a group of Nazi POWs thirsting for revenge. He was found guilty of betraying the escape attempt. He was beaten until he was unrecognisable and then hanged in a washroom building.<sup>337</sup>



**The murder weapon in the Rostberg case** is still preserved as an exhibit in folder WO 208/46333 of the British National Archive.

This account is a rather distorted and shortened version, though. The problems start with the names of the persons involved. The internet as well as the literature teems with a multitude of wrong spellings, probably dating back to the newspaper coverage of the trial. The Online Grave Search of the Volksbund Deutsche Kriegsgräberfürsorge (German equivalent to the Imperial War Graves Commission) yields the following data:

The murdered man was Feldwebel (sergeant major) Wolfgang Rosterg, and he was born on 17 December 1909 in Wiesbaden. He died on 23 December

1944, and he is buried at Cannock Chase War Cemetery in Staffordshire: Section 4, row 15, grave 207.



### **Wolfgang Rosterg's grave** in Cannock Chase, Staffordshire

During the trial of his murderers it came to light that he had been asked during the mock trial whether he was a Nazi, and he had replied: »Certainly not.«<sup>338</sup> This disclosure was courageous but unwise: In Comrie, it was the 150 percent Nazis who set the tone.

At Devizes, Rosterg had served as interpreter to Jim Gaiger, camp Clerk of Works. Gaiger remembers him as »very thick, ... thirteen stone possibly«, with »pebbled glasses«.<sup>339</sup> According to de Normann, Rosterg was the son of a »reasonably wealthy« industrialist in the conglomerate of IG Farben.<sup>340</sup> This can only refer to August Rosterg, at the time majority stockholder and CEO of the Wintershall AG (potash works, oil production) as well as member of the »Freundeskreis Reichsführer-SS«.<sup>341</sup>

If August and Wolfgang Rosterg were indeed father and son, we have here a remarkable family constellation: The father supports the Nazis with money,

and the son is killed for his enmity to Nazism which, however, seems to have been of only recent date: Again according to de Normann, in the early thirties he had been in England for educational reasons and, at that time, had given the impression to some of those whom he met as being very much imbued with the Nazi ideals.<sup>342</sup> But this must have changed distinctly within a few years and may have led to an alienation of father and son. As early as 1941, August Rosterg entered into a testamentary contract with his eldest son Heinz Rosterg, according to which Heinz forwent his heritage but was entitled to capitalize on the whole (!) property and to cash in the Wintershall dividends<sup>343</sup> – this amounted naturally to the disinheritance of Wolfgang who, at that time, was still alive.

The men sentenced for Rosterg's murder were (spelling of the names, again, according to the Volksbund web site) Oberfähnrich (cadet 1st class) Erich Palme-König (21), Unteroffizier (sergeant) Joachim Goltz (20), Soldat (private) Kurt Zühlsdorff (20), Gefreiter (private first class) Josef Mertens (22) and Obergefreiter (corporal) Heinrich-Wernhard Brüning (22). All of these five are shown as having died on 6 October 1945 and as being buried in »Pentonville Prison Cemetery«.

The ranks as given above need some correction, though: According to the trial report of the *Salt Lake Tribune*<sup>344</sup>, Goltz was SS-Unterscharführer, Zühlsdorff SS-Mann, and Brüning SS-Rottenführer, while Mertens is designated as Matrose (seaman). The Volksbund web site gives the equivalent army ranks.

The escape plan allegedly betrayed by Rosterg was »The Giant Thing«. The escape planners at Devizes, »blacks« according to British categorization (i.e. hard-boiled Nazis) allegedly had planned to furnish themselves, after the escape, with weapons and vehicles, even tanks, by raiding neighbouring military establishments, to free comrades from other camps and to march to the East coast where they would find paratroopers and ships sent to meet them!<sup>345</sup>

A hair-raising story with seemingly but little core of reality.<sup>346</sup> American interrogators had extracted it from two prisoners of war named Storch and Wunderlich. Storch pretended to cooperate with them in the frustration of this plan while on the other hand he followed his very own and quite different escape plan. It was a giant and fatal mess of rumours, lies, and intrigues, even more complicated by the fact that almost at the same time the decrypting

wizards of the *Government Code and Cipher School* in Bletchley Park cracked a wireless message by the German supreme command, asking for English-speaking hand-to-hand combat experts who should volunteer for a Special Mission. This message, as we know today, concerned the formation of a special unit, the 150th SS Tank Brigade under SS-Obersturmbannführer Otto Skorzeny, which was to operate behind enemy lines during the Battle of the Bulge («Unternehmen Greif»). The English however saw a connection to the escape story, and panicked. On 14 December 1944, Camp Devizes was surrounded by B company of the 8th Battalion of the Parachute Regiment. 32 ringleaders were loaded into buses and brought first to »London Cage«, the interrogation center of MI19, later to Comrie POW camp. For whatever reason, Rosterg was included in this transport, although he had nothing to do with either the escape plan or its discovery. This mistake of the English contributed to Rosterg's murder.

When the guards, in the morning of 23 December 1944, found Rosterg's body hanging from a rope with his face beaten to pulp, they at first believed they could save him, but then had to realize he was dead. The murder investigation did not get under way in a truly professional manner until, by the end of March, 1945, Lt.-Col. Archibald Wilson who had formerly served with the police took over the camp and Captain John Wheatley was assigned to Comrie murder as a special investigator. He was a barrister and a member of the *Judge Advocate General's Department*. Staff Sergeant Herbert Sulzbach, a German Jew, supported him as interpreter. Wheatley was an obviously very able lawyer, for after the war he rose to be »Lord Justice Clerk«, the second highest rank of a judge in Scotland, and was ennobled as »Baron Wheatley of Shettleston«.

The chief problem for him and his staff was to find witnesses who would give evidence and stick to it. None of the other prisoners was ready to give evidence against Rosterg's murderers as long as there was danger that at home in Germany it might get known and then perhaps their family would suffer for their »betrayal«. This fear continued even until after the war, when in July 1945 the trial took place: The court gave assurance that the names of the witnesses being heard would not appear in the Press, and admitted only those reporters who agreed to this restriction. Of the twelve men who had originally been charged, eight faced trial. Six were found guilty and were condemned to death; one of them was reprieved to serve a life term.<sup>347</sup>

Harry B. Allen was one of the two assistants at the execution of the Five, and afterwards noted in his execution diary, rather appalled:

The five following prisoners are the most callous men I have ever met so far but I blame the Nazi doctrine for that it must be a terrible creed.<sup>348</sup>

On 16 November 1945 two more German prisoners of war were hanged at Pentonville. PFC Armin Kühne (18) and Sergeant-Major Emil Schmittendorf (31) were the ringleaders of an action during which on 24 March 1945 at Lodge Moor POW camp near Sheffield hundreds lunged out at a fellow prisoner, Sergeant Gerhart Rettig (25) and beat him up. Rettig was taken to hospital alive but died there from cerebral bleeding and today lies buried on Cannock Chase War Cemetery.<sup>349</sup> Again suspicion played a role, just as with Rosterg, that Rettig had given away an escape plan. And again, the suspicion was unfounded: The British had known about it for a long time, they did not need a »traitor«.

To this day, the seven comrade murderers lie buried in the prison cemetery at Pentonville. The Exhumation/Reburial Service of the Volksbund Deutsche Kriegsgräberfürsorge could not be told the place of burial by the British authorities.<sup>350</sup> This appears strange, for the keeping of precise burial documentation was part of the regulations, and the Pentonville burial register in particular ought to have been available at least until 1965, for in this year the Irish national hero Sir Roger Casement, hanged at Pentonville in 1916, was exhumed and brought home. For this, the existence of documents was a prerequisite, since the graves were not marked by any signs.



When World War II was over, the services of Albert Pierrepoint were no longer needed just for murderers and spies but also for settling the account with traitors and war criminals. The Royal Warrant of 14 June 1945 for the Trial of War Criminals provided for shooting or hanging in the case of a death sentence. The Americans, in their occupation zone, used the Bavarian executioner Johann Reichhart, who had already executed more than 3,000 persons between 1924 and 1945.<sup>351</sup> Reichhart at first conducted some executions alone; later, on 28 and 29 May 1946 at War Criminals Prison No. 1 Landsberg/Lech, he took turns on two gallows with an American hangman,

Master Sergeant John C. Woods. The US army shot films of these executions in which Reichhart can be identified without doubt: a skinny man in his mid-50s wearing a white shirt and a bow tie.

The British were different: If the war criminals were not to face a firing party, they should be executed by their own foremost expert and to domestic standards. They settled for Hameln Prison as the place of execution and Albert Pierrepoint as executioner. The Royal Engineers built an execution chamber in the West wing of the prison. The first to die there were the condemned of the Bergen-Belsen trial which had taken place from 17 September to 17 November 1945 at Lüneburg: Josef Kramer, Irma Grese, Johanna Bormann, Elisabeth Volkenrath and seven others plus two condemned from a different trial.

I do not know of a construction drawing which would indicate where precisely this place of execution was. But at least the approximate location can be gathered from Pierrepoint's memoirs:

Inside Hameln Gaol on this day<sup>352</sup> the Royal Engineers had just finished building the execution chamber, *at the end of one of the wings. It lay on the right hand side of a long corridor adjoining the condemned cells, which were the smallest cells I have ever seen human beings confined in.*<sup>353</sup>

Further, it would have been logical to install the gallows room in the first floor, just like in an execution suite of British build. Which would have meant to break a hole in the floor slab between ground floor and first floor; in the ground floor the body could then be taken off the rope and put in the coffin.

Hameln local historian Bernhard Gelderblom<sup>354</sup> provided me with a photo



which shows, at the end of the West wing, next to the annex erected after the war, a ground floor exit door which would have been very apt for bringing the coffins outdoors and to the graves which were probably close to the West wing.

**Hameln Gaol, narrow side of West wing** from the South. The annex was added after the war.

From Gelderblom's collection as well stems a plan of the »Strafanstalt Hameln« labelled »2. Obergeschoß« (2nd floor), of which the part showing the West wing looks like this:



It is plain to see that there was a large cell at the end of the wing anyway on the second floor. If this was the case on the first floor as well, it would have been the obvious choice to install the execution room in this large cell. It is tempting to assume that some of the markings refer not to the second but to the first floor, the plan of which presumably conformed to the second but may have been lost.

Some original interior walls have been marked later as »removed« by crosses in black ink. Some of these crosses have been emphasized by retouch in red ink and give the impression that, by tearing down walls, the large cell at the end of the wing (No. 214) was joined with two adjacent smaller cells (No. 215, 216). As one can gather from the dimensioning of the cells on the opposite side of the landing, No. 212 and 213, removing the interior walls creates a room of approximately 3.8 by 6 meters with two windows. The doors of cells 214 and 215 from the landing should obviously be bricked up – they are crossed out in the plan, too. Is this where the Hameln place of execution was formed? The room would certainly be large enough. It also answers Pierrepoin's description (at the end of the corridor, to the right) and fits the usual situation of an execution suite – except for the fact that the *second* floor does not fit for a place of execution at all.

And there is a further problem. Gelderblom owns, from the estate of a German prison officer, a probably unique photo which allegedly (!) shows the break in the ceiling as it looked after the removal of the Hameln trap doors.



**Ceiling penetration in Hameln Gaol.**  
Oral tradition connected to this photo says this was the trap door opening. But can this be true?

The observer looks from below upwards through an oblong opening of which the narrow side is to the left. The longitudinal axes of the trap door and of the gallows beam would then have run parallel to the wall in which you see the window on the photo. One would like to identify the window with the window in the South wall of cell 214 (or of the equivalent cell on the first floor) because it is only there that the distance between the left edge of the window and the corner of the room would fit – but that's impossible.

It is clearly visible that the window is divided into square panes: Three vertically and six horizontally. The photo of the South wall from outside shows that there was no such window on the first or second floor, just on the ground floor.

This leaves us with an insoluble riddle: The plan with its striking out of walls and doors points – if taken literally - to the second floor as the site of the gallows, the logic and the British use to the first floor, and the photo to the ground floor – but this cannot be true either, for Albert Pierrepoint says, referring to the execution morning:

*We climbed the stairs* to the cells where the condemned were waiting ...<sup>355</sup>

(Italics mine.) This rules out the ground floor, but the precise site of the Hameln gallows remains undecided.

The Royal Engineers had evidently dispensed with sound insulation as would be found in a British prison. Pierrepoint reports:

I had come to the decision that I must take the women first. The condemned cells were so close to the scaffold that the prisoners *could not but hear the repeated sounds of the drop*. I did not wish to subject the women for too long to this. I determined to carry out the execution of the women, singly, at the start, and follow with double executions for the men.<sup>356</sup>

Pierrepoint's description of the condemned cells at any rate admits of the supposition that they were the same size as those depicted in the plan: »The cell was far too small for me to go inside, and I had to pinion her (Irma Grese) in the corridor.«<sup>357</sup> At a bit over five square meters space and a length of about 3.8 meters they could only have a width of a bit over 1.3 meters; in some cases, a width of only 1.27 meters is entered in the plan.

Something made the task very special for Pierrepoint: He was alone. The military government had flown him in and treated him like a lieutenant colonel<sup>358</sup>, but denied him a trained assistant. Instead, Regimental Sergeant Major Richard O'Neill, otherwise working with the Control Commission, had been detailed for him. Pierrepoint was appalled at first at the prospect of working with an absolute novice, but the cooperation went much better than anticipated.

O'Neill continued to be Pierrepoint's assistant for all executions in Hameln which followed. Later, there were additional assistants: Alexander Hurry (29 times on 8 and 11 October 1946, and on 7 March 1947), Sergeant Joseph Hunter of the Royal Canadian Mounted Police (12 times on 22 and 23 January 1947), and Edwin J. Roper (all 45 executions between 5 September 1947 and 30 January 1948). Roper had been chief executioner in Shanghai and Hong Kong between 1935 and 1946.<sup>359</sup>

Pierrepoint's second difficulty consisted in the fact that directly at the outset he had to deal with condemned persons of very extreme build. Josef Kramer for instance, camp commander of Bergen-Belsen, stood 6 foot 2 and weighed 205 pounds. SS overseer Johanna Bormann, on the other hand, was a foot shorter and weighed less than half his bulk. Other condemned, too, did not bring much on the scales, presumably because of the undernourishment typical of the time. Sometimes it was a problem for Pierrepoint how to give those lightweight prisoners enough drop energy. Pierrepoint did what he thought necessary, even if this meant departure from the »table«: In the case of Johanna Bormann, Pierrepoint exceeded the maximum, giving her 8 foot 8

inches of drop. It seems that Haughton's suggestion to attach weights to the feet if necessary was not acted on; perhaps Pierrepont did not know of it.

Pierrepont hanged all 13 condemned in one day. This was the first time that such a physical and mental effort was asked of him, but it was not to be the last time: Pierrepont hanged 16 condemned on 8 October 1946, 12 on 11 October 1946, 13 on 26 June 1947, 14 on 5 September 1947, 16 on 14 November 1947, and 15 on 26 February 1948.

In the morning at 9:34 a.m. he began with the execution of Elisabeth Volkenrath<sup>360</sup>; in the afternoon at 4:17 p.m. the trap doors opened for the last time, dropping two men. For this to happen in such a short time, it was necessary however to take the hanged persons off the rope earlier than was customary in England.

As soon as it became clear how many condemned were to be hanged during each of Pierrepont's visits, the Director of Medical Services (following a request by Brigadier Edmund J. Paton Walsh) turned to Dr. F. E. Buckland, Assistant Director of Pathology with the British Army of the Rhine, who was to be the acting medical officer attending the executions at Hameln.<sup>361</sup> He asked him whether he thought that there was any objection to inject the bodies immediately after the execution with a lethal dose of a chemical solution in order to guarantee that they could be taken down without delay. In other words: There was fear that it might be impossible to manage the execution workload if, as in England, a full hour had to pass between execution and release from the rope in Hameln, too. Dr. Buckland did not see any grounds for ethical objections and deemed 10 cc of chloroform appropriate.

He was convinced that the condemned did not feel anything of what happened after their drop through the trap doors because they were deeply unconscious by then. They had to die anyway – the doctor's syringe just shortened this process; one might even say: mercifully. Whether Dr. Buckland included the Hippocratic Oath in his ethical deliberations («I will not administer a poison to anybody when asked to do so») is a different question, however.

During the series of executions on 13 December 1945 this course was followed. As soon as the trap doors had opened, Dr. Buckland went down into the pit, mounted a step ladder and listened to the heartbeat for half a minute. He then injected 10 cc of chloroform; in some cases directly into the heart,

in others intravenously into the arm. The former led to instant stoppage of the heart, the latter after a few seconds.

When Pierrepoint came to Hameln for the next time – a series of eight executions on 8 March 1946 – the physician contended himself with listening to the heartbeat by stethoscope, and taking notes of the duration. Result: Audible heartbeat ceased after 15 minutes at the latest.

Ten executions were scheduled in Hameln for 15 May, and there was an electrocardiograph at the ready. In four of the five double executions on this day, one of the two men dropped through the trap doors simultaneously was hoisted up again by means of block and tackle. He was released from the noose and laid on a table. At this moment, Dr. Buckland's colleagues Major N. Compston and Major J. M. Zabokrzycki, who had not been present during the execution, entered the room and wired the body to the electrocardiograph.

Already the first subject, Erwin Hoffmann, started to breathe again while on the ECG table, and was immediately injected with chloroform; the time was 7 ½ minutes after the opening of the trap doors. Since this ECG record was no longer significant due to the artificial stoppage of the heart, the doctors took the second executee, Friedrich Uhrig, as a replacement. The same thing happened during the third double execution of the day: Wilhelm Scharschmidt's breathing restarted during the application of the electrodes. He got a chloroform injection, and in his stead Emil Günther was connected to the electrocardiograph, 15 minutes after execution. Meanwhile his heartbeat was no longer audible by stethoscope. At the end of the day the British had ECG readings of four hanged men: Friedrich Uhrig, Ludwig Lang, Emil Günther, and Otto Bopf. Now they knew that inaudible heartbeat could be recorded until up to 25 minutes after the opening of the trap doors. On 8 October 1946, it was noted in 15 executions how long after execution knee and ankle jerk reflexes could be elicited. It turned out that this was rarely possible later than one minute after execution, and that it ended in every case before the heartbeat became inaudible. Summing up, Dr. Buckland wrote after these 53 executions: For practical purposes it was »safe« to certify a hanged person dead as soon as the heartbeat was no longer audible – i.e. after 15 minutes at the latest –, and therefore to aim at executions in half-hourly intervals. This schedule was adhered to in all following execution batches, as the recorded times show<sup>362</sup>. I do not know whether chloroform

injections were used on later occasions either systematically or, as just shown, in an emergency. Of course nothing of all this came into the papers. Nor did Pierrepoint mention a word of it when writing his memoirs in 1974.

Pierrepoint performed 199 executions in the old penitentiary on the Weser banks – by no means on Germans only nor exclusively on war criminals. There were 41 Displaced Persons among them as well, who had been roaming the country after their liberation and who had begun robbing and killing. There were also two court-martialled British soldiers: 28-year-old Driver Francis J. Upson, who had killed a 60-year-old German woman in August 1946, in the French sector of Berlin, and MP Serjeant Charles E. Patrick, also 28 years old, who had killed, in January 1947, his (Scottish) girl friend.

The British army dealt with their black sheep in a more merciful way than the American: Unlike the Americans executed in the European theater of war, Upson and Patrick are not buried in a hidden and almost inaccessible place, cleanly separated from the »honourable« dead<sup>363</sup>, but lie buried in Hanover War Cemetery among their comrades. Admittedly, in a corner to themselves: In the far right corner near the enclosure, graves 36 and 37, row D, field 18. (Row D has just these two graves...).

German right wing radicals over many years surrounded the graves of the executed persons in Hameln (and, by the way, as well the graves of those hanged at US War Criminals Prison Landsberg) with a great amount of national pathos, trying to portray these war criminals as small cogs in the machine or as innocent victims of an arbitrary winners' justice. In order to counter this, the city of Hameln, in 1988, commissioned a documentary<sup>364</sup>. It shows who the hanged persons were, and with which acts they had been charged. Several myths are proved wrong in it, e.g. the one about a 25-year-old German, allegedly hanged on 6 December 1949 for the possession of a few cartridges. It really was a Polish D.P., and his crime was the murder of a policeman.

In the present context, I content myself with stating that – apart from the chloroform injections mentioned above and the 30-minutes-interval – I did not find any hints that in the Hameln executions anything happened differently from the executions of »normal« murderers at the same time in England.

In September 1946, Pierrepoint was commissioned to travel to Graz, Austria, too, was occupied by the Allies; there was a British Occupation Zone (consisting of Carinthia and Styria plus the British sector of Vienna), and there were military courts. At that time, eight violent criminals were lying in Graz-Karlau jail under sentence of death.<sup>365</sup> Pierrepoint was to perform their executions and to instruct the Austrian executioners detailed as his assistants – one of them was Vienna-based Leopold Zaglauer – in the English method of the long drop. A gallows of the British type had already been built in the Graz Landesgericht by Royal Engineers.<sup>366</sup>

Until then, execution by hanging was already known in Austria and had been practised since imperial times, but in a completely different manner: Two assistants lifted the condemned along a vertical pole without horizontal branch or similar. The upper end featured an iron hook. The executioner stood on a platform or ladder behind the pole, put a short, thin, soaped cord around the man's neck and fastened it to the hook. Thereupon the assistants dropped the condemned and pulled him down, adding their own weight. The principle and mode of action is therefore comparable to British strangulation of Calcraft's (or even earlier) times.



**Austrian hangman Josef Lang** after the execution of »traitor« Cesare Battisti on the throttling pole, Trento 1916

Anyway, Pierrepoint reports that after the Graz executions the Austrians trained by him immediately declared that they wanted to in future use the British method only, which was acceded to.<sup>367</sup> That was precisely what the British authorities had in mind from the outset. In a September 1946<sup>368</sup> minute of the Prison Commission we read:

Pierrepoint is at present in Vienna where he is employed by the Control Commission executing some Austrian criminals with a view to introducing the English method of execution into that country.

Since the British occupation authority, in building the Graz gallows, had already created precedents and made investments, it may be assumed that the decision on the future method of execution was already made and did not depend on the opinion of the Austrian hangmen.

The English gallows however seems to have been used in Austria exclusively for executions under British occupation law. Death sentences of the civil Austrian criminal courts continued to be executed, until abolition in 1950, on the traditional pole.<sup>369</sup>

The Bergen-Belsen trial, the further war criminals trials and subsequent executions made Albert Pierrepoint's name appear in the Press more often than suited himself and the Home Office. And when, in the first days of October 1946, the sentences were handed down in the Nuremberg trial of the major war criminals, newspapers started to announce that he would be the executioner, or even claimed that he had already arrived at Nuremberg.<sup>370</sup>

This was utter nonsense, as even the newspapers of the day could have known. Nuremberg was in the US Occupation Zone – it was inconceivable that the Americans would not remain at the helm in the execution of the sentences. The Nuremberg executions were entrusted to the executioner of the Third US Army, Master Sergeant Woods. Lieutenant Stanley Tilles was charged with the organization. According to Tilles' memoirs, Woods together with five military policemen helping him (among them Joseph Malta who later assisted in the executions) built three gallows, dismountable into three parts each, in the Landsberg prison shop. On the day previous to the executions, the team conveyed the gallows to Nuremberg on trucks and erected them in the gymnasium of the Nuremberg war criminals prison. Immediately after the executions they were brought back to Landsberg, and destroyed.<sup>371</sup> Therefore it seems to be a myth that, as Dachs<sup>372</sup> writes, it was Johann Reichhart who supervised the erection of the Nuremberg gallows.

According to the report of the American correspondent of the *International News Service*, Kingsbury Smith, the gallows were used alternately during the executions; i.e. on gallows no. 2 a hanging took place while the previous condemned was still hanging on gallows no. 1, and was possibly not even certified dead yet. The third gallows was kept as reserve.

American executions, like Canadian and Australian ones, can be used within the scope of this book for short comparisons only. The following hints may suffice:

Unlike its 1947 counterpart, the 1944 US Army pamphlet on executions did *not* feature a drop table and *no* instruction on how to tie the knot. This may mean that during the time in which this pamphlet was current (which includes the time of the Nuremberg hangings), the *standard drop* was used (but the length of this »standard« was not given in the pamphlet either), or that the decision on the length was left to the executioner in every case. It would then have been very crucial how experienced and how deft he was. Now what about Master Sergeant Woods in this regard?

About him, until very recently only what had been in the papers in 1946 was known. *Time Magazine*, for instance, credited him with 15 years experience as hangman and 347 executions till then.<sup>373</sup> However US Colonel French MacLean (ret.)<sup>374</sup> succeeded in finding and evaluating army files which had been inaccessible for a long time. Things were like this: If one of the American soldiers based in Britain was sentenced to death, the Americans engaged the Pierreponts. But rather soon after the invasion into Normandy, US courts martial handed down death sentences in France, too, and it was obviously neither practical to make the Pierreponts come into the country every time, nor possible to find a Frenchman with hanging skills. Therefore the US Army started searching the own ranks. In reply to the enquiry, Woods came forward, claiming to have assisted, before the war, at (civil) executions twice in Texas and Oklahoma, respectively. The army believed his claim without check-up (it was probably a lie; proof of Woods' alleged experience was never found).

Woods, until then a private soldier in an Engineer unit, was promoted to Master Sergeant in one day, and transferred to *Loire Disciplinary Training Center*. 1944/45 he was indeed involved in the execution of about 40 delinquent US soldiers as hangman or assistant. This is not a very large number, and quite a few of them are labelled by MacLean as »botched«.

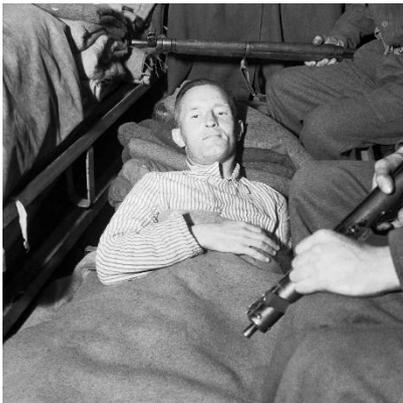
Nevertheless, in October 1946 Woods was not so inexperienced that one needs to believe Dachs' claim<sup>375</sup> that Johann Reichhart had to instruct the Master Sergeant in the art of hanging.

According to MacLean's book, as early as 1930 Woods had been examined by a psychiatric board in connection with a court martial – diagnosis: »Constitutional Psychopathic Inferiority without Psychosis«<sup>376</sup> – and was a hard drinker in 1946.<sup>377</sup> At Nuremberg, he worked coarsely and gorily – but it can be shown that his brother hangmen in the US prisons at home did not work a whit better.



More or less simultaneously to Pierrepoin's executions in Germany, the accounts were settled with traitors in England.

Four trials were not conducted under the Treachery Act but under the Treason Act. Two of them ended with a death sentence, but the prisoners were reprieved to serve life terms: Walter Purdy and Thomas Cooper. Obviously they were considered to be followers in treason, not leaders or heads. They were released as early as 1953 and 1954. The two other cases however became *causes célèbres*. One of them was the trial of William Joyce aka »Lord Haw-Haw«, the other the one of John Amery.



**William Joyce**, shortly after being taken prisoner

During the war, the Reichssender Hamburg transmitted propaganda broadcasts in English, called »Germany calling«. The broadcasters were known in Britain by their collective nickname »Lord Haw-Haw« (their speech reminded of the »haw-haw, dammit-get-out-of-my-way«-kind of English associated with a snooty lord). From 1940 on William Joyce became the

almost exclusive broadcaster and thus to his listeners finally *the Lord Haw-Haw*.

William Joyce<sup>378</sup> was born in 1906 in Brooklyn, NY to an Irish-catholic father and a CoE mother (therefore US citizen by birth), but three years later the family returned to Galway (Ireland). In 1932, William Joyce joined Sir Oswald Mosley's *British Union of Fascists* but left it later to found his own *National Socialist League*.

On 4 July 1934 he surreptitiously obtained a British passport by stating »Galway« as his place of birth. (As early as 1922, his father Michael Joyce had claimed in a letter to an authority: »We are all British and not American citizens«). 1938 and again in August 1939 he had his passport renewed for a year.

In 1939, he was warned that the government would intern him when war broke out. Thereupon, on 26 August 1939, he fled to Germany. In the same year he started his propaganda work for the Nazi radio which he continued throughout the war. In 1940, he gained German citizenship. On 28 May 1945 he was picked up by British troops near Flensburg, close to the Danish border. On 16 June 1945 he was brought back to England. His trial, however, did not start until 17 September, partly because his citizenship had to be checked beforehand by enquiry in the USA.

The prosecution charged him with three counts of treason. Joyce defended himself saying that he was not British and therefore could not have committed treason. The prosecutor however argued that at least the third count must stand: While his British passport was valid, he was entitled to claim diplomatic protection of which the complement was a duty of allegiance towards the king. He had violated this duty by making broadcasts for the Germans, i.e. the king's enemies, between 18 September 1939 and 2 July 1940, i.e. while his passport was valid.

The judge decided that Joyce's line of argument was correct with regard to the first two counts, but that the prosecutor was right with regard to count 3. He charged the jurors to find Joyce not guilty with regard to count 1 and 2, and to find him guilty with regard to count 3 if they were convinced that Joyce had made the broadcasts in question. The jury decided: Not guilty with regard to count 1 and 2, guilty with regard to count 3. The judge sentenced William Joyce to death as traitor.

Joyce's counsel, Gerald Slade KC, went to the Court of Appeal on 30 October 1945. He submitted that the judge made an error in law when charging the jury. The king had been unable to give diplomatic protection to Joyce during the time in question. Nor had Joyce, as an American citizen, ever thought of claiming such protection. If protection was neither claimed nor really possible, then there was no duty of allegiance either. Therefore Joyce could not be found guilty under count 3 of the indictment.

The appeal judges decided on 7 November along the same lines as the prosecutor and the judge: The mere ownership of a British passport was sufficient. However a second appeal, this time to the House of Lords, was allowed because this was a fundamental and important question in law.

A House of Lords committee presided over by the Lord Chancellor heard the appeal from 10 to 13 December, and rejected it on 18 December with a 4:1 vote. The decision was upheld: Whoever carries a British passport – no matter whether rightfully or not – owes allegiance, and is able to commit treason.

On 3 January 1946, Joyce was hanged at Wandsworth by Albert Pierrepoint.

Critics later claimed that in this decision »subject of the crown« and »passport owner« had been improperly rolled into one, but it was only the former who owed allegiance.<sup>379</sup> And even if the mere ownership of a British passport did bind a person in allegiance to the king: It was never proved that Joyce actually kept (as opposed to: destroyed) his British passport after crossing the German border and during the time of his alleged treasonable acts.<sup>380</sup>

The trial of the second traitor started after Joyce's. It ended with an execution before Joyce had exhausted his appeals. It was the trial of John Amery.

John Amery was the son of Conservative politician Leo Amery (colonial minister 1924-1929 and, during the Second World War, secretary for India). From early years, the young man was a problem for his father and for everybody else involved in his upbringing. He was the proverbial Black Sheep, ignored good manners and laws alike, married a former prostitute at age 21, failed in every business enterprise he tried, was in constant need of money, and finally turned fascist out of anti-communist motivation. In 1936, he was bankrupt and went to France. He later told his family that he had taken part in the Spanish civil war on Franco's side, but this was not true.

Only in 1939, after the civil war, was he in Spain for a few weeks before returning to France. There he stayed after the outbreak of the war, later went to Germany, met Hitler, did pro-German radio propaganda, and tried to form a British Free Corps under German command from British prisoners of war. Towards the end of the war he was in Italy to support Mussolini, was taken prisoner by Italian partisans at the end of April 1945, and handed over to the British.

On 28 November 1945, he stood trial at the Old Bailey, facing an indictment containing eight counts of treason. His younger brother Julian Amery had done his utmost to find proof that John had acquired Spanish citizenship during his stay in Spain before the war. That was what John had claimed – and what would have made him a foreigner who was not subject to the Treason Act.

This line of defence, however, fell flat; John Amery had *not* become a Spaniard. Now how could he defend himself? Should he go into the witness box and assert that he never intended to commit treason? In view of the activities which could be proved against him this was not very promising. Father and brother consulted with counsel (Amery, too, was defended by Gerald Slade KC) and arrived at the conclusion that it was better for John to plead guilty and hope for a reprieve. John agreed.<sup>381</sup> Hence no evidence was taken, there were no pleadings – eight minutes after the trial had started the judge already pronounced sentence of death.

Rebecca West, present as an observer, wrote:

Mr. Slade hoped that Amery would afterwards be reprieved because he was the son of a loved and valued public servant. The prosecuting counsel ... did all he could to dissuade Mr. Slade, pointing out that the social climate would never permit such a concession to one of the governing classes, and of course he was right. Mr. Slade was in the wrong century ... by the time the First World War was over few people in any class would have considered it proper that a great man should be rewarded for his greatness by exemption of his son from the penalty which would certainly have been inflicted on the son of a poor man.<sup>382</sup>

Amery's mother wrote imploring letters to the Home Secretary. Other public figures, too, spoke in favour of a reprieve.

In support of his mercy petition, Leo Amery submitted a psychiatrist's expertise. Dr. Edward Glover had not been allowed to examine John Amery but he had talked to many family members and acquaintances. He came to

the conclusion that John Amery was afflicted with »moral imbecility«. This would place Amery within the scope of the *Mental Deficiency Act 1913*. This law defined four recognized forms of imbecility: Three degrees of intellectual weakness (ranging from »idiocy« to »feeble-mindedness«) and, as a fourth form, »moral imbecility«. This encompassed, according to the law:

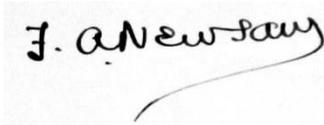
... persons who from an early age display some permanent defect coupled with strong vicious or criminal propensities on which punishment has had little or no deterrent effect.<sup>383</sup>

Dr. Glover accordingly wrote, regarding John Amery:

His behaviour is governed by ... diseased mental processes to such an extent that he is incapable of a normal appreciation of consequences and is devoid of the moral sense by which normal people control their actions and utterances.<sup>384</sup>

Home Secretary James Chuter Ede, a Labour man, did something very unusual: He commissioned two more psychiatrists to investigate the Amery case – these two as well declared that John Amery was unable to form moral judgments about his own conduct, and recommended not to execute him.

The English Home Secretary was not left alone with such decisions of mercy. One of his highest-ranking officials had the task to advise him. In this case, it was Sir Frank A. Newsam. He summed up the situation thus:

A handwritten signature in black ink that reads "F. A. Newsam". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

**Sir Frank A. Newsam's signature**

For many years, he was one of the highest-ranking officials in the Home Department.

First, the legal aspect – none of the psychiatrists (not even Dr. Glover) had said Amery was insane under the »M'Naghten Rules« applicable in England. These rules boiled down to two questions: »Did the prisoner know what he was doing? And if so – did he know it was (morally/legally) wrong?« Only if the answer to one of these questions was »no« was it a case of insanity in the legal sense. None of the professional opinions however declared Amery insane under these rules. Hence, they did not bind the Secretary legally.

Second, the political aspect:

Capital punishment in this country is tolerated as a deterrent because the man in the street believes that the law is administered without fear or favour. If Amery were reprieved it would be difficult to convince the ordinary man that Amery had not received exceptional and privileged treatment.<sup>385</sup>

That settled it. The Home Secretary declined a reprieve, and John Amery was executed on 19 December 1945 at Wandsworth by Albert Pierrepoint.

Forensic pathologist Dr. Keith Simpson performed the autopsy on the same day, as usual. John Amery had suffered fracture dislocation between the 2nd and 3rd cervical vertebrae; the cord was completely separated with a 2-inch gap. Hyoid and thyroid cartilages showed multiple fractures.<sup>386</sup> Pierrepoint could be well pleased with his craftsmanship.

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317 Ipson, Erik, article »Kiss and Tell' Officer Draws Heaps of Scorn«, *New York Times*, 05/10/1994  
318 Hayward, Snow, p. 59, based on the diaries of Guy Liddell (head of counter-espionage, division B  
of MI5).  
319 Snow, p. 122  
320 Howard, Snow, p. 252  
321 Treachery Act 1940, Section 1. Quoted from Clark, Capital Punishment, p. 201.  
322 HC Deb 22 May 1940 vol 361 c218  
323 www.josefjakobs.com and josefjakobs.blogspot.ca  
324 Hayward, p. 203. »...the outcome edged uncomfortably close to state murder.« (Hayward, p. 252)  
325 TNA PRO KV 2/30 and KV 2/31.  
326 Fielding, Family, p. 170  
327 Pierrepont, Autobiography, p. 140f  
328 Fielding, Bible, p. 207f  
329 Jackson, Coroner, p. 302  
330 McLaughlin, Execution Suite, p. 87  
331 Fielding, Bible, p. 181  
332 Autobiography, p. 192  
333 Jackson, Coroner, p. 303. Cf. also Jackson, Camps, p. 239  
334 LPC4 form, execution Udham Singh, 31/07/1940.  
335 Fielding, Bible, p. 182; Fielding, Pentonville, p. xiv; LPC4 entries of José Waldberg and Carl Heinrich  
Meier (10/12/1940).  
336 Pierrepont, Autobiography, p. 144  
337 McLaughlin, Harry Allen, p. 22. The documents in the British National Archive covering this murder  
case bear the signature WO 208/4633.  
338 *Salt Lake Tribune* of 03/07/1945, p. 3, article »British Try Nazis In Comrade Death«  
339 de Normann, p. 118  
340 de Normann, p. 117  
341 According to Rasch, NDB article »Rosterg, August«  
342 de Normann, p. 117  
343 SPIEGEL 45/1968 of 04/11/1968, p. 73  
344 03/07/1945, p. 3, article »British Try Nazis In Comrade Death«  
345 Scotland, Cage, p. 60f  
346 Account follows de Normann, chapter 7 and 8.  
347 De Normann, p. 122  
348 Faksimile of this diary page see Fielding, Pentonville, p. 105  
349 Location of grave: Section 3, row 16, grave 491. The documents covering this murder case are in  
the British National Archive, signature WO 208/4634.  
350 Information by Volksbund; e-mail to me dated 14/08/2015  
351 Dachs, p. 136  
352 I.e. the day before the executions: 12 December 1945.  
353 Pierrepont, Autobiography, p. 146. Italics mine.  
354 B. Gelderblom runs three web sites concerning Hameln local history: www.gelderblom-hameln.de,  
www.juedische-geschichte-hameln.de and www.geschichte-hameln.de. I thank him for his  
permission to print his photos.  
355 Pierrepont, Autobiography, p. 150

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356 Op. cit., p. 149, italics mine.  
357 Op. cit., p. 150  
358 »equivalent rank of Lt.-Col.«, WO 32/20624 No. 1A, »Instructions regarding the executioner«  
359 Fielding, Family, p. 298-300; Klein, p. 78; TNA PRO FO 1060/243 No. 27  
360 See [www.bergenbelsen.co.uk](http://www.bergenbelsen.co.uk); in the documents section the Death Warrant returns (with times) can  
be found.  
361 See the files in TNA PRO HO 45/25454, released in March 2000  
362 Fielding, Family, p. 199-218 when mentioning each execution  
363 Plot »E«, Oise-Aisne American Cemetery and Memorial, near Fère-en-Tardenois (Picardie, France)  
364 Krone, »Hingerichtetengräber«  
365 Original death warrants in TNA PRO FO 1020/2066  
366 Pierrepoint, Autobiography, p. 160  
367 Pierrepoint, Autobiography, p. 161  
368 TNA PRO PCOM 9/633. Quoted as well in Klein, p. 82  
369 Seyrl/Schalk, Josef Lang, p. 235f  
370 For example *Advocate* (Burnie, Tasmania) of 07/10/1946, p. 5, quoting the *Sunday Times*  
371 War Department Pamphlet No. 27-4, Procedure for Military Executions, dated 12/06/1944  
372 Thus Dachs, p. 120  
373 *Time Magazine* of 28/10/1946, article »WAR CRIMES: Night Without Dawn«  
374 French MacLean, The Fifth Field  
375 p. 120  
376 MacLean, p. 79  
377 MacLean, p. 286  
378 I used [http://www.stephen-stratford.co.uk/william\\_joyce.htm](http://www.stephen-stratford.co.uk/william_joyce.htm) for this account.  
379 Barry, Treason, p. 303  
380 Barry, Treason, p. 295  
381 Klein, p. 93  
382 Treason, p. 129f.  
383 Mental Deficiency Act 1913, Part I, 1.d).  
384 TNA PRO HO 144/22823, quoted from [http://www.stephen-stratford.co.uk/amery\\_report.htm](http://www.stephen-stratford.co.uk/amery_report.htm)  
385 Quoted from Klein, p. 95f  
386 LPC4 form (Collection Spicer)

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