



Holocaust Studies and Materials

Zagłada Żydów. Studia i Materiały

2010

ISSN: 1895-247X

eISSN: 2657-3571

DOI: 10.32927

WWW: www.zagladazydow.pl

Centrum Badań nad Zagładą Żydów IFiS PAN
Polish Center for Holocaust Research

“I knew just one little Jewess hiding . . .” The case of Zofia and Marian Chomin - edited and introduced by Agnieszka Haska

Agnieszka Haska

doctoral student at the Graduate School for Social Research of the Institute of Philosophy and Sociology of the Polish Academy of Sciences

agnieszka.haska@gmail.com

ORCID: <https://orcid.org/0000-0003-0545-5250>

DOI: <https://doi.org/10.32927/ZZSiM.134>

Strony/Pages: 312-327



Agnieszka Haska

“I Knew Only One Jewess in Hiding. . .” Zofia and Marian Chomin’s Case

They came for her a couple of times. The first time she managed to hide; the patrol was leaving the tenement when its woman caretaker, who was standing in the gate, showed them the apartment and gave them the surname. They came back and escorted her out of the apartment. The woman caretaker was still standing in the gate and saying “they deserve this, these Jews.” On the way she managed to bribe the policemen; so she returned home and when the woman caretaker saw her, she allegedly threw her a hateful look. When they came the third time, she escaped; a waiter escorted her out the backyard door. She had no doubt as to who denounced her; her last poem clearly features the woman caretaker’s portrait – “So let your hands rummage through Jewish things, You woman of Chomino, you from Lvov, you mother of a *Volksdeutscher*.” This poem became not only a moving description of the lot of Jews in hiding, but also – before its publication in 1946 in *Odrodzenie*¹ – a piece of evidence in the case of Zofia and Marian Chomin, who were arrested in January 1946 on suspicion of collaborating with the occupiers by helping them discover Jews hiding in the tenement at no. 8a Jabłonowskich Street in Lvov.

According to the files kept in the State Archive of the Capital City of Warsaw (*Archiwum Państwowe Miasta Stołecznego Warszawy*),² the Chomins’ case began with the report of the physician of the 2nd Engineers’ Brigade, First Lieutenant Marceli Stauber,³ submitted to the Main Directorate of Information of the Polish Army, dated 24 July 1945. During the occupation Stauber, Zuzanna Ginczanka and her husband

¹ *Odrodzenie* 12 (1946).

² Archiwum Państwowe m.st. Warszawy, Zespół Sąd Okręgowy w Warszawie [Fond District Court Warsaw] 1945–1951, 2533.

³ Marceli Stauber (1913–2005) – in 1946–1948 deputy and acting head of the Medical Division of the Prison Department of the Ministry of Public Security in Poland (*Wydział Lekarski Departamentu Więziennictwa Ministerstwa Bezpieczeństwa Publicznego*), later on until 1950 the head of the Health Division of the Prison Department of the Ministry of Public Security in Poland (*Wydział Zdrowia Departamentu Więziennictwa MBP*); emigrated from Poland in 1968.

Michał Wienzieher⁴, Franciszek Gil⁵ and Blumka Fradysówna⁶ were to all live in one apartment at no. 8a Jabłonowskich Street. In his report Stauber describes the behavior of the Chomins, who supposedly often helped patrols coming to the tenement in search of Jews. Moreover, Zofia Chomin's son, Marian, while in *Baudienst*⁷ in the rank of *vorarbeiter* (foreman), was to abuse Polish workers, and to knock the teeth out of one of them – writer Brzoza's son.⁸ Chomin was also to be in the Home Army (*Armia Krajowa*) and to participate in Operation Tempest (*Operacja "Burza"*) in Lvov in July 1944.

Apart from Marceli Stauber's report also Ludwika Karwowska's (actually Ludwika Gelmont, later Stauber, Zuzanna Ginczanka's friend) report came to the Main Directorate of Information of the Polish Army. It confirmed the information given by Stauber and Władysław Bieńkowski.⁹ The latter lived with his wife Zofia Karpińska at no. 8a Jabłonowskich Street until September 1941. On the basis of this an investigation was launched, during which Karpińska and Karwowska were interrogated – the latter handed over Ginczanka's poem *Non omnis moriar*, which was included in the case files.¹⁰ On 31 December 1945 an arrest warrant is issued for Zofia Chomin on suspicion of her denouncement of Zuzanna Ginczanka and Blumka Fradysówna (Zofia Chomin was to inform the Germans that Blumka's Romanian documents were forged, as a result of which the latter had to escape from Lvov) and for Marian Chomin on suspicion of his help in discovering Jews in hiding and his abuse of Poles. Since the Chomins are recognized as civilians (although Marian Chomin had a soldier's ID since he was employed in the Polish Army Theater) their case is transferred to the Ministry of Public Safety in Poland on 23 January 1946. The next day both of them are arrested under art. 1 of the August Decree of 31 August 1944

⁴ Michał Wienzieher (1901–1944) – art critic, Lvov Historical Museum curator, Zuzanna Ginczanka's husband from 1940.

⁵ Franciszek Gil (1917–1960) – writer and publicist, after the war cooperated with *Czerwony Sztandar* and *Odrodzenie*.

⁶ Blumka Fradis (1917–1944) – Zuzanna Ginczanka's friend from Równe, in 1944 she was arrested together with her in Cracow and died in Płaszów. Despite the fact that Ginczanka's biographers – Jan Śpiewak, and after him also Izolda Kiec and Agata Araszkiewicz – claim that Ginczanka and Blumka Fradys met during the occupation as late as 1943 in Swoszowice near Cracow, the testimonies of the inhabitants of the tenement at no. 8a Jabłonowskich Street contradict that.

⁷ *Baudienst* (Construction Service) – formation to which Poles and Ukrainians in the General Government were involuntarily called up.

⁸ Jan Brzoza, actually Józef Worobiec (1900–1971) – writer, after the war cooperated with *Odrodzenie*. His son's name could not be established.

⁹ Władysław Bieńkowski (1906–1991) – at that time undersecretary of state in the ministry of education.

¹⁰ According to Lusja Karwowska's (Stauber) testimony, she did not remember who had given her the poem; this version appeared also in her conversation with Agata Araszkiewicz conducted on 13 November 1997. See: A. Araszkiewicz, *Wypowiadam wam moje życie. Melancholia Zuzanny Ginczanki* (Warsaw, 2001), 163.

and put in the Prison and Pre-Trial Detention Center no. 3 on 11 Listopada Street in Warsaw Praga, and their apartment is searched.

According to the case files the investigation revolved around more than one thread – apart from denouncing Jews and abusing Poles in *Baudienst*, the court also investigated Marian Chomin's possible membership in the National Armed Forces (*Narodowe Siły Zbrojne*). Nevertheless, the latter thread was soon dropped. During the investigation the Chomins did not confess their guilt. Zofia Chomin claims that she knew neither Ginczanka nor Fradysówna, and that the police never came to the tenement. In turn, Marian Chomin confesses to his service in *Baudienst* but he claims that he did not abuse anybody. The investigation lasts two years from the time of their arrest; on 13 December 1947 the Public Prosecution Office of the District Court in Warsaw (*prokuratura*) finally formulates the indictment. Zofia Chomin is charged with showing Zuzanna Ginczanka and Blumka Fradysówna's apartment to the military police, which is classified as an unlawful act under Art. 1, item 2 of the 31 August 1944 decree, while Marian Chomin is accused of causing bodily harm to *Baudienst* worker Brzoza, which is classified as an unlawful act under Art. 2 of the above-mentioned decree. Zuzanna Ginczanka's poem is added to the indictment files.

The first hearing took place on 5 July 1948 at 12 a.m. in courtroom no. 9 of the Fifth Division of the Criminal District Court in Warsaw.¹¹ Tadeusz Krassowski was the presiding judge. The Chomins were represented by court-appointed attorney Maurycy Lipnicki, who motioned for acquittal of the accused. The Chomins did not retract the testimony given during the investigation. Bieńkowski, Stauber and Karwowska testified as witnesses for the prosecution, while Julia Wolska, Stefan Stosyk, Stefan Piotrowski and Marian Dąbrowski were witnesses for the defense. According to the stenographic record the latter stated: "I know the defendants very well. These were very good people. They had a positive attitude toward both Poles and Jews. After all, they are Poles."

Since both the prosecution and the defense petitioned for summoning more witnesses, the hearing was adjourned, with the date of the next hearing set for 19 November 1948 at 9 a.m. In the meantime other statements of witnesses for the defense given before the court in Bytom were added to the case files, including the statement of Marian Chomin – Zofia Chomin's husband. During the second hearing Zofia Chomin upheld her testimony while slightly modifying it – for this time she stated that Ginczanka and Fradysówna lived in the tenement at no. 8a Jabłonowskich Street, but that she did not know them. Noel Czarny (the Jew whom Chomin was to help get to Baranowicze in 1943) and Paweł Kuczer (Chomin's acquaintance from *Baudienst*) were witnesses for the defense to testify before the court. Both stated that Chomin had never abused any subordinates.

¹¹ A report on it appeared in *Express Wieczorny*, where on that day there appeared an article entitled "Śpiewak liryczny aresztowany za śmierć poetki staje dziś przed sądem" [Lyric singer arrested for poet's death faces trial today].

This hearing concluded with the sentencing. Marian Chomin was acquitted, for his guilt had not been sufficiently proved, and the witnesses for the defense "characterized the defendant in too favorable a light." Zofia Chomin was sentenced to four years of imprisonment (the time she spent in jail was included in the sentence), was deprived of public and honorary civil rights for two years and her property was to be confiscated. The classification of the act was changed from Art. 1 of the August decree to Art. 2, which provided for a minimum of three years' imprisonment. The court justified the lenient sentence by its conviction that Zofia Chomin "did not feel particular hatred toward Jews. It was more like she treated her caretaker duties too rigorously."

Zofia Chomin served the full sentence – the petition for her acquittal, submitted by her husband on 16 March 1949, was turned down.

Original spelling has been preserved in the quoted documents.

* * *

Non omnis moriar. My grand estate –
 Tablecloth meadows, invincible wardrobe castles,
 Acres of bedsheets, finely woven linens,
 And dresses, colorful dresses – will survive me.
 I leave no heirs.
 So let your hands rummage through Jewish things,
 You woman of Chomino, you from Lvov, you mother of a *Volksdeutscher*.
 May these things be useful to you and yours,
 For you are near and dear to me; no lute playing, no empty words.
 I am thinking of you, as you, when the Gestapo underlings came,
 Thought of me, in fact reminded them about me.
 So let my friends break out holiday goblets,
 Celebrate my wake and their wealth:
 Kilims and tapestries, bowls, candlesticks.
 Let them drink all night and at daybreak
 Begin their search for gemstones and gold
 In sofas, mattresses, blankets and rugs.
 Oh how the work will burn in their hands!
 Clumps of horsehair, bunches of sea hay,
 Clouds of fresh down from pillows and quilts,
 Glued on by my blood, will turn their arms into wings,
 Transfigure the birds of prey into angels.

translated from the Polish by Nancy Kassell and Anita Saffran¹²

¹² <http://www.bu.edu/agni/poetry/online/2006/kassell.html>, retrieved 8 August 2010.

Report of the Physician of the 2nd Engineers' Brigade, Lieutenant Marceli Stauber, Submitted to the Main Directorate of Information of the Polish Army, Dated 24 July 1945¹³

I knew Chomin in Lvov during the German occupation. He lived at no. 8a Jabłonowskich Street. His mother was the caretaker in that building. His sister and her husband Kowalski lived there with them.

At the beginning of the anti-Jewish action in Lvov, in August 1942 German and Ukrainian police often stormed into the tenement at no. 8a Jabłonowskich Street looking for Jews. In this tenement there lived, among others, the well-known poet Zuzanna Ginczanka with her husband and her friend Ms. Fradis. I and my friend Franciszek Gil lived in this apartment as well.

When the Jews hid from the police who were looking for them, Chomin called the police into his apartment a couple of times and showed them various places where the Jews were allegedly hiding. His mother did the same thing. From the window, with my own eyes, I saw Chomin leading the police into closets and other places in search of Jews. When the police released one Jewess, because she had Romanian documents, the Chomins informed them just when they were leaving the tenement that the documents were forged and they convinced the police to return to the apartment in which the above-mentioned woman lived.

After the end of this anti-Jewish action I moved out of the tenement on Jabłonowskich Street. I often saw the Chomins during the whole period of the occupation. [Marian] Chomin was working as the director of Polish youth's forced construction service. I very often saw him in a *Baudienst* non-commissioned officer's smart uniform marching along the streets of Lvov at the head of a *Baudienst* detachment. I was often informed that [Marian] Chomin was abusing and beating Polish boys from *Baudienst*.

The well-known Polish writer Brzoza told me that Chomin himself had knocked out a couple of his son's teeth during the son's stay in a *Baudienst* camp.

For a certain period of time Chomin was employed as one of the directors of the so-called *Baudienst* penal house. During the whole occupation period he had a small firearm, which he carried on his belt.

While the Red Army was approaching Lvov, Chomin took off the *Baudienst* uniform and put on plain clothes, but he still worked in *Baudienst* on Św. Zofii Street in Lvov.

After the Red Army marched into Lvov, [Marian] Chomin participated in the so-called Home Army "uprising." He was a member of the Home Army police, for a couple of days, i.e. until Lvov was completely cleared of Germans; he had an automatic hanging over his shoulder and wore a Home Army armband. These police were busy murdering antifascists during this whole period.

¹³ Marked as copy, added to the case files.

Upon the Red Army's march into Lvov, Chomin began to openly manifest his loyalty toward the Soviet regime and he allegedly reported to the NKVD with a proposition of collaboration.

Chomin's mother and sister proved many times with their actions that they were serving Germans just like he was, and that they were even Gestapo informers.

(Władysław Bieńkowski's Statement, Dated 31 July 1945)

I testify that I knew citizen Chomin in Lvov from 1940 to September 1941. After Lvov had been seized by the Germans, citizen Chomin collaborated with them, for some time he wore a German uniform (I know neither the character of the organization Chomin joined nor that of his activity). Already at that time, before leaving Lvov, in early October 1941 I heard that Chomin was denouncing Jews to Germans.

(Zofia Karpińska's Testimony Given on 2 October 1945)

Question: For how long has the citizen known Chomin and how did she meet him?

Answer: In July 1941 I was living in Lvov at no. 8a Jabłonowskich Street, where Chomin's father was the caretaker and where Chomin lived together with his father and mother. I knew Chomin only by sight. On 16 February 1942 I left Lvov, where I have not seen him since.

Question: What does the citizen know about Chomin's collaboration with the Germans?

Answer: From the moment when the Germans marched into Lvov, Chomin's family had been committing robberies. When I was in their apartment a couple of times, I saw things coming from the Red Army and they were throwing booze-ups very often. I heard the invited guests, the din they were making, and I could hear arguments and brawls, for I lived above them. During my whole stay in Lvov I lived in fear that the Chomins would denounce me, because I was collaborating with the Soviet authorities for one thing and for another I permanently provided my friends of Jewish nationality with hiding in my apartment. A couple of times Mrs. Chomin went out onto the staircase shouting and threatening that she would accuse me before the Germans of hiding Jews in the apartment. During my stay in this building its tenants claimed that Chomin was collaborating with the Gestapo and Ukrainian police....

(Ludwika Karwowska's Testimony Given on 30 November 1945)

Question: What exactly do you know about the Chomins' contacts with the enemy?

Answer: From the very beginning of the German occupation the Chomin family used every occasion to set the Gestapo on the trail of the people hiding in the

tenement at no. 8a Jabłonowskich Street in Lvov. On Petlura's day in July 1941¹⁴ the whole building was searched by Ukrainians. Mrs. Chomin and her daughter helped them very eagerly by showing all possible exits from the building. On her frequent visits by German police, knowing that Jewish people were living in the tenement, Mrs. Chomin also informed them how and where somebody could be found.... Still shocked by Mrs. Chomin's behavior, Zuzanna Ginczanka wrote the poem called "Testament," which I submit. In July 1944 Ginczanka was murdered in a camp.¹⁵ Ms. Fradys, who was hiding on Romanian papers, lived in the same building. The Chomin family did not fail to use the opportunity to explain to the searching Germans that it was no Romanian woman but a Jewess. Consequently, Ms. Fradys had to leave Lvov, and was wandering in Warsaw and Cracow, until she was apprehended and murdered by Germans.

I can clearly remember the following event in which Ginczanka was involved. Ms. Fradys told me about it. At the beginning of August 1941 German police came to the tenement to take Ginczanka, but she managed to buy herself out. During that time Mrs. Chomin was standing in the gate, and when she noticed that the Germans were returning empty-handed she called for another patrol. She explained to them that the Jewess in hiding had bought herself out and made this patrol go for Ginczanka...

(Zofia Chomin's Testimony Given on 25 January 1946)

Question: Where did you live during the occupation?

Answer: For a period of about 5 months I lived in Warsaw on Ogrodowa Street, and then, i.e. from 1941 on, at no. 8a Jabłonowska, Lvov.

Question: Who else lived in that building on Jabłonowska in Lvov?

Answer: The factory owner Blumenfeld lived there, a Jew, Staff, Horowicz, Bizane, the Cegielskis and I didn't know any other people apart from those I mentioned.

Question: Were there any round-ups organized for Jews hiding in that building during your residence in Lvov?

Answer: In the tenement where I lived there was no round-up. Round-ups and searches were only in tenement number 10.

Question: Did you have any acquaintances among Germans or Ukrainian police?

Answer: Neither I nor my son had any such acquaintances, but my husband knew German and often had German guests in the apartment.

¹⁴ 25 July 1941; the so-called Petlura Days (25–29 July 1941) were pogroms of Jews conducted by Ukrainians with the consent of the occupation authorities.

¹⁵ According to Jerzy Tomczak's memoirs, Ginczanka and Blumka Fradys were hiding in Cracow in the fall of 1944 in an apartment on Mikołajewska Street, where they were arrested; they died in the fall or winter of 1944 in the Płaszów camp. See Izolda Kiec's introduction to Zuzanna Ginczanka's poetry *Udźwignąć własne szczęście* (Poznań, 1991), 35.

Question: Did you know any persons hiding in your tenement in Lvov?

Answer: I only knew one Jewess in hiding at the Horowicz's, who later on left somewhere with the Horowicz's.

Question: What was your son doing after the Red Army had marched into Lvov in 1939?

Answer: Initially, he was at home, he did not work anywhere, then he got a job at the polyclinic. And in the evenings he attended trading courses.

Question: Did your son belong to any underground organization during the occupation?

Answer: I do not know, for my son lived in Lvov at no. 18 Sowińskiego Street and came over only for lunch.

Question: Whose were the things found during the search?¹⁶

Answer: Those things belong to me, my son and daughter.

Question: Who came to your son in Warsaw?

Answer: Nobody came.

Question: Who did your son keep correspondence with?

Answer: He told me that with his acquaintances.

Question: Did you know citizen Zofia Karpińska from Lvov?

Answer: No, I did not.

Question: Has citizen Karpińska ever been in your apartment?

Answer: No.

Question: Did you threaten to denounce her Jewish origin and give citizen Karpińska over to the police?

Answer: I did not do it.

Question: Did you know Zuzanna Ginczanka?

Answer: No, I did not.

Question: Do you remember what you said to the police about Ginczanka's buying herself out?

Answer: I did no such thing. The police came to our tenement.

(Marian Chomin's Testimony Given on 28 January 1946)

I do not confess that by collaborating with German authorities I had a detrimental effect on Polish people by abusing workers as a *Baudienst* member, and that I, together with my mother Zofia Chomin, was denouncing to German patrols the Jews living in the tenement, I clarify.... In April 1942 I was called up to *Baudienst* as an ordinary *Baudienst* worker. I worked at a construction site; I never abused anybody. After three months I was appointed a store-house keeper and senior *Bau-*

¹⁶ According to the report, as a result of the search in the Chomin's Warsaw apartment conducted on 24 January 1946 the following things were found and requisitioned to be added to the case files: officer's ID, a Parabellum pistol, fountain pen, officer's belt with holster, cigarette case, 4,542 zlotys, soldier's ID, navy blue scarf, belt, documents and a watch.

dienst worker (*Vorarbeiter*). I always treated workers well. I was never a camp caretaker; besides, it was not a camp at all, for all workers slept at home. I was transferred to the construction site, where I worked until I got fired, for I treated people too well. I do not know Brzoza's son at all; I never hit him. I do not know at all either if Germans were coming for Jews to the tenement in which my mother was the caretaker, or if Jews lived at tenant Gil's. I know neither Zuzanna Ginczanka nor Ms. Fradis. . . .

**(Władysław Bieńkowski's Testimony Given in the Public Prosecution Office
of the Special Criminal Court on 15 July 1946)**

During the German occupation I lived in Lvov until the end of September 1941 in the tenement whose caretaker was Mrs. Chomin. I very rarely had contact with the Chomins; nevertheless, the tenement inhabitants spoke badly of them. The Chomins enjoyed a bad opinion. Young Chomin wore a uniform – what, I do not remember. He spent days on end with the Germans and was running some errands – what kind, I do not know. After I left Lvov I heard from my acquaintances that young Chomin participated in the persecution of Jews. I know Ginczanka; to my knowledge she was arrested near Cracow and died there. Karwowska (whose current address I do not know) and Zofia Karpińska, who works in the Ministry of Education, could say the most about these matters. I do not know if the Chomins informed on our tenement's inhabitants during the period when I lived in Lvov. I know from hearsay that in the later period their behavior changed for the worse.

**(Marceli Stauber's Testimony Given in the Public Prosecution Office
of the Special Criminal Court on 7 August 1946)**

I met the Chomins in 1942 in Lvov; I lived in the tenement at no. 8a Jabłonowskich [Street]. According to this building's residents, the Chomins had been collaborating with Germans, Ukrainians and Criminal Police functionaries since the German Army had marched into Lvov. They became more active during the anti-Jewish action in that city, which began in August 1942 and was aimed at extermination. In my apartment there also lived: Gil Franciszek, Ginczanka Zuzanna with her husband, Ms. Fradis and Eng. Olli with his wife. During this extermination action the Ukrainian and German policemen entered the building in search of Jews. . . . Some of the inhabitants hid; Wienzieher – Ginczanka's husband – produced his employment certificate. Since the police did not find anybody else there, they left. I looked out of the courtyard window and I saw Mrs. Chomin calling the policemen, who were leaving, and taking them into her apartment. They left after half an hour, went back into the apartment I lived in and they stated that a certain Mrs. Ginsburg (it was Ginczanka's real surname) and one other Jewess who was posing as a Romanian were hiding there. They could have got the information only from the Chomins, in

whose apartment they were between the first and the second entry into my apartment. In the meantime, Ginczanka came out of hiding since she did not expect the Germans to come back. She was apprehended and escorted outside to Mrs. Chomin and her family's satisfaction. The woman stood in front of the gate observing everything. However, Ginczanka managed to escape and returned home. Ginczanka told me that at her sight Mrs. Chomin went pale with terror. After two months the police came to our tenement again and went out not having found any Jews. I saw them coming downstairs where the Chomins lived and they immediately returned asking where the Romanian-Jewess was. They were talking about Ms. Fradis, who had Romanian papers. In this instance I also suspect that the Chomins told them about it, for the policemen did not leave the house and at that moment nobody apart from the Chomins was in the building....

The Chomins were constantly hurling abuse at Jews and in front of Aryan tenants they were saying that other tenants were Jews, that they should be thrown out instead of being tolerated. The Jewish tenants lived in fear. The real janitor of the house, Sowa, told me that Chomin and Mrs. Chomin called him a Jewish lackey, for he was helping Jews. They were constantly saying in front of Sowa that tenant Wołyńska was a Jewess and that something should be done about it. Consequently, Wołyńska, who really was a Jewess, had to move out. Once Ginczanka was visited by an acquaintance, who Mrs. Chomin shouted at because he had taken off the arm-band which Jews were supposed to wear. People coming to this house were openly called Jews by the Chomins. I attest that it could arouse justified fear among these people, for Jews were hiding in the tenement. Besides, not being a caretaker, Mrs. Chomin was simply not obliged to take any interest in tenants....

Young Chomin worked in the *Baudienst*. He ran a division. He wore a *Baudienst* uniform, one unlike those worn by all workers of this institution, but like the ones worn by high-ranking functionaries: jackboots, sand-colored uniform with the German eagle on the cap, a belt and side arm. He was always armed, not only on duty. What his duties were, this I do not know. I saw him leading workers' units with a little stick in his hand. Only when the Soviet Army was approaching did he begin to wear plain clothes. I heard from the writer Brzoza that Chomin treated workers very badly. He even hit Brzoza's son and knocked his teeth out (Brzoza's son had been called up to the *Baudienst*). I heard that Chomin was one of the directors of the penal camp for *Baudienst* members who escaped from duty. Who I heard it from, I do not remember....

(Indictment of 13 July 1947)

Against:

1. Zofia Chomin née Aleksandrak, d. of Maciej and Franciszka, born on 21 August 1898 in Łódź, arrested on 28 January 1947 on suspicion that:

in 1942 in Lvov, collaborating with the occupation authorities by showing to German military police the apartment in which Ms. Tradis¹⁷ and Zuzanna Ginczanka, Polish citizens of Jewish origin, were hiding, she caused their arrest, that is of the crime specified in art. 1 point 2 of the Dec[ree] of 31 August 1941 and

2. Marian Chomin, s. of Marian and Zofia née Aleksandrzak, born on 5 March 1920 in Lvov, on suspicion that:

from April 1942 to the end of 1943 in Lvov, acting to the advantage of the German state authorities as senior *Baudienst* worker (*Vorarbeiter*) of the German construction service (*Baudienst*) caused bodily harm to his subordinate work brigade worker Brzoza by knocking out a couple of his teeth, and thus acted to his detriment, that is on suspicion of the act specified in art. 2 of the Dec[ree] of 31 August 1941 (in the letter of the Decree of 15 December 1946, Journal of Laws [*Dziennik Ustaw*] no. 69/46 point 377) . . .

Substantiation:

On 24 July 1945, Lieutenant Marcelli Stauber, physician of the 2nd Engineers' Brigade, filed a complaint with the Main Directorate of Information of the Polish Army against Marian Chomin residing in Lvov during the German occupation as well as against his mother Zofia Chomin, stating therein that the two persons mentioned contributed to the denouncement of persons of Jewish origin to German authorities by pointing the persons of non-Aryan origin out to the police, and that in addition to that at that time Marian Chomin held a managerial position in the so-called *Baudienst*, the German obligatory construction service, and that while holding that position he abused Polish youth called up to service in this organization, by treating them brutally, and in particular by beating certain individuals, and that by acting in this way, among other things, he knocked out a couple of teeth of Polish writer Brzoza's son, who had been called up to the service.

Ludwika Karwowska reported similar accusations to the Main Directorate of Information of the Polish Army.

Interrogated as witnesses in the course of the investigation, both fully sustained the content of their accusation as presented in the denouncement submitted to the Main Directorate of Information of the Polish Army, at the same time offering a concrete example of Zofia Chomin's denouncement of a person of Jewish ethnicity by stating that in 1942 she informed Ukrainian and German police, who came to the tenement she lived in, that a Jewess, Zuzanna Ginzburg, was hiding there under the assumed name of "Ginczanka," as a result of which Mrs. Ginzburg was arrested by these police . . .

What is more, Marcelli Stauber testified that he saw the above-mentioned fact of her denouncing [the Jewess] in person.

Moreover, Ludwika Karwowska added to the case files "Testament" – a poem written by Mrs. Ginzburg under the influence of that event, in which Mrs. Ginzburg openly condemns Mrs. Chomin's above-mentioned deed.

¹⁷ It should be: Fradis.

As for Marian Chomin, according to the above-mentioned Marcelli Stauber's testimony, as well as Karol Kuryluk¹⁸ and Franciszek Gil's testimonies, he held a *Vorarbeiter* position in the *Baudienst* and while holding this position he treated his subordinates badly. Marcelli Stauber was told by the poet Brzoza himself about the latter's son being beaten up.

Even though other persons who knew the Chomins interrogated as witnesses in the course of the investigation – Władysław Bieńkowski, Zofia Karpińska, Karol Kuryluk, Franciszek Gil¹⁹ – gave no concrete instance of the Chomins' criminal activity to the detriment of the Polish and Jewish population, they did testify that the whole Chomin family was regarded by all co-inhabitants as highly suspicious on account of their constant close contacts with Germans and their hateful attitude toward Jews.

Zofia Chomin, interrogated as a suspect in the course of the investigation, did not plead guilty at all, while Marian Chomin admitted the fact of his *Baudienst* service as a *Vorarbeiter*; however, he denied his alleged mistreatment of people subordinated to him in any form.

(Zofia and Marian Chomin's Statement Given on 5 July 1948 before the District Court in Warsaw)

Zofia Chomin: I plead not guilty. I was the caretaker of the tenement at no. 8a Jabłonowskich Street in Lvov during 1918–1939. I lived in the basement of this building. I did not denounce any persons to either German or Ukrainian police. I do not know the persons of whose denouncement to the Germans I am accused. These persons did not live in the tenement number 8a. I know nothing about these ladies.

Marian Chomin: I plead not guilty. I did not know Brzoza and I did not knock out either his or anybody else's teeth. I was never involved in any disputes. I served in *Baudienst* for a year. At first I was a *Baudienst* worker and later when I became a storehouse keeper I was made a *Vorarbeiter*, because storehouse keepers could get such a promotion.

(Ludwika Karwowska's Testimony Given on 5 July 1948 before the District Court in Warsaw)

From 1939 to 1941 I lived in Lvov at no. 8a Jabłonowskich Street on the third floor. The Chomins lived downstairs. Germans were constantly looking for us. When they came, Mrs. Chomin would show them where to go; moreover, she was standing in the gate so that nobody would escape; I saw that from the window. She

¹⁸ Karol Kuryluk (1910–1967) – before the war editor-in-chief of *Sygnaly*, from 1944 to 1948 editor-in-chief of *Odrodzenie*.

¹⁹ The last two persons' testimonies are not in the case files.

would say that Jew defenders had already been gone, so it would be different then. I left Lvov in October 1941, but Ms. Fradis and Ginczanka stayed. Ginczanka wrote me that Mrs. Chomin was making their lives difficult. I cannot say much about Chomin's behavior. I only heard that Brzoza's son was in *Baudienst* and that he got beaten by Chomin. At that time most people had a hostile attitude toward the Jews. The Chomins had a hostile attitude.

**(Marian Włodzimierz Chomin's Testimony Given on 11 August 1948 before
the Magistrate's Court in Bytom)**

I attended the hearing in Warsaw against defendants Zofia and Marian Chomin, from where I know what the defendants are charged with. These charges are completely unfounded and that is why I want to testify, and truthfully, completely disinterestedly, not as a father or husband, to facilitate the pure truth for the adjudging court. I can corroborate my testimony with an oath. Defendant M. Chomin was called up to construction service some time in winter 1942 in Lvov, where he lived with me on Jabłonowskich Street. I myself was in jail at that time on suspicion of sabotage action, of damaging rails while working at the railroad. When I returned after 3 months, arrested at the end of 1941, my son had already been in the *Baudienst*. He served for 2 years, at first as a *Baudienst* worker, and then as a *Vorarbeiter*. He only walked to work and lived with me after work; he stayed in the barracks outside work hours only when he was on call. Defendant Marian Chomin behaved in an exemplary way as a Pole, everybody liked him, the door of my apartment almost did not close because his friends from *Baudienst* visited him in such great numbers.

Defendant Zofia Chomin is my wife, defendant Marian Chomin's mother²⁰... During the occupation we were not always in accord, but I know though that politics was of no interest to her since she was almost illiterate, for she went to Russian schools before the outbreak of the First World War, and she learned to read and write in Polish in secret. During the occupation she was directed by the employment office to one of the German firms, to "Gessellschaft Gilgen" enterprise under German management at 8a Jabłonowskich Street on the first and then on the second floor. She worked there as a cleaning woman for the remuneration of 200 zlotys. The firm was in the same [illegible] in which we lived. I have no reason to suspect defendant Zofia Chomin of harming any persons of Polish or other nationality persecuted by Germans; she did not have it in her, she was interested only in the home and children....

²⁰ Incidentally, Zofia was also the name of the wife of Marian Chomin the son.

**(Sentence in Zofia and Marian Chomin's Case Pronounced on
19 November 1948)**

The District Court in Warsaw, Fifth Criminal Division, in the bench composed of:

Presiding appellate judge: Tadeusz Krassowski

Lay judges: Antoni Kubiak and Roman Dobrowolski

Recording Clerk: Damiętko Stanisław

in the presence of public prosecutor S.O. Poliszewska

having examined on 19 November 1948 the case of 1) Chomin Zofia born on 21 August 1898 in Łódź, daughter of Maciej and Franciszka, accused:

that in 1942 in Lvov, collaborating with the occupation authorities by showing to German military police the apartment in which Ms. Tradis²¹ and Zuzanna Ginczanka, Polish citizens of Jewish origin, were hiding, she led to their arrest, that is of the crime specified in Art. 1 item 2 of the Dec[ree] of 31 August 1941 and 2) Marian Chomin, born on 5 March 1920 in Lvov, s. of Marian and Zofia, accused:

that from April 1942 until the end of 1943 in Lvov, acting to the advantage of the German state authorities as senior *Baudienst* worker (*vorarbeiter*) of the German construction service (*Baudienst*) he caused bodily harm to work brigade worker Brzoza by knocking out a couple of his teeth, and thus he acted to his detriment, that is on suspicion of the act specified in Art. 2 of Dec[ree] of 31 August 1941 (in the letter of the Decree of 15 December 1946, Journal of Laws [*Dziennik Ustaw*] no. 69/46 point 377) . . .

Adjudicates as follows:

Defendant Zofia Chomin is found guilty of the crime specified in Art. 2 of the Dec[ree] of 31 August 1941, and by virtue of this article and Art. 7 of the said decree defendant Z. Chomin is sentenced to 4 (four) years imprisonment with the temporary arrest from 28 January 1946 until this day being included in the sentence length, and deprives her of public and honorary civil rights for 2 (two) years, and causes her property to be confiscated to the benefit of the Treasury and charges the defendant with the costs of the court proceedings and adjudges to collect from her 5,000 zlotys of court fee, declares M. Chomin not guilty and charges the Treasury with the cost of court proceedings in his case.

Substantiation:

During the main hearing defendants Z. Chomin and M. Chomin did not plead guilty. Moreover, defendant Z. Chomin stated during both main hearings that she had been the caretaker of the building at 8a Jabłonowskich Street in Lvov during 1918–1939, that she had lived there in the basement and that she had not informed either German or Ukrainian police about any person living in that tenement. Moreover, defendant Z. Chomin declared that she had not known either Ginczanka or Ms. Tradis, she had not participated in any way in Ginczanka's arrest and that she had not seen her being escorted out of the building.

²¹ It should be: Fradis.

In turn, witness Marceli Stauber testified before the Court during the main hearing on 5 July 1948 that he had lived in the mentioned tenement at no. 8a Jabłonowskich Street in Lvov, where Ginczanka and Ms. Tradis lived at that time, that in July or August 1942 Ms. Tradis had been arrested by the Germans in the apartment but she had managed to escape. Then the Germans went downstairs and talked with the defendant Z. Chomin. . . . As for Ginczanka, when the Germans arrested Ginczanka and escorted her out with her husband, defendant Z. Chomin was standing then outside the building's gate and at the sight of Ginczanka she spat and said "they deserve this, these Jews." Witness Stauber saw and heard it all, as he testified during the main hearing, because he was standing on the opposite side of the street. However, Ginczanka bribed the Ukrainian policeman and returned home, and then she told witness Stauber that when she had been returning home after her release from arrest, defendant Z. Chomin had been looking at her with hatred. Finally, witness Stauber states in his testimony that Ginczanka had also escaped to Cracow and that the two of them, Ginczanka and Ms. Tradis, had been executed in early 1944.

Moreover, according to the testimonies of witnesses Karwowska, Kuryluk, Markowska,²² Gil and Karpińska, the Chomins did not have a favorable attitude toward Jews; furthermore, witness Bieńkowski stated in his testimony that at that time in Lvov there had been a nationalistic atmosphere, both Polish and Ukrainian, and that, as he had been told, the Chomins had fostered good relations with the Germans; to put it bluntly, they had "collaborated". By contrast, witness Julia Wolska²³ stated in her testimony during the main hearing that defendant Z. Chomin perhaps had not been an anti-Semite for the witness saw defendant Z. Chomin exchange cordial greetings and even kisses with a Jewess from Lvov, while witnesses Stosyk, Piotrkowski and Dąbrowski²⁴ in their testimonies stated during the main hearing that the Chomins had been good people; moreover, these witnesses did not see signs of the Chomins' unfavorable attitude toward Jews. . . .

Giving total credence to witness Stauber's testimony and taking into account other witnesses' testimonies, the District Court has come to the conclusion that defendant Z. Chomin did not feel particular hatred toward Jews, but that she rather treated her caretaker duties too rigorously and that is probably why she showed Jews' apartments to German police, but it must be stressed that from witness Stauber's testimony it does not definitely follow that defendant Z. Chomin showed Ginczanka and Ms. Tradis' apartments to German police. According to the District Court, defendant Z. Chomin's conduct should be explained in terms of the level of her sophistication and the pervading atmosphere in Lvov, about which witness Bieńkowski has testified, and also her too rigorous treatment of her caretaker's duties, which has been discussed above.

²² Testimonies not included in the case files.

²³ The Chomins' acquaintance from Łódź.

²⁴ The Chomins' acquaintance from Lvov.

This being the state of affairs, the District Court qualifies defendant Z. Chomin's criminal act as it has been stated above. By virtue of Art. 2 of the Dec[ree] of 31 August 1941 the Court holds it as legitimate and just to sentence defendant Z. Chomin to 4 (four) years of imprisonment with the temporary arrest from 28 January 1946 until the sentence day included in the sentence length, and to deprive her of public and honorary civil rights for two years, and to cause her property to be confiscated to the benefit of the Treasury, while regarding the penalty imposed in that way on defendant Z. Chomin as commensurate with her fault and the degree of social danger inflicted on her part.

As for defendant Marian Chomin then... Stauber in his testimony given during the main hearing stated that he had seen the defendant in a *Baudienst* uniform and that the writer Brzoza had told witness Stauber that defendant Chomin had knocked out Brzoza's son's teeth, but apart from that the circumstances of this incident were not established by any of the witnesses' testimonies apart from the general characteristics of the Chomins in general (testimonies of witnesses Stauber, Karwowska, Karpińska, Kuryluk and others), that, moreover, witnesses Gajewski, Szczepański²⁵ [illegible] interrogated as aids to the court, declared in their testimonies that while being with def. 26 Chomin in *Baudienst* they did not hear anything about any assault on Brzoza; furthermore, witnesses Kuczer and Noel Czarny characterized defendant Chomin in an extremely favorable light. The District Court came to the conclusion that defendant Chomin's guilt has not been sufficiently proven in this matter and that is why the District Court declares defendant Marian Chomin not guilty of the charges herein, and charges the Treasury with the cost of court proceedings in his case.

Translated by Anna Brzostowska

Abstract

The presented materials come from the case files of Zofia and Marian Chomin, arrested in 1945 and accused of denouncing Jews living in a tenement house at no. 8a Jabłonowskich St. in Lvov during the war, including the poet Zuzanna Ginczanka. During her stay in Lvov Ginczanka three times escaped arrest, and in her last preserved poem, *Non omnis moriar*, included the name of the denunciator, Zofia Chomin. This poem became evidence in the case in question, which ended with the acquittal of Marian Chomin and the sentencing of Zofia Chomin to 4 years' imprisonment.

Key words

Zuzanna Ginczanka, collaboration, Polish-Jewish relations, the Holocaust

²⁵ Marian Chomin's acquaintances from the *Baudienst*.