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"Józek, what are you doing?" The Massacre of Jews Committed by the AK in the Village of Kosowice

Jerzy Mazurek

redakcja@holocaustresearch.pl

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"Józek, what are you doing?" The Massacre of Jews Committed by the AK in the Village of Kosowice

"The AK members are erecting a monument to independence," the Momina Roman Catholic parish priest, Father Władysław Gwóźdź, wrote in May 1992. "Bishop [Edward] Frankowski declined the invitation, while the Field Bishop of the Polish Army has not replied yet. People are execrating them (bandits) and me on account of my permission to erect the monument on parish glebe land."[1] Despite that controversy the monument was unveiled on 24 May 1992.[2] But according to the priest, "there were not too many people present" and after "the AK celebration and the unveiling somebody painted crosses in oil paint on Mr. Przygoda's fence."[3]

The quotation reflects the attitude of most inhabitants of the Momina parish toward the activity of the Home Army (*Armia Krajowa*, AK) soldiers during World War II and to the main organizer of the celebrations Henryk Przygoda. During subsequent years more and more veterans' names appeared on the monument. Unfortunately, their "deeds" were not verified. Otherwise praiseworthy, the whole enterprise had never been discussed with historians and had inspired consternation and opposition from the beginning. It should be stressed that it is not the only such incident.

* * *

The Momina parish[4] was the scene of an episode of the tragedy of Polish Jews. It is difficult to say anything about provision of help to persecuted Jews

[1] Archiwum Parafialne w Mominie [Momina Parish Archive] (later: APM), Kronika parafii momińskiej [Momina parish chronicle], entry of 10 May 1992.

[2] In the end the celebrations were attended by the following representatives of the Church: the Sandomierz curia chancellor Father Roman Chwałek and the Skoszyn parish rector Father Jan Mikos.

[3] MPA, Kronika parafii momińskiej [Momina parish chronicle], entries after 24 May 1992.

[4] The Momina Parish roughly covers the territory of the Boksyce municipality with its seat in Momina.

by the parish inhabitants. It is known that Wanda Preobrażeńska[5] sheltered the Langer family from Ostrowiec Świętokrzyski for several weeks in the attic of her house in Kosowice. Even if there were other instances of provision of help, little is known about them.[6] The greatest tragedy occurred in April 1943, when AK members from the Momina post murdered 5 helpless Jews including a woman and a child, who were staying at Józef Machula's (1885–1950) in Kosowice.

Who were the victims? Unfortunately, their personal data remain unknown, as the murderers took and destroyed their documents. It is only known that among the victims there was a family of 4: a physician, aged 40–45, his wife, aged 35–40, and 2 children: a boy, aged 18, and a girl, aged 9. It was impossible to verify the indirect evidence suggesting that the family might have been from Sienno[7] – a small town located north of Ostrowiec Świętokrzyski. Most probably the victims had lived in Ostrowiec Świętokrzyski, especially as it was the home town of the fifth victim known in the Momina parish before World War II. Unfortunately, his surname too remains unknown. He was known as "Lejbuś" or "Łajbuś" in the neighborhood. He and his father bought cattle from the local peasants. He also leased orchards and sold the fruit at a market. He was from Łagów but he was living in Ostrowiec Świętokrzyski during the period when he had contact with the Momina parish inhabitants. He was young, approximately 25 years old.

The said Jews came to the Momina parish sometime in the autumn of 1942 after their escape from the ghetto in Ostrowiec Świętokrzyski, which had been established in April 1941. Most of the ghetto inhabitants, that is at least 11,000 (2,000 were shot during the deportation operation), were deported during 11–12 October 1942 to Treblinka. The rest ended up in the "small ghetto," from where they were transferred in April 1943 to the forced labor camp in Częstocice. Only a few hundred of those Jews survived the Holocaust, including those who were hiding in local forests as well as in Polish homes.[8]

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[5] Wanda Preobrażeńska (1891–1973), born in Biała Cerkiew (near Kiev). Her father Marceli Kotkowski built railroads in the Caucasus Mountains and in Russia. In 1913 the family settled in Kosowice. In 1919 Maria married Sergiusz Preobrażeński. One of her granddaughters is Barbara Piwnik, who was the minister of justice and the public prosecutor general in Leszek Miller's government (19 October 2001–6 July 2002).

[6] For instance, we know nothing about the circumstances of death of the merchant Israel Nabożnik (born in 1874), who was hiding in Kosowice during the war. Two more Holocaust victims came from Kosowice: Bernard Korblim (born on 18 September 1890), who was in France during WWII, from where he was deported to Auschwitz on 27 July 1942, and Natan Czerniocha (born in 1886), who lived in the village of Sosnowice before the war and died in Auschwitz in 1942. See: www.yadvashem.org, retrieved 14 January 2011.

[7] Archiwum Instytutu Pamięci Narodowej Oddział w Kielcach [Archive of the Kielce Branch of the Institute of National Remembrance] (later: AIPN Ki), 005/1941, file 2, Meldunek Tadeusza Kality [Tadeusz Kalita's Report], p. 17.

[8] Waldemar R. Brociek, Adam Penkalla, Regina Renz, *Żydzi ostrowieccy. Zarys dziejów* (Ostrowiec Świętokrzyski: Muzeum Historyczno-Archeologiczne, 1996), 99–119; Karol Kan-

The Opatów county, where the Momina parish is located, is famed for its anti-Nazi underground. It seems that all factions of the resistance movement were active there, beginning from the People's Guard-People's Army (*Gwardia Ludowa-Armia Ludowa*, GL-AL) to the National Armed Forces (*Narodowe Siły Zbrojne*, NSZ). Obviously, it was a source of many mutual conflicts and misunderstandings, which occurred also between the Home Army and the Peasants' Battalions (*Bataliony Chłopskie*, BCh). The problem was discussed, for instance, by Leszek Popiel "Antoniewicz" (1914–1963), ADC of Jan Piwnik "Ponury" (1908–1944) from Momina parish.[9] Those animosities were the worst when the Opatów District of the AK was commanded by First Lieutenant/Captain Witold Sągajłło "Sulima,"[10] who had contacts with the landed gentry.[11] The BCh soldiers hated him and so did Piwnik, which had been noted by Sągajłło himself.[12] The Opatów District of the BCh commander Władysław Zwiejski "Jaruga" writes: "During his stay in the county the tension in the relations between the AK and the BCh was the greatest. Many activists of the People's Movement died then from fratricidal bullets. During his 'reign' various degenerate criminals caused terror in the county. They wore Polish uniforms and called themselves AK soldiers."[13]

The tragedy in Kosowice took place during the period of intensified struggle of the AK underground against "banditry," symbolized by Sągajłło.[14] For some the struggle against robberies, which indeed became a social plague in

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dziora, *Pamiętnik z wygnania (1939–1943)* (Poznań: Wydawnictwo Miejskie, 2007), 170, 209, 227, 230, 250–251.

[9] Leszek Popiel "Antoniewicz," "Batalion partyzancki 2 pułku piechoty Leg. 'Nurt'," *Wojskowy Przegląd Historyczny* 1 (January–March 1989): 183.

[10] Witold Sągajłło "Feliks," "Pomian," "Tarło," "Sulima," "Sandacz" (1910–1998), second lieutenant since 1931, lieutenant since 3 May 1935, in the Radom-Kielce Region of the ZWZ since February 1940, during 1941–1944 commander of the Opatów District of the ZWZ-AK (in 1943 promoted to captain). In September 1945 he reached Prague, where he received permission to go to Pilsen in the American zone. On 26 September 1946 he was enlisted as a captain for the navy, which functioned within the framework of the Polish Armed Forces in the West (*Polskie Siły Zbrojne na Zachodzie*). After the war he lived in London.

[11] More on the Opatów landed gentry see: Maria Kruczkowska, "Ziemianie opatowscy o sobie, wojnie i okupacji – po 40 latach," in *Ziemiaństwo polskie 1920–1945*, ed. Janina Leskiewiczowa (Warsaw: Państwowe Wydawnictwo Naukowe, 1988), 316–336, and Jerzy Gapys, *Postawy społeczno-polityczne ziemiaństwa w latach 1939–1945 (na podstawie dystryktu radomskiego)* (Kielce: Kieleckie Towarzystwo Naukowe), 2003.

[12] Witold Sagajllo, *The Man in the Middle. A Story of the Polish Resistance 1940–1945* (London: L. Cooper–Secker & Warburg, 1984), 70–71.

[13] Władysław Zwiejski "Jaruga", *Walczyli w Chłopskich Batalionach. Z dziejów podziemnego ruchu ludowego w obwodzie opatowskim (1939–1944)* (Warsaw: Ludowa Spółdzielnia Wydawnicza, 1964), 246.

[14] Sagajllo, *The Man in the Middle*, 69, 75ff.

1941,[15] was an occasion to eliminate people of different, usually leftist, views. The fact was openly admitted by Michał Pytlak "Łom" (chief of the ZWZ-AK Section II [intelligence] in the Ostrowiec Świętokrzyski Sub-district from the end of 1940 until 17 January 1945)[16] and Stanisław Sobczyk (commander of a special detachment subordinate to Pytlak). The latter testified the following on 30 January 1956: "I was trying to withdraw from the activity of the organization, particularly from participation in liquidations. […] The reason for my withdrawal from the special section was that I noticed that not only German informers were liquidated, but also innocent people who had fallen foul of members of the AK leadership. Moreover, my then friend Danuta Sobczyńska, who is now my wife, made me realize that differences in political views were also a factor and that they were the basis for liquidation of people of other sympathies and even members of other underground organizations. My wife's father, Bronisław Sobczyński,[17] was an AK regional activist and my wife knew the situation from her contacts with the higher leadership of the AK."[18]

That struggle against "banditry" was a mortal danger to Jews. Many Jews in hiding, who had managed to avoid extermination, were accused of banditry.[19] Leon Dąbrowski, who participated in the massacre in Kosowice, testified: "In fact, Stefański did not mention being robbed by a group of armed Jews. Neither did I hear about any other robbery conducted by Jews, but I was convinced that they had become robbers after their escape from the ghetto [*sic*]."[20] Jan Szpinek, who was the director of Section II (intelligence) in the Ćmielów Sub-district (codename "300"), was tried after the war for his order to liquidate 7 Polish citizens of Jewish origin, who were staying in Goździelin in the Bodzechów county. He testified: "As for the Jewish issue, I cannot recall the date, but the [Opatów

[15] Antoni Sułowski, *U podnóża Gór Świętokrzyskich. Z dziejów obwodu Opatów ZWZ-AK 1939–1945* (Warsaw: PAX, 1987), 113–115; Kandziora, *Pamiętnik z wygnania*, 191, 235, 254.

[16] AIPN Ki, 9/124, file 2, Protokół przesłuchania podejrzanego z 8 XII 1949 r. [Typescript of interrogation of the suspect on 8 December 1949], pp. 146–147.

[17] Bronisław Sobczyński "Jasny," "Kosynier," "Wujek" (1894–?), before WWII an employee of the School Inspectorate in Ostrowiec Świętokrzyski. During the occupation he was a commander of the Armed Combat Committee (*Komitet Walki Zbrojnej*) located in Ostrowiec Świętokrzyski, and then, after the establishment of the ZWZ, he became deputy of the Opatów District commander Major Edward Fiett. After the ZWZ transformed into the AK on February 1942 he became chief of Section VII (Military Service for the Protection of the Uprising [*Wojskowa Służba Ochrony Powstania*]), and then of organizational Section I.

[18] Archiwum Instytutu Pamięci Narodowej Oddział w Lublinie Delegatura w Radomiu [Archive of the Lublin Branch of the Institute of National Remembrance, Representation in Radom] (later: AIPN Ra), 29/108, Protokół przesłuchania podejrzanego z 30 I 1956 r. [Typescript of interrogation of the suspect on 30 January 1956], p. 155.

[19] See: chapter devoted to the Jews in the memoir of the District commander: Sagajllo, *The Man in the Middle*, 89–101.

[20] AIPN Ra, 29/108, Protokół przesłuchania podejrzanego z 28 II 1956 r. [Typescript of interrogation of the suspect on 28 February 1956], p. 206.

– J.M.] district leadership commanded all post members to patrol their area and liquidate Jews in hiding, as they were said to conduct robberies."[21]

The persecution of the Jews by the AK soldiers in the Momina parish is known from the investigation and trial files[22] as well as from the information provided by Tadeusz Kalita,[23] who was a member of a special AK section during the occupation and who became a secret collaborator (codename "Spóźniony") of a County Office of Public Security (*Powiatowy Urząd Bezpieczeństwa Publicznego*, PUBP) in 1952.[24] It is known from the latter's reports and from defendant Dąbrowski's testimonies that Antoni Cichocki and Józef Kotwa were the most involved in the process of tracing Jews.

Using his earlier contacts, Lejbuś was trying to find shelter at some peasants he knew. According to testimony of Stryczowice inhabitant Jan Olech, Lejbuś was hiding, among others, at Jan Woźnica's. The AK members beat Woźnica for that provision of shelter. Consequently, Lejbuś moved to Worowice – a village near Stryczowice. Unfortunately, Kotwa traced him there and – with participation of Cichocki – robbed him of money to the sum of approx. 60 dollars. The two men intended to then "liquidate" the Jews in the Stryczowice "pits." On the way to the liquidation spot, Lejbuś escaped. Kotwa informed his friends and later co-defendants about that incident. During that incident, or perhaps during the incident in Truskolasy, Lejbuś was shot in the hip. Witness Jan Pakuła, who was the last person to talk to Lejbuś, mentioned that in his testimony. Defendant Sobczyk revealed that the AK members were penetrating that area in search of Jews.

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[21] AIPN Ki, 9/124, file 1, Protokół przesłuchania podejrzanego z 25 II 1951 r. [Typescript of interrogation of the suspect on 25 February 1951], p. 255; see also the trial files: ibidem, file 4, pp. 51–53, 55, 94–101, 169–171.

[22] AIPN Ra, 29/108–29/110, Akta śledcze nr 5/56 i Akta w sprawie karnej przeciwko Janowi Kaczorowskiemu s. Jana i innym oskarżonym z art. 1 § 1 dekretu z dnia 31 VIII 1944 r. [5/56 Investigation Files and Files of the Criminal Trial against Jan Kaczorowski, son of Jan, and others accused by virtue of art. 1 § 1 of the 31 August 1944 decree].

[23] Tadeusz Kalita "Mars," "Spóźniony" (1920–1978), born in Kosowice into a peasant family. He joined the ZWZ-AK in 1940 and he belonged to the special section organized by Michał Pytlak. On 9 July 1952 he was voluntarily recruited by the senior clerk of the Ostrowiec Świętokrzyski PUBP Zygmunt Chmiel. He operated as an informant until 1955. During 1955–1957 he operated as an agent and after 1957 once again as an informant. His profile reads: "He contributed to some extent to the liquidation of his brother-in-law Antoni Cichocki. He also revealed former members of the AK's *dvoyka*. He submitted information about meetings of former AK members from the detachments of "Ponury" and "Nurt." He was used to carry out surveillance of Józef Piwnik and to observe and to undertake surveillance of the Momina parish Catholic hard core. He also submitted information about the stay in Poland of his first wife's uncle Marcin Cichocki and his daughter, both American citizens on holiday in Poland. He received financial remuneration throughout the collaboration period, which lasted until July 1966. He confirms that he accepted the total sum of 7,900 złotys.

[24] AIPN Ki, 005/1941, Teczka personalna tajnego współpracownika ps. "Spóźniony" [Personal file of the secret collaborator codename "Spóźniony"], files 1–5.

They conducted a search, for instance, in the Smyków hamlet located between Garbacz and Worowice. Sobczyk had no doubts that if they had discovered any hiding Jews they would have executed them.[25]

Most participants of the massacre claimed during the investigation and the trial that the "liquidation" had resulted from purported robberies of inhabitants of Stryczowice and its vicinity committed by those Jews, including Lejbuś. Purportedly, many inhabitants reported "robberies" to the AK soldiers in Stryczowice. During the investigation and the court proceedings nobody except for the defendants' closest relatives confirmed those accusations. Furthermore, Sobczyk confessed the following: "I used to visit the village of Momina every day. There was the municipality board and the centre of our organizational life of our region. One might always learn there what was happening in the area. But I had never heard any news about the activity of a band of Jewish bandits. Considering that state of affairs, I need to state that the liquidation of the Jews was conducted seemingly for their purported criminal activity. In fact, however, they were killed only because they were Jews."[26]

Unlike political murders, the massacre in Kosowice was a typical murder on ethnic grounds. How did it happen? It is difficult to reconstruct precisely the sequence of the events as the defendants often changed their testimonies during the investigation and the trial. According to Dąbrowski, the order to liquidate the Jews "wherever they might be" was given by the Stryczowice AK squad commander Cichocki.[27] It was a result of earlier decisions made after the liturgies outside the church in Momina (see p. 426). According to Dąbrowski, he was the one obliged to carry out the order. He commanded the members of the AK section to immediately report to him if they saw any Jews. Notified of a sighting, Dąbrowski informed the members of the special section subordinate to Pytlak: Henryk Przygoda, Stanisław Sobczy, Jan Kaczorowski, and Józef Kotwa, who was not a member of the section.

Aware of the imminent danger, the Jews hiding in the Momina parish decided to move in April 1943. Where did they intend to move to? It appears that they chose the vicinity of the village of Podszkodzie.[28] Mindful of their earlier expe-

[25] AIPN Ra, 29/108, Protokół przesłuchania podejrzanego z 24 II 1956 r. [Typescript of interrogation of the suspect on 24 February 1956], p. 173.

[26] Ibidem, pp. 172–173.

[27] AIPN Ra, 29/108, Protokół przesłuchania podejrzanego z 27 II 1956 r. [Typescript of interrogation of the suspect on 27 February 1956], p. 202.

[28] In that locality Andrzej Śliwka sheltered and rescued the lives of Rachmil Weitman, Sztaja Zweiman, and Fajsa Herczek. See: Jan Nowak, "Wieś w akcji pomocy Żydom w okresie okupacji," *Roczniki Dziejów Ruchu Ludowego* 12 (1970): 350. Unfortunately, in the same locality the Germans executed the widow Golec and the Jews she was sheltering. Irena Górska-Damięcka, who was hiding with her husband in the village of Podszkodzie mentions that incident. See: eadem, *Wygrałam życie. Pamiętnik aktorki* (Warsaw: Prószyński i S-ka, 1997), 123. It remains unknown if this is the incident discussed in: Kazimierz Leszczyński, "Ekstermi-

riences, they walked around the outskirts of Stryczowice to avoid being seen. Early in the morning, several hours before the massacre, they visited their former friend Piotr Gruszka, whose mother had leased the orchard to Lejbuś before the war. Lejbuś asked the landlord "for a piece of bread for him and his friends, as they were hungry." Piotr Gruszka proposed that they wait a bit for he was cooking breakfast and they could then eat a warm meal. After the war Gruszka testified that "Lejbuś turned my offer down, saying that he could not stay long at my place because he was being pursued. He did not say by whom. I did not ask either."[29]

Thereafter the 5 Jews went to Jan Janiec, who was known in the village as Zugaj from his stepfather's surname. They asked the landlord if he could shelter the girl, who was unable to keep up with the adults due to her young age. Unfortunately, the AK member Olech, who was digging a well in the neighborhood, learned about the Jews' stay on Zugaj's farm. Olech warned Janiec-Zugaj against sheltering the Jews because he might regret that. Olech then reported to Dąbrowski.

Armed in pistols, the participants of the massacre gathered in Stryczowice, where they learned that the Jews had gone to Machula's home in Kosowice. It seems that was the moment when the special section commander Sobczyk took the command over the action from Dąbrowski. The men hurried to the said house, stormed in shouting, "Hands up!" and opened fire at the Jews present. Because Machula's house had only one room, into which one walked straight from the yard, the murderers stormed into the house one after another and fired. Kotwa was the first one to open fire, followed by Kaczorowski and Sobczyk. In the meantime the landlords were escorted out of the house and locked in the adjacent pigsty. Dąbrowski did not shoot at the unarmed Jews because when he walked into the house, they were already dead. It seems that Przygoda did not shoot either, but the testimonies are discrepant in this respect. It is also known that Kaczorowski was the most ruthless perpetrator as it was he who shot the woman and the girl, whom he dragged from under the bed.

All the perpetrators had one thing in common: during World War II they were members of the Momina post of the ZWZ-AK in the Ostrowiec Świętokrzyski Subdistrict (codename "100"),[30] which was a part of the Opatów District of the AK.

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nacja ludności na ziemiach polskich w latach 1939–1945," *Biuletyn Głównej Komisji Badania Zbrodni Hitlerowskich w Polsce* 8 (1956): 178: "October 1944, Podszkodzie: 2 Jews captured in Podszkodzie. Executed by the gendarmerie. The bodies buried in a field."

[29] AIPN Ra, 29/109, Protokół przesłuchania podejrzanego z 9 IV 1956 r. [Typescript of interrogation of the suspect on 9 April 1956], pp. 18–19.

[30] Initially, the Opatów District of the ZWZ-AK was divided into 7 and then, after November 1942, into 5 sub-districts. Sub-districts consisted of areas (*rejon*), which consisted of 3–4 posts (*placówka*). The Ostrowiec Świętokrzyski Sub-district encompassed the following municipalities: Ostrowiec, Częstocice, Kunów, Bodzechów, Grzegorzowice, Waśniów, and Boksyce. See: Sułowski, *U podnóża Gór Świętokrzyskich*, p. 64.

All the perpetrators of the massacre except for Kaczorowski[31] were from the Momina parish and they had known each other since childhood. They were born into peasant families (Dąbrowski and Przygoda), a working-class family (Kotwa), or into farm workers' families (Sobczyk, Kaczorowski). Kotwa (1918–2000) and Przygoda (1919–2008) finished their education at elementary school (5 and 6 years respectively). Before the war Sobczyk (1921–?) completed 3 years of the Mechanical Junior High School in Radom. Dąbrowski (1920–1995) and received a certificate of secondary education (*mała matura*) at the Joachim Chreptowicz High School in Ostrowiec Świętokrzyski, while Kaczorowski (1921–1997) completed 2 years at the Bolesław Głowacki Junior High School in Opatów.

The perpetrators of the massacre unanimously confirmed that they found no weapons or items on the victims, which could come from robbery. Even so the victims were robbed of not only money, but also items of clothing, such as shoes, coats, etc. Olech purportedly received the kerchief of the killed woman as gratification for the information he had provided. Sobczyk testified that Cichocki wore the coat of one of the victims.[32] A substantial sum of money was found during the search. Sobczyk testified the following: "Kotwa said that he had found the money stuffed in the dead woman's stocking. […] Soon after he said that somebody told Kotwa to show the collected money, which he did. It was about 15,000 złotys."[33] In the end the participants of the massacre decided to keep the money instead of submitting it to higher command. Sobczyk continued: "We divided the money because we thought that it would be better if we took it ourselves [*sic*] than if it was taken by somebody from the organization leadership, who, unlike us, ran no risks."[34]

Soon disagreements occurred regarding the division of the money because it soon was revealed that Kotwa had hidden some of the loot. Sobczyk claimed: "After as long as 2–3 weeks Henryk Przygoda told me that Kotwa had taken some dollars from one of the killed Jews. After some time Kotwa confirmed Przygoda's words, saying that he had indeed found 2, 5, or 10 dollars in one banknote in a purse

[31] Jan Kaczorowski was born in Annopol into a working-class family. His father was a smith and he worked on landed estates in the Opatów District. In 1938 the Kaczorowski family settled in Garbacz, from where they moved to Boksyce during the war.

[32] AIPN Ra, 29/110, Protokół rozprawy głównej [Typescript of the main hearing], p. 72.

[33] AIPN Ra, 29/108, Protokół przesłuchania podejrzanego z 23 II 1956 r. [Typescript of interrogation of the suspect on 23 February 1956], p. 170. The other defendants talked about other, it seems reduced, sums. Przygoda spoke of 370 złotys, while during the hearing Dąbrowski mentioned a sum of 2,400 złotys (p. 74), even though during the investigation he had claimed that it was 600 złotys per person (ibidem, Protokół przesłuchania podejrzanego z 2 III 1956 r. [Typescript of interrogation of the suspect on 2 March 1956], p. 216).

[34] AIPN Ra, 29/108, Protokół przesłuchania podejrzanego z 23 II 1956 r. [Typescript of interrogation of the suspect on 23 February 1956], p. 171.

taken from one of the killed Jews."[35] According to information from Kalita, based on Machula's story, Sobczyk used a moment of his colleague's inattention as they were escorting the landlords into the pigsty and purportedly put the briefcase with the money under his shirt and thus managed to carry it out in secret.

Several hours after the killing Machula was ordered to bury the bodies of the Jews killed in Kosowice. The corpses were placed in an unused potato pit, where they have lain ever since as they were not exhumed after the war. After the "liquidation" the perpetrators did not report back to their superiors. Neither were they reprimanded. Sobczyk confessed: "During the conversation Pytlak neither praised me for participation in the liquidation nor reprimanded me. He was a little angry about our purported appropriation of the dollars we found on the victims, but at that time I did not know about any such thing. Thus Pytlak communicated that he knew that the killed Jews had dollars and that we took that money after we killed them."[36]

The lives of the perpetrators of the massacre of the Jews in Kosowice took various turns. Kaczorowski and Dąbrowski settled in Poznań, while Sobczyk settled in Łódź. The other two, Przygoda and Kotwa, became members of a post-AK detachment commanded by Leon Jop "Demon," which consisted of 15–20 people.[37] The detachment operated from May to August 1945. According to the well informed Kalita, on 29 May 1945 in Momina 2 detachment members, Cichocki and Kotwa, shot the Polish Workers' Party (*Polska Partia Robotnicza*, PPR) municipality secretary Izydor Kwiecień (born in 1895).[38] Kotwa, who was not found guilty of that crime, was sentenced on 30 July 1953 by the Regional Military Court in Kielce to 8 years' imprisonment (in the end decreased by one-third to 5 years and 4 months) for… "possession of 2 grenades."[39] Three participants of the massacre revealed themselves after the war, but they did not then reveal the information about the massacre of the Jews in Kosowice.[40]

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[35] Ibidem, Protokół przesłuchania podejrzanego z 16 II 1956 r. [Typescript of interrogation of the suspect on 16 February 1956], pp. 163–164.

[36] Ibidem, p. 163. Kaczorowski made a similar statement: "[N]one of our superiors reprimanded us for carrying out the order improperly, too zealously, or something like that." ibidem, p. 76).

[37] AIPN Ki, 022/2, Charakterystyka nr 02 bandy terrorystyczno-rabunkowej poakowskiej pod dowództwem Leona Jopa (oprac. S. Gocał, 1974 r.) [Profile of the 02 terrorist-predatory post-AK gang commanded by Leon Jop (prepared by S. Gocal, 1974)]; *Atlas polskiego podziemia niepodległościowego 1944–1956*, ed. Rafał Wnuk, Sławomir Poleszak, Agnieszka Jaczyńska, and Magdalena Śladecka (Warsaw–Lublin: IPN, 2007), 278–279.

[38] AIPN Ki, 005/1941, file 2, Meldunek Tadeusza Kality [Tadeusz Kalita's Report], p. 12.

[39] AIPN Ki, 8/1186, p. 108. On June 6, 2003 the Regional [Lower] Court in Kielce (Division III, Penal) turned down the petition of Katarzyna Kotwa to invalidate the sentence passed by the District Military Court in Kielce on 30 July 1953 (AIPN Ki, 8/1186A).

[40] AIPN Ra, 29/109, Protokół przesłuchania podejrzanego z 1 X 1955 oraz 28 I i 25 II 1956 r. [Typescripts of interrogations of the suspect on 1 October 1955, 28 January 1956, and 25 February 1956], pp. 50, 115, 200.

The knowledge of what happened in April 1943 in the village of Kosowice did go beyond that local community for several decades. It existed only in the consciousness of the people living in the village and in the area, at times derived from conjecture and speculation. The law enforcement authorities launched an investigation after receipt of the information from agent Kalita. The Provincial Public Security Authority (*Wojewódzki Urząd Bezpieczeństwa Publicznego*, WUBP) in Kielce opened a collective agents' case codename "Zbiegi"[41] in early 1953. Consequently, the Stryczowice inhabitant Kotwa and the Łódź inhabitant Sobczyk were temporarily arrested on 28 January 1956. Several days later, that is on 7 February 1956, Kaczorowski, who lived in Poznań, was apprehended. Dąbrowski, who also lived in Poznań, was arrested on 23 February 1965.[42] Przygoda – the fifth participant of the massacre of the Jews in Kosowice – avoided arrest only because on 15 November 1955 in Warsaw he confessed his occupation-period past, including his participation in the Kosowice massacre.

The investigation was initiated and conducted in cooperation with the Provincial Public Prosecutor's Office in Kielce by the WUdsBP Public Security Authority in Kielce from 22 January until 7 May 1956.[43] It resulted in an indictment and the subsequent trial, which was conducted in the Provincial Court in Kielce (Radom Branch – Department VI [Penal]) during 4–5 October 1956. The court interrogated the defendants and examined 16 witnesses. During the investigation and the trial the defendants frequently changed their testimonies. During the first 2 interrogations Kotwa denied knowing the murdered Jews previously. Later on he changed his mind and consistently testified that his participation in the massacre resulted from the fact that they had attacked and robbed him. None of the co-defendants or the witnesses had heard about any such incident. Unlike during the investigation, during the main hearing all of the defendants claimed that the operation to liquidate the Jews was commanded by Cichocki, which the court believed. Furthermore, the defendants claimed that he was the one who had shot the girl. But it is beyond doubt that Cichocki, born in 1917 and fatally shot on 8 June 1952 by the Internal Security Corps (*Korpus Bezpieczeństwa Wewnętrznego*), did not participate in that crime.[44]

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[41] AIPN Ki, 005/1941, file 4, Charakterystyka agenta ps. "Spóźniony" [Profile of the Agent codename "Spóźniony"], p. 18.

[42] AIPN Ki, 1583/118, Sprawozdanie WUdsBP za I kwartał 1956 r. [WUdsBP Report for the 1st quarter of 1956], pp. 27–28.

[43] The conducted investigation regarded other crimes, too, i.e. the execution of 3 men: Józef Zielonka, and the People's Army (*Armia Ludowa*, AL) member named Olczyk in the Stryczów "pits", and the BCh member Stefan Tokarski in Waśniów.

[44] AIPN Ki, 005/1941, Meldunek Tadeusza Kality [Tadeusz Kalita's Report], p. 67; AIPN Ki, 32/288, Akta w sprawie Antoniego Cichockiego s. Michała ps. "Rywal", zam. Przeradz, gm. Barwice, o dowództwo bandzie [*sic*!] dywersyjnej NSZ w 1945 r. i przynależność do bandy rabunkowej na terenie gminy Bokszyce [Files regarding Antoni Cichocki, son of Michał, codename "Rywal," living in Przeradz in the Barwice municipality and his command of an NSZ

The witnesses summoned by the defendants, particularly their relatives, testified – very often inconsistently – to the advantage of the defendants and against the murdered Jews.

The testimonies given by Maria and Stanisław C. from Stryczowice were the least plausible. Summoned by motion of defendant Dąbrowski, Stanisław C. testified as follows on 4 May 1956: "One night 3 bandits came over and asked my wife, who was sleeping in our home, where I was. My wife did not give a clear answer. That was when one of the bandits told my wife to go with him to the barn to find me. In the barn, instead of looking for me the bandits raped my wife under threat of using the machine guns and pistols that they had. At that time I was near the barn and I heard the bandits' struggling with my wife. In despair, I shouted at the bandits, cursing them. The bandits fled after my shouts without taking anything from our home. Leon Dąbrowski came over later. After the bandits had left my wife told me that one of the rapists looked like a Jew, that is he had black hair and an aquiline nose. When I had started shouting he had said something in a strange language, possibly Jewish."[45] When defendant Dąbrowski was asked after Stanisław C.'s interrogation whether he knew about the rape on Maria C. conducted by the bandits, he stated that "he knows nothing about it or about the bandits' being of Jewish origin."[46] Of course, during the main hearing he "reminded himself" about the rape purportedly conducted by Lejbuś.[47]

That highly implausible version of the events, though with certain tiny modifications, was categorically insisted on before the court during the hearing on 5 October 1956.[48] Other witnesses too, including Jan C. from Broniszowice, who had family ties with Dąbrowski, said one thing during the investigation and another in court. For instance, on 15 March 1956 Jan C. testified that during the occupation his house had been robbed twice: "During those robberies they stole fabric for clothing, shoes, and some food prepared for my son Józef, who was

sabotage band (*sic*) in 1945 and his membership in the predatory band in the Bokszyce municipality].

[45] AIPN Ra, 29/109, Protokół przesłuchania świadka z 4 V 1956 r. [Typescript of interrogation of the witness on 4 May 1956], p. 179.

[46] Ibidem, Protokół zaznajomienia podejrzanego z materiałami śledztwa w dniu 4 V 1956 r. [Typescript of a presentation of the investigation materials to the suspect on 4 May 1956], p. 180.

[47] AIPN Ra, 29/110, Protokół rozprawy głównej [Typescript of the main hearing], p. 73.

[48] On 5 October 1956 witness Maria C. testified: "I knew Lejbuś even before the war. He traded calves and owned orchards. During the occupation I used to see him in the villages. People were saying that he was in a predatory gang. There was an attack on our house. Somebody knocked on the door in the evening. Three armed, unmasked people came. Lejbuś was one of them. They were asking about my husband and ordered me to go to the barn, where Lejbuś raped me. My husband was not at home." On the same day Stanisław C. testified: "[D]uring the occupation Wacław Stefański brought a note urging [us?] to pay 5,000 złotys. I asked who that note was from. He said that perhaps from the Jews because he recognized Lejbuś even though he was dirty. My wife said that while I was absent there had been an attack on our house and that she recognized Lejbuś among the gang members" (ibidem, pp. 84–85).

a forced laborer in Germany at that time. I did not recognize the perpetrators of those 2 robberies and I still do not know who attacked me."[49] Less than 7 months later, that is on October 4, that same witness testified before the court the following: "during those 2 robberies I realized that their participants were Jewish because the first time they took food but left the pork fat and the next time when I asked who was knocking I heard an answer with a Jewish accent: 'A partisan.'"[50]

The sentence was pronounced on 8 October 1956. Kaczorowski and Kotwa were sentenced to 6 years' imprisonment each, while Sobczyk was sentenced to 5 years' imprisonment. Pursuant to the amnesties of 2 August 1945 and 22 February 1947 the court mitigated the sentences of Kaczorowski, Kotwa, and Sobczyk. The sentences of the first two were decreased to 2 years and 3 months, while Sobczyk's sentence was limited to 1 year 10 months and 15 days. Moreover, pursuant to the amnesty of 27 April 1956 Sobczyk was pardoned. The court also pardoned Dąbrowski as it concluded that he did not directly participate in the massacre as he arrived when all the victims were already dead.

The defenders of defendants Kotwa and Sobczyk appealed to the Supreme Court. The sentence with regard to Kaczorowski came into force as his defense counsel failed to appeal within the specified deadline. He only submitted a petition for pardon to the Council of State (*Rada Państwa*), but it was rejected.[51]

The appeal of Kotwa and Sobczyk, who requested that the sentence be annulled and that they be exonerated from the crime they had been found guilty of, was rejected, too. As per its decision of 17 January 1958 the Supreme Court in Warsaw upheld the sentence at appeal at the same time pointing out that "the Provincial Court meted out a very lenient punishment to defendant Kotwa, which was close to the minimum punishment provided for by the law."

After the 1989 political transformation some of the participants apparently concluded that nobody remembered those events anymore, especially as they had been promoted and decorated in the meantime. It was even possible to read about their heroic "deeds" in books.[52] It is difficult to find any references to the said events in their biographical entries. To the contrary: one might get the impression that they were wrongfully prosecuted.[53] From there their path led straight onto that highly controversial monument.[54] It seems that only Sobczyk severed all ties with the past and his old milieu.

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[49] AIPN Ra, 29/109, Protokół przesłuchania podejrzanego z 15 III 1956 r. [Typescript of interrogation of the suspect on 15 March 1956], p. 17.

[50] AIPN Ra, 29/110, Protokół rozprawy głównej [Typescript of the main hearing], p. 76.

[51] Ibidem, Do Rady Państwa Rzeczypospolitej Ludowej [Petition to the Council of State of the People's Republic of Poland], pp. 129–130.

[52] Sułowski, *U podnóża Gór Świętokrzyskich*, 73, 83, 89. See also: Dominika Leszczyńska, *Leszek Mądzik Podróż* (Rzeszów: Creo, 2009), 44–45, 61–64.

[53] See: http://nekropolie.republika.pl/Junikowo.htm, retrieved 26 January 2011.

[54] The names on the monument include Antoni Cichocki, Leon Dąbrowski, and Jan Kaczorowski.

Documents
I. Information about the massacre of the Jews in reports of the secret collaborator Tadeusz Kalita (parts)

[a]7 January 1953. Top secret[a]

During the occupation, when the Nazis began to exterminate Poles of Jewish origin, a young Jew called Lejbuś escaped into the Boksyce municipality. Before the war he used to buy calves in that area. He was supposed to be at his good friends' in Worowice, but I do not know which ones. Józef Kotwa found out about his stay and then he and Antoni Cichocki went to rob him and shoot him afterwards. After they had taken him from hiding they took a certain amount of money in dollars from him, but I do not know how much (approximately 60 dollars). They then took him to a forest to shoot him. On the way, sensing his coming death, the young man started pleading with Kotwa, whom he knew. He begged him to spare his life, calling him by his first name. When it proved pointless he chose the last resort – escape, and he did escape but he was shot, probably by Kotwa. After a longer period of time, it seems that it was in the spring of 1943, Olech from Stryczowice, who is married to Urban's[55] daughter and from Michałów, saw a group of Jews approaching. He immediately reported to Kotwa or Leon Dąbrowski and he watched them to see where they would go. Leon Dąbrowski, Józef Kotwa, Jan Kaczorowski and Stanisław Sobczyk gathered and then following information from Olech, went to Józef Machula to Kosowice, at whose place the Jews were staying. There were 5 Jews: 3 men, 1 woman, and a girl, aged around 10. Kotwa stormed into Machula's home. That Lejbuś, who had escaped him, was sitting by the door, so Kotwa fired at him first. The young man was lightly wounded and he flung himself at Kotwa, but not to fight. He was asking him, "Józek, what are you doing?" In response, Józek discharged the whole VIS pistol magazine into him. When he ran out of bullets he stormed out of the house, grabbed somebody's pistol and shot Lejbuś, who was lying on the ground, several times in the head. He then executed the rest of his victims. Only then did the men get begin the robbery. It seems that Stanisław Sobczyk was the most cunning, because he took a briefcase, which, as Machula has told me, contained dollars and emission issued money [*pieniądze emisyjne*]. Sobczyk took it while escorting Machula, who was scared senseless, out of the house. Having escorted Machula into the pigsty he put the briefcase under his shirt on his back in that pigsty. Thereafter Sobczyk went to the field where Jan Pakuła was working and he forbid him to say to anybody what he saw or heard. Sobczyk was wearing glasses, but it seems that Pakuła recognized him. They took the dead woman's shoes and kerchief. They gave the latter to Olech for provision of the

[a–a] *Hand-written note of an employee of the PUBP in Ostrowiec Świętokrzyski.*

[55] It should be: Urbanik.

information. They then divided the cash in dollars and emission issued [money] among themselves. Sobczyk did not show his friends the briefcase he had taken and hidden on his back. […]

Source: AIPN Ki, 005/1941, file 5, pp. 86–87 (pp. 82–83 in the typescript).[56]

[a]Top secret, 15 September 1953[a]

I know that the following men participated in the liquidation of the people of Jewish origin staying at Machula's in Kosowice: Leon Dąbrowski, Józef Kotwa, Jan Kaczorowski, Stanisław Sobczyk and Henryk Przygoda, who lives in Garbacz. After the liquidation they robbed the said Jews of approximately 300 dollars and a few thousands in issued money and they then divided that money among themselves.

Source: AIPN Ki, 005/1941, file 5, pp. 143 (p. 142 in the typescript).

[no date, most probably early 1956]

I would also like to add that on his way back from his disclosure[57] Przygoda[58] visited Henryk Zych in Ostrowiec [Świętokrzyski] and told him that he had revealed his involvement and that it would be possible to cover the whole thing up if he paid 7 thousand złotys. He visited Stanisław Sobczyk to tell him to chip in, but he did not want to hear about that and he said that a decade had passed and that he could not be held responsible.

Source: AIPN Ki, 005/1941, file 2, p. 18.

[56] The incriminating letters written by Tadeusz Kalita were usually written in pencil on ordinary paper. They were typewritten in the PUBP in Ostrowiec Świętokrzyski. In the personal files of the secret collaborator codename "Spóźniony" there are two versions of each report.

[a–a] *Hand-written note of an employee of the PUBP in Ostrowiec Świętokrzyski.*

[57] Members of underground organizations were offered pardon on condition that they disclose their past membership (translator's footnote).

[58] On 15 November 1955 Henryk Przygoda submitted an extensive testimony regarding his involvement during WWII. He submitted the document in Warsaw before the Deputy Public Prosecutor of the Public Prosecutor General's Office Borys Kośko and in the presence of recording clerk Krystyna Akimowicz.

[a]Ostrowiec [Świętokrzyski], 1 October 1956. Top secret[a]

[...] While I was talking with the Momina parish priest Władysław Godzwon[59] during the threshing regarding Kaczorowski and the others, Godzwon was rather eager to hear what I had to say on that subject. I told him that it was difficult for me to say anything specific. Perhaps I would know something from the trial. He asked whether I knew who could have made a bad brake. I told him that I suspected that the whole thing was a result of the disclosure of Henryk Przygoda from Garbacz. The priest told me that Przygoda should not have gone alone. He should have gone to Kaczorowski and the others and tell them about his plan and they could tell their story together. But now the whole thing looks bad.

Source: AIPN Ki, 005/1941, file 2, pp. 52–53 (p. 50 in the typescript)

[no date, most probably early 1956]

As for the Jews murdered in Kosowice at Józef Machula's I know what follows. It seems the Jews were walking from the Michałów village in the Modliborzyce municipality and they stopped behind Aleksander Urban['s farm][60] in Stryczowice. When Urban went to tell his brother-in-law Olech... Or perhaps Olech was at Urban's at that time. I do not know. All in all, Olech informed Leon Dąbrowski, the son of Michał, in Stryczowice that the Jews were moving. Dąbrowski informed his friends: Jan Kaczorowski, Stanisław Sobczyk, Henryk Przygoda, and Józef Kotwa. Olech went to see where the Jews would go. All the said men gathered and went to Urban's and then followed the Jews, who stopped by Józef Machula's in Kosowice. At Machula's there were: Józef Machula, who his dead now, his daughter Marianna,[61] who has married Cierpisz, who had been an MO commandant in Momina, Machula's wife, who lives at her son-in-law Cierpisz's, and Machula's neighbor Jan Pakuła, who left Machula's home when the group that shot the Jews approached Machula's house. Later on, my friend Józef Kotwa described the shooting to me in the following way. Kotwa was the first to open the door to Machula's home. The man commonly known as Lajbuś was sitting right by the door. He was known in the area because he had traded calves before the war and he knew Kotwa well. Some time earlier Kotwa had wounded Lajbuś, who had managed to escape though.

[a–a] *Hand-written note of an employee of the PUBP in Ostrowiec Świętokrzyski.*

[59] Father Władysław Godzwon (1895–1967), during 1937–1958 the Momina parish priest. See: Stanisław Krasa, "Ks. Władysław Godzwon," *Zeszyty Połanieckie* 2 (2002).

[60] It should be: Urbanik.

[61] During the massacre Marianna Machula was at a fair in Ostrowiec Świętokrzyski.

When Kotwa stepped in with a pistol, Lajbuś flung himself at Kotwa, embraced him, and called him by his first name, asking him to spare his life. Unable to free himself, Kotwa shot him in the chest, as he told me. After he had emptied the whole magazine of the VIS pistol, Lajbuś collapsed onto the floor. Kotwa stormed out of the house and grabbed a pistol, probably from Henryk Przygoda. He rushed back into the house and finished Lajbuś off. He told me that he had shot him 4 times in the head. He then grabbed another man from the stove and shot him too. Jan Kaczorowski then stormed into the house and shot the woman and her child (a girl approximately 9 years old). 5 people were shot including 3 men, 1 woman, and 1 child. Some time after that incident Józef Machula told me the following. When the shots were fired he, that is Machula, was escorted out by a bespectacled blond-haired man of average height into a shed. (It was Stanisław Sobczyk, who has been arrested. He put on the glasses so that nobody would recognize him) The man ordered Machula to put a briefcase he had carried out under his shirt on his back. Machula claims that there were dollars and Polish money in the briefcase and that the briefcase belonged to one of the Jews (purportedly a physician from Sienno). He told Machula to stay in the shed and not come out. He then went to Jan Pakuła, who was in the field, and told him not to tell anybody about what he had seen. After the execution they frisked the bodies and informed Machula that they would come at night and load the bodies onto a cart.

Source: AIPN Ki, 005/1941, file 2, pp. 16–17 (pp. 5–7 in the typescript).

Ostrowiec, 29 October 1956. Top secret[62]

On 14 October 1956 I visited Father Władysław Godzwon in Momina and we talked about the case of Kaczorowski and the others. Godzwon said that the fact that the Jewish price had gone down saved the whole situation for if this case had been opened 4 years back it would be much worse. The whole thing would look entirely different if there had not been a woman and a child among the victims. The investigation would be discontinued. He asked me how the defendants were feeling. I said that they were generally rather well. He then asked me what the public prosecutor said in his speech. I told him that he discussed the virtues of the defendants. The only reservation he had as far as the murder of the Jews was concerned regarded the order to execute the Jews by Antoni Cichocki, who is now dead. He then stressed that as for Kotwa, he had failed to confess, to many a fault. Godzwon said that the defendants did the right thing when they testified that Cichocki had given them that order [to murder the Jews – J.M.]. Kotwa must be stupid to confess to something they have no evidence for.

Source: AIPN Ki, 005/1941, file 2, p. 57 (pp. 54–55 in the typescript).

[62] The date and profile of the incriminating letter are only in the typewritten version.

[a]Ostrowiec, July 12, [19]57. Top secret[a]

[…] [Kotwa] has a grievance against Henryk Przygoda. Kotwa claims that Przygoda is the one that led to the trial regarding the murder of the Jews. Kotwa opined that that when Przygoda decided to confess he should have informed all the participants of the massacre. They could confess too and there would be no trial. Kotwa has a grievance against Stanisław Sobczyk, too, as he had informed on them while he was in prison. Kotwa claims that Sobczyk is the guiltiest of the murder of the Jews. Nonetheless, Sobczyk denied buying 2 factories[63] for the Jews' money and right now he would like somebody else to serve the time instead of him. He then said that he, that is Kotwa, was the only one who confessed that Antoni Cichocki was the commander during the murder and that only later did the rest of the defendants testify that after him. […]

Source: AIPN Ki, 005/1941, file 2, p. 66.

II. Witness testimonies (parts)

Kielce, 12 March 1956

Parts of the interrogation of witness Jan Janiec by the investigating officer of the Provincial Office of Public Security [later WUdsBP] Bolesław Drożdż.

I cannot recall the exact date but it was probably in April 1943 that Lejbuś came to my place in the morning in company of a man of Jewish origin, about 45 years old, a woman, about 42 years old, and a girl, about 12 years old. The woman and the girl were of Jewish origin, too. Lejbuś asked me to shelter the girl. He explained to me that they, that is the adults, would cope, but their constant wandering was too much for the 12-year-old girl. They also promised to pay good money for provision of shelter to the girl, who might have been the daughter of the man and woman who accompanied Lejbuś. I refused to take in the girl as I feared that my neighbors would denounce me. Lejbuś and the others came during the day and they were seen by Franciszek Stefański, who died at the beginning of this month. Stefański had informed Jan Olech and Aleksander Urbanik right away. Urbanik is my neighbor across the road. Olech is Urbanik's brother-in-law and when the Jews came to me he was digging a well with Urbanik in the latter's yard. I know that Stefański had told Olech about the

[a–a] *Hand-written note of an employee of the PUBP in Ostrowiec Świętokrzyski.*

[63] The information regards the fact that after WWII Sobczyk's father-in-law owned farming machinery factories in Kielce and Końskie (AIPN Ra, 29/109, Informacja III Komisariatu MO w Łodzi-Polesiu [Information from Station III of the Citizens' Militia (*Milicja Obywatelska*, MO) in Łódź-Polesie], p. 148).

Jews' stay at my place because when they were in my home I heard that somebody was coming. I went outside my house and I saw Olech at my doorstep. He asked me if there were Jews in my home. I replied that there were no strangers at my place. Olech then said that I was lying because a moment ago Stefański told him that he had seen Jews coming into my house. I then confirmed Olech's words and he advised me to remove the Jews from my home, as I might get in trouble because of it. Olech did not clarify what he meant. I took his words for friendly advice. I did not suspect that he had hostile intentions toward the Jews staying at my place. On the other hand, I suspected that he was not completely honest, when he advised me to get rid of the Jews. That was why I refused to shelter the girl at my place. I made a deal with Lejbuś that I would shelter her on condition that he brought her when nobody could see them. He was to bring her the next evening.

Source: AIPN Ki, 29/109, pp. 6–7.

Kielce, 13 March 1956

Parts of the interrogation of witness Jan Olech by the investigating officer of the WUdsBP in Kielce Bolesław Drożdż

[…] I have not heard about any robberies conducted by Lejbuś during the occupation. I only know that he was pursued by members of the underground organization, probably the AK (Home Army), but I do not know why. My former neighbor Jan Woźnica told me that in the autumn of 1941 or 1942 he had been beaten by unknown members of an organization, because Lejbuś had stayed in his home on several occasions. Now, Woźnica lives in the Recovered Territories, somewhere near Jelenia Góra, but I do not know the address. During the same period I was assaulted by unknown members of the organization who demanded that I give them the weapons I had possessed and had sold. Wronged, the two of us (that is Woźnica and I) often talked about those assaults on us and about the assault on Woźnica's parents, who are dead now. During those conversations Woźnica did not mention that he and his parents had been beaten up for provision of help to a bandit. He did not know at all what crime Lejbuś was accused of and why the members of that organization or gang were looking for him. Woźnica said that he had been beaten up not for being an accomplice of the gang member but for his sheltering of a Jew. […]

Source: AIPN Ki, 29/109, pp. 8–9.

Kielce, 13 March 1956

Parts of the interrogation of witness Jan Pakuła by the investigating officer of the WUdsBP in Kielce Bolesław Drożdż

[…] "Łajbuś" went outside the house and started talking with me. As far as I can remember "Łajbuś" told me that he had been a partisan and that he had been wounded in the hip in combat. He did not say who he had been fighting against. I did not believe him and I teased him saying that he had injured his hip with barbed wire. While talking with "Łajbuś" I was standing opposite the front door and I saw that aside from "Łajbuś" at Machula's there were also 2 men, a woman, and a girl. One of the men was about 40, while the other was around 17. The woman was about 30, while the girl was about 12. The older man had a word or two with me, too. I heard "Łajbuś" say that that man was a doctor and that the others were that man's family. […] At first, somebody grabbed me by the arm and shouted loudly at me to run home. It seemed to me that the man had shouted in German. At first, I thought that it was the German police and I ran home without a moment's thought. When somebody grabbed me by the arm I glimpsed a big, shining pistol. I could barely see the man's face because I was very scared. When I bolted I heard something like a shout, "Hands up!" At the same time shots were fired and I heard screams.

Source: AIPN Ra, 29/109, pp. 13–14.

Ostrowiec [Świętokrzyski], 16 March 1956

Parts of the interrogation of witness Maria Cierpisz (née Machula) by the investigating officer of the WUdsBP in Kielce Stanisław Ryrak

[…] While I was approaching our home I noticed our neighbor Jan Pakuła, who was standing outside his house and calling me to come in. And I did. I went into his house and I saw that in addition to the members of Jan Pakuła's household there was also my mother. Jan Pakuła and my mother then told me that while I was absent the people of Jewish origin had been killed. I did not believe them and I went into our house to see if what they told me was true. There were no bodies outside our house. When I opened the door to the house I saw bodies of the killed people of Jewish origin. There were two beds in the house, one of them messed up. There was an eiderdown on that bed and it had blood spots on it. There were blood spots on the walls, on the floor, and on other furniture in the house. Moreover, there were bullet holes in the walls. Five people had been killed, including a middle-aged woman, a girl about 10, and 3 men, aged around 30. The bodies had been stripped of clothes and they [the men] had only shirts

and long underwear on, while the woman had on only her underwear. I can recall that the girl was wearing a red sweater, but I do not remember if she was wearing a dress or a skirt.

Source: AIPN Ra, 29/109, pp. 25–26.

Ostrowiec [Świętokrzyski], 3 April 1956

Parts of the interrogation of witness Katarzyna Machula by the investigating officer of the WUdsBP in Kielce Mieczysław Bakalarczyk

[...] It was during the occupation, but I cannot recall what year it was. I can recall only that it was in spring, perhaps around 15 April. Five people came into my home: 3 men and a woman with her daughter, aged around 9. I figured out that they were Jewish right after they came in. I came to that conclusion because they were scared and it was easy to guess they were Jewish on account of their accent. The said Jews were strangers to my husband and me. They asked my husband and me to let them stay and rest a while in our home. We agreed and they sat down on the stools and started talking with us. During the conversation they asked us for food. They asked me for bread the most eagerly. It so happened that I had no bread at home and that was why I could not give them any. They had a rather small suitcase, but I do not know what was in it, because they did not open it [*sic*]. I cannot recall anything more of our conversation aside from what I have already mentioned. What I mean is that I cannot recall them saying anything about where they had lived or where they were hiding. After about half an hour's rest the said Jews thanked us for letting them stay at our place and they were about to set out again. One of the men was holding the doorknob of the front door when an armed man stormed into the house, shouting "Hands up!" at everybody. The Jew standing closest to the door got scared and started shouting when he heard the stranger's order to lift hands. That was when I heard a gunshot. It turned out that the killer shot that Jew because a moment later the man collapsed onto the floor. The ones who were still alive did not try to defend themselves. I saw that they all raised their hands. The one who shot the first Jew quickly threw me and my husband into the shed. After my husband and I had been locked in the shed somebody else entered our house [but] I do not know [who it was] because I could not see. After a while we heard shots again. Soon afterward we were unlocked from the shed by the same individual [who had stormed] into the house. That same individual then told us not to inform the German authorities, because we would be shot as well for provision of shelter to the killed Jews. After a while the individual left our home, but I do not know where he went as I did not go out after him. After the killers had left we noticed that the Jews had been stripped of their coats. The suitcase they had brought in

had been taken as well. My husband buried the executed Jews in the field near our farm buildings. […]

Source: AIPN Ra, 29/109, pp. 40–41.

III. Testimonies of the participants (parts)

Parts of the interrogation of witness Henryk Przygoda on 15 November 1955 conducted by the Deputy Public Prosecutor of the General Public Prosecutor's Office [Prokuratura Generalna] Borys Kośko with participation of the recording clerk Krystyna Akimowicz

[…] One day Sobczyk sent a note for me to come to the streamlet, which flows from Momina in the direction of the village of Gromadzice. Following the order, I came there, armed. I met Kaczorowski, Sobczyk, Kotwa, and Dąbrowski at the agreed place. From what the men there said our task was to escort some citizens of Jewish origin, who were staying at a local farmer's, to a forest detachment. After that meeting Dąbrowski said that one of those citizens [of Jewish origin] named Lajbuś participated in the attack on a certain Stefański in the village of Stryczowice, which was purportedly where he was recognized. They also said that the Jews could bring over the Germans, who would kill the family that was sheltering them. I cannot recall if Kotwa and Kaczorowski had said anything about it. We went to that farmer, at whose place the Jews were living, in order to apprehend them and to escort them into the forest in the evening. When we approached the house Kaczorowski, Kotwa, Sobczyk and Dąbrowski went in. I stayed outside and after a while I heard gunshots and a scream. Kotwa jumped out of the house and shouted at me: "Why are you standing here like that?" He snatched my pistol from my hand and went back in. I heard more gunshots after a while. I then looked into the house and I saw the bloody bodies of 3 men, a woman, and a child. We left and we stopped again by the streamlet. Sobczyk asked if anyone had taken any objects or money, because he had to submit everything to his commander. I do not recall, which of the men present took the money. After it was counted it turned out that there was 370 złotys, as far as I can recall. Sobczyk took that money. […]

Source: AIPN Ra, 29/108, p. 22.

Kielce, 16 February 1956

Parts of the interrogation of witness Jan Kaczorowski by investigating officer of the WUdsBP in Kielce Bolesław Drożdż

[…] I can recall that I heard about the said group of Jews from AK members from Stryczowice: Józef Kotwa, Leon Dąbrowski, and probably Henryk Przygoda

(who was a member of the Special Section and lived in Garbacz in the Momina municipality), while they were talking about it with Pytlak – their Region *dvoyka* commandant, who was living in Kosowice in the Momina municipality. The members of the Special Section who took part in those conversations besides me were Stanisław Sobczyk and Tadeusz Kaleta. But I am not sure with regard to Kaleta. These conversations were held on Sundays after the mass in the form of chats. There were several such conversations, but I cannot say how many exactly. The members of the AK from Stryczowice brought fresh news with regard [to] the robberies conducted by the group commanded by Lejbuś. They listed the localities, where those robberies took place and the names of the people purportedly robbed with the use of guns. I do not know if that information was true. I cannot recall what I thought about it. I cannot recall either if they suggested to Pytlak that Lejbuś and his group should be liquidated.

Despite their seemingly casual tone those conversations had an official character. They were something like reports given by the members to the *dvoyka* director Pytlak. During those conversations the exceptionally difficult position of the Jews during the occupation was not taken into consideration. Nobody suggested helping them hide from the Germans, either. We were aware of how difficult their situation was.

It is difficult for me to say now if it was due to the report[s] regarding Lejbuś' group received by Pytlak, but after approx. 2 months Pytlak gave an order to liquidate Lejbuś' group. I cannot recall if he gave that order to the Special Section commander Stanisław Sobczyk, or if he gave it to all of us during one of the meetings outside the church in Momina. All in all, all members of the Special Section and 3 AK members from Stryczowice, that is, Kotwa, Cichocki, and Dąbrowski, knew about that order. […]

Source: AIPN Ra, 29/108, pp. 74–76.

Interrogation on 22 February 1956

[…] Józef Kotwa was the first one to storm into the house. I cannot recall who shouted, "Hands up!" or did something to check who was in the house. When I entered several minutes after him, Kotwa was firing his pistol nonstop at the Jews, who were standing gathered in a group by the stove. I also opened fire at that group of people standing close together. Sobczyk, who had stormed in almost when I had, did the same. We shot at the Jews until they collapsed onto the floor. I fired several shots. I do not know who I shot at, because I was firing at that entire group of people. […] One of us – but I cannot remember whether it was Sobczyk or Kotwa – checked the killed Jews' pockets in search of the guns they had purportedly had and to take their documents. We did not find any guns on the killed Jews. Their documents were

taken to be submitted to Michał Pytlak "Łom" with the report about the conducted liquidation. […]

Source: AIPN Ra, 29/108, pp. 80–81.

Kielce, 18 February 1956

Parts of the interrogation of suspect Józef Kotwa by investigating officer of the WUdsBP in Kielce Bolesław Drożdż in the presence of Deputy Public Prosecutor of the Public Prosecutor's Office in Kielce M. Piszczyk

Q: Yesterday, that is on 17 February 1956, you testified that you learned about the Jewish group on the day of the killing. Therefore, I will quote a fragment of Jan Kaczorowski's testimony regarding this matter: "[…] as we were walking to conduct the liquidation in Machula's house in Stryczowice, Kotwa told me on the way that some time earlier (I cannot remember when exactly) he had pursued that Jew in Stryczowice 'pits,' but the Jew had escaped. Kotwa said that he had chased the Jew for his purported criminal activity […]."

A: I understand the quoted fragment of the testimony. The incident Kaczorowski testified about could have happened, that is, it is possible that I pursued that Jew in the Stryczów pits. It is also possible that I told Kaczorowski and the others about that on our way to Machula's house. Now, however, I can recall neither the said incidents nor my conversation with Kaczorowski about the Jews, but I do not deny that the facts Kaczorowski testified about did take place. […]

Source: AIPN Ra, 29/108, p. 122.

Kielce, 28 February 1956

Parts of the interrogation of suspect Leon Dąbrowski by investigating officer of the WUdsBP in Kielce Bolesław Drożdż

[…] Following Cichocki's order I ordered Jan Olech – an AK member living in Stryczowice from a section subordinate to me, whose father's name I do not know – to report to me immediately if he came across the Jews or found out where they were staying. I also clarified that I meant Lejbuś' group and that that group was conducting robberies, which was why we had received an order to liquidate it. Olech did not comment on my order. He said only that he would carry it out. I would like to add that I told the same to Stefański during our conversation but not in the form of an order, because he was not an AK member. Stefański prom-

ised to inform me when he found out where Lejbuś and his group were staying. Generally, I state that by order of Cichocki I was the one who managed the preparations for the liquidation of the Jewish group. First of all, I had to find out where they were staying once they arrived in the vicinity of Stryczowice. […]

Source: AIPN Ra, 29/108, pp. 206–207.

Interrogation on 2 March 1956

[…] When I ran up to the door of Machula's home I heard pistol shots and the rattle of dying people coming out of the house. Before I went in I looked around and it seems to me now that I concluded that nobody was in. After I went in I saw bloodied bodies. I can recall that only Lejbuś was alive. The others were probably dead. They were lying in various positions on the floor. It is possible that one of them was lying on the bed, but I cannot recall who it was. When I entered the perpetrators of the killing were still shooting at the half-dead Jews. […]

I can also recall that in late 1943 or in early 1944 a member of the organization, probably Henryk Przygoda, told me that in 1943, before the said murder of the 5 Jews, Cichocki had escorted 2 or 3 Jews into the forest. Lejbuś was purportedly one of them. The Jews slipped out of Cichocki's hands into the forest and during the escape Lejbuś was shot by Cichocki. Nonetheless, he managed to escape. Przygoda said it was second-hand information, but he did not say who he had heard it from. He told me about that incident in secret. Purportedly, it took place in Truskolasy in the Opatów municipality.

Source: AIPN Ra, 29/108, pp. 214, 218.

Kielce, 24 February 1956

Parts of the interrogation of suspect Stanisław Sobczyk by investigating officer of the WUdsBP in Kielce Bolesław Drożdż

[…] I can recall that several hours before the murder of the Jews I participated in a search of a farm of a farmer unknown to me living in the hamlet of the Smyków village in the former Boksyce municipality. Józef Kotwa, Antoni Cichocki, Henryk Przygoda, and others participated in that search. There were about 10 of us in total. It seems that Kaczorowski and Dąbrowski were there as well, but I am not sure. The search was aimed at finding guns, Jews, who were purportedly hiding at that peasant's, and food supplies, purportedly made by the Jews hiding at that peasant's farm. Kotwa and Cichocki knew where the food supplies were hidden and they personally found the cache, but there was only

grain. We did not find anything during that search. The Jews were not in or near the farm buildings. I can recall that we were looking at that farm for the same Jews, whom we liquidated several months later. I cannot recall if Pytlak ordered me to participate in that search. But I think that he knew about it, just as he knew about all movements of the Special Section and about everything that happened in the field. While on the subject of that search I would like to testify that the liquidation of the 5 Jews at Machula's in Kosowice was just a continuation of our activity with regard to the Jews. I am certain that if we had found them at that farmer's in the hamlet of Smyków village we would have shot them. […]

I would like to comment on the top-down attitude of the AK members in the Opatów county with regard to the Jews, which I also mentioned in my testimony yesterday. That attitude obliged the AK members to liquidate any Jews that might have appeared in the area. There were no explicit orders, but during the conversations it was hinted, or even explicitly said, that it should be done. Pytlak and other AK members told me that. It is difficult for me to describe the course and circumstances of such a conversation with Pytlak or the others, but such conversations regarding the Jews did take place. It even seems to me that this hostile attitude toward the Jews is the reason why I cannot recall an explicit order from Pytlak regarding the liquidation of the 5 Jews. Perhaps there was simply no explicit order. Nonetheless, the others and I liquidated those Jews knowing that it was in line with our superiors' wishes, particularly that the liquidation took place near Momina, where the AK leadership was located (Stryczowice is about 2 km from Momina), and that the local *dvoyka* commandant Michał Pytlak lived in Kosowice, that is where the liquidation of the Jews took place. […]

Source: AIPN Ra, 29/108, pp. 173–176.

Interrogation on 6 April 1956

[…] After the liquidation of the people of Jewish origin at Machula's our whole group went toward Stryczowice. On the way Jan Kaczorowski shared his impressions regarding the course of the murder of the Jews. Among others, he said that when that "little pup" [*szczeniak mały*] had hidden under the bed, he grabbed it by the leg, dragged it from under the bed and shot it. I would like to clarify that when Jan Kaczorowski said "little pup" he meant that girl from the Jewish group. All members of our group including me understood that "little pup" was a reference to that girl. Jan Kaczorowski was gesticulating with his hands while he was telling us about that moment. His gestures suggested that he lifted the girl by the leg, while her head was still on the floor. He used his other hand, in which he was holding a pistol, to fire at the girl's head or trunk. […]

Source: AIPN Ra, 29/108, p. 181.

IV. Sentence

[…] Having examined the case on 4–5 October 1956 the Provincial Court in Kielce (Radom Branch – Department VI [Penal]) composed of: the Presiding Judge Provincial Court Judge T. Bielski, the jurors K. Góźdź and P. Mularski, the recording clerk secretary M. Lucińska, and in the presence of the Provincial Deputy Public Prosecutor M. Piszczek […] finds Jan Kaczorowski, Józef Kotwa, and Stanisław Sobczyk guilty of the murder of 5 people of unknown names and surnames committed at the time, place, and of the character specified in the indictment. By virtue of art. 225 § 1 of the Penal Code the Court sentences Kaczorowski and Kotwa to 6 (verbally: six) years' imprisonment each and Sobczyk to 5 (verbally: five) years imprisonment. By virtue of art. 5 § 2 excerpt 2 of the decree of 2 August 1945 regarding amnesty and art. 8 § 1 of the Act of 22 February 1947 regarding amnesty the Court mitigates the said sentences: in the case of Kaczorowski and Kotwa to 2 (verbally: two) years and 3 (verbally: three) months of imprisonment and in the case of Sobczyk to 1 (verbally: one) year 10 (verbally: ten) months and 15 (verbally: fifteen) days of imprisonment. By virtue of art. 10 excerpt 1 of the Act of 27 April 1956 regarding amnesty the Court completely remits the mitigated sentence to Stanisław Sobczyk. The Court includes the period of Kaczorowski's and Kotwa's temporary arrest (from 25 January 1956 until 8 October 1956) in the duration of their mitigated sentences.

Substantiation

[…] Even if it was assumed that the defendants went for the liquidation and began it convinced that they were dealing with a group of bandits, that situation changed during the liquidation. According to witness Machula's testimony, after one of the Jews had been murdered, the remaining ones put their hands up. That was when Sobczyk, as he himself admits, entered the house and escorted Mr. and Mrs. Machula into the shed. By then, seeing the woman and the child, the defendants were aware that they were not dealing with bandits. Considering the Jews were unarmed and did not resist, the subsequent part of the operation had the character of a murder. Considering the above established facts and the fact that the operation was very short and that the defendants were excited and did not know the racial background of the killed people, the Court assumes that the motives of their actions were to remove possible witnesses of the operation and make sure that the organization would not be held responsible in any way. Aside from the defendant Dąbrowski, who did not participate in the operation and was wrongly convinced until the end that the Jews were bandits, the remaining defendants shall be held responsible by virtue of art. 225 § 1 of the Penal Code. Kaczorowski, Sobczyk, and Kotwa may not excuse themselves saying that they made a mistake, because, as it has been said, the defendants knew during the operation that the victims were not bandits. The defendants' deeds cannot be

justified by the fact they were carrying out an order, as in accordance with the [Penal] Code of the Polish Army prior to 1939 commitment of a crime by order does not exempt one from punishment. Kaczorowski, Kotwa, and Cichocki were direct perpetrators of the crime, while Sobczyk cooperated with them by shooting, helping them (he escorted the owners outside), and enabling them to kill the remaining Jews. As he himself claims, he wanted to finish off the wounded but he was unable to as his pistol was jammed. The defendants shot to kill. Consequently, they shall be held responsible by virtue of art. 225 § 1 of the Penal Code. […]

Source: AIPN Ra, 29/110, pp. 87–88, 90.

Review

[…] On 17 January 1958 the Court examined the case of Józef Kotwa and Stanisław Sobczyk, accused by virtue of art. 225 § 1 of the Penal Code, because of the appeal lodged by the defendants against the VI.K 63/56 sentence of the Provincial Court in Kielce (Radom Branch) of 8 October 1956. During an open sitting the Supreme Court in the Penal Chamber composed of the Presiding Judge Supreme Court Judge T. Gdowski, the S[upreme] C[ourt] Judge T. Rokosz, [and] the reporting judge J. Majewski, the recording clerk A. Główka upholds the appealed sentence by virtue of art. 375 and 459 of the Code of Criminal Procedure […].

Substantiation

[…] The appeal of the defendant Sobczyk makes an accusation that the facts on which the sentence was based were wrongly assessed as it was concluded that the defendant had opened fire at the people in witness Machula's home even though the collected evidence does not suggest that [the defendant] could be accused of such an act, that is of shooting at the people in Machula's home.

Moreover, according to defendant Sobczyk's appeal, he was acting within the framework of a military organization and as such he was protected by the fact that he was carrying out orders and he could not be held responsible for it even if the order he carried out was illegal.

The appeal of the defendant Kotwa is based on the accusation of a violation of art. 20 § 1 of the Penal Code with art. 223 of the Penal Code and on the accusation of erroneous evaluation of the factual circumstances, which were the basis for the sentence, and possibly on the accusation of incommensurate punishment (art. 371, items 1, 3, and 4 of the Code of Criminal Procedure). The Supreme Court has decided what follows: both of the appeals are without basis.

Regarding the defendant Sobczyk's appeal.

The reasoning of the appeal was intended to prove that the defendant could not be liable to prosecution for the consequences of the order he received are completely groundless. According to the substantiation of the appealed sen-

tence, the Provincial Court assumed, following the co-defendants' testimonies, that on their way to the village of Kosowice the defendants were convinced that they were about to liquidate a group of gangsters and that they were unaware that they were acting against unarmed and innocent citizens of Jewish origin, who were hiding from persecution on the part of the Nazi occupier. Nonetheless, the Provincial Court rightfully stated that the situation during the planned operation underwent a radical change as the defendant Sobczyk and the other defendants realized that they were not dealing with gangsters when they saw the woman and the child. Taking this into consideration their actions cannot be justified with the order they received within the framework of military discipline as that order could pertain only to liquidation of a gang of robbers and not to the liquidation of unarmed citizens ([including] women and children). The court proceedings proved that the defendant Sobczyk shot at the people present in the house, as co-defendant Kaczorowski's testimony from the investigation suggests (page 76) and which has confirmation in defendant Kotwa's testimony. Consequently, the decision to attribute to the defendant Sobczyk the crime referred to in art. 225 § 1 of the Penal Code was fully justified.

Regarding the defendant Kotwa's appeal.

The charge of violation of art. 20 § 1 of the Penal Code is groundless. During the operation the defendants Kotwa and Sobczyk became aware that the unknown citizens in the house were not gangsters. Considering that Kotwa fired at them (including the woman and the child), he was rightfully found guilty of murder by virtue of art. 225 § 1 of the Penal Code.

Taking into consideration the broad spectrum of mitigating circumstances, the Provincial Court meted out a very lenient sentence to Kotwa, close to the minimal sentence specified by the law and it is impossible to regard that sentence as glaringly harsh […].

Source: AIPN Ra, 29/110, pp. 131–132.

Translated by *Anna Brzostowska*

Abstract
In the spring of 1943, in the village of Kosowice (Opatów county), in the house of Józef Machula, 5 members of the AK (Home Army) murdered 5 Jews (personal details unknown), including a woman and a child. In 1956 the case was taken to the Provincial Court of Kielce (Radom Branch). The accused were punished as a consequence.

Key words
Home Army (*Armia Krajowa*), Opatów, General Government, Jews, murders