

# Execution [Murder] of SS soldiers [Prisoners] at Dachau

"The killing of unarmed POWs did not trouble many of the men in I company that day for to them the SS guards did not deserve the same protected status as enemy soldiers who have been captured after a valiant fight. To many of the men in I company, the SS were nothing more than wild, vicious animals whose role in this war was to starve, brutalize, torment, torture and murder helpless civilians." Flint Whitlock, *The Rock of Anzio, From Sicily to Dachau: A history of the U.S. 45th Infantry Division*



Waffen-SS soldiers were executed by American liberators of Dachau

The photograph above is a still photo, taken by T/4 Arland B. Musser, 163rd Signal Photographic Company, US Seventh Army, on April 29, 1945, the day that the Dachau concentration camp was liberated. It shows 60 Waffen-SS soldiers on the ground, some wounded, some playing dead, and 17 dead, according to Flint Whitlock, historian for the 45th Thunderbird Division, who got this information from Lt. Col. Felix Sparks, commander of the 3rd Battalion, 157th Infantry Regiment, 45th Division of the US Seventh Army, the first unit to arrive at the Dachau camp.

In his book entitled "Surrender of the Dachau Concentration Camp 29 April 1945," Col. John H. Linden identified the men in the photo as follows: The second American soldier from the left is Bryant, whose first name is unknown, but whose nickname was "Bird Eye." The third soldier from the left is Martin J. Sedler, and the man who is kneeling is William C. Curtain. All three of these men were with M Company of the 3rd Battalion, 157th Infantry Regiment. The soldier at the extreme right is Pfc. John Lee of I Company. The buildings in the background are inside the Dachau SS garrison where Waffen-SS troops were quartered; the building on the right is a hospital where a Reserve Company of crippled Waffen-SS soldiers, previously wounded in action, were quartered. The Waffen-

SS was the elite volunteer Army which included many divisions from other countries, as well as German soldiers.

According to Col. John H. Linden's account of the liberation of Dachau, T/3 Henry F. Gerzen, 163 Signal Photographic Company, was filming the shooting with a movie camera. A few frames of this movie, which survived the cover-up of the Dachau massacre, show Lt. Col. Felix Sparks firing his pistol in the air to stop the action shown in the photo above, which allegedly took place around noon. However, Col. Howard A. Buechner, a medical officer with the 45th Division, claims that the photo above shows a second incident when 346 Waffen-SS soldiers were executed on the orders of Lt. Jack Bushyhead, at around 2:45 p.m.



Lt. Felix Sparks stops the killing of SS soldiers at the wall

The photograph above shows 27-year-old Lt. Col. Felix Sparks firing a pistol into the air, while at the same time, he is holding up his left hand as a signal to the American soldiers to stop shooting.

In 1989, Lt. Col. Sparks wrote an account of the role of the 45th Infantry Division in the liberation of Dachau. His description of what happened at the wall is as follows:  
*As I watched, about fifty German troops were brought in from various directions. A machine gun squad from Company I was guarding the prisoners. After watching for a few minutes, I started for the confinement area (the concentration camp), after taking directions from one of my soldiers. After I had walked away for a short distance, I heard the machine gun guarding the prisoners open fire. I immediately ran back to the gun and kicked the gunner off the gun with my boot. I then grabbed him by the collar and said: "What the hell are you doing?" He was a young private about 19 years old (Private William C. Curtin) and was crying hysterically. His reply to me was: "Colonel, they were trying to get away." I doubt that they were, but in any event he killed about twelve of the prisoners and wounded several more. I placed a noncom on the gun and headed towards the confinement area.*

In his 1989 account of the liberation of Dachau, Sparks wrote the following regarding the number of SS soldiers who were killed in the Dachau massacre:

*It was the foregoing incident which has given rise to wild claims in various publications that most or all of the German prisoners captured at Dachau were executed. Nothing could be further from the truth, The total number of German guards killed at Dachau during that day most certainly did not exceed fifty, with thirty probably being a more accurate figure.*

According to Whitlock, the men of the 45th Infantry Division had been warned about the danger posed by German POWs by General George S. Patton, Jr., the Commander of

the US Seventh Army, on June 27, 1943 just before their invasion of Sicily. Whitlock wrote:

*"Patton cautioned the men to watch out for dirty tricks when it seemed a group of enemy soldiers wanted to surrender. A favorite tactic, the general said, was for a small group to suddenly drop their weapons and raise their hands or wave a white flag. When unsuspecting Americans moved into the open to take the enemy prisoner, the 'surrendering' troops would hit the dirt and their comrades, lying in wait, would spring up and mow down the exposed Americans. Patton warned the Thunderbirds to be on their guard for this sort of treachery and to show no mercy if the Germans or Italians attempted this trick. His words would have fateful repercussions."*

The "fateful repercussions," that Whitlock was referring to, was the incident that happened at the liberation of Dachau when a young soldier of the 45th Infantry Division of the US Seventh Army opened fire on a group of Waffen-SS soldiers who had surrendered. He claimed that the surrendered soldiers had moved forward.

As the 45th Infantry Division advanced toward Dachau, with orders to liberate the infamous Concentration Camp, where it was common knowledge that Jews were being exterminated in gas chambers by the Nazis, the American soldiers had no prior information about the existence of the SS-Übungslager, which was the equivalent of an Army post, located right next to the Dachau prison compound. The gas chambers were just outside the barbed wire fence that separated the prison compound from the SS training camp. The men of the 45th Division were not expecting to find a garrison of soldiers, much less Waffen-SS soldiers. For the Americans, the SS had a reputation as the most evil of the evil German soldiers. Part of the bad reputation of the Waffen-SS stemmed from the fact that the guards in all the Nazi concentration camps were soldiers in the infamous SS-Totenkopfverbände, or the "Death's Head" unit of the SS. The regular Germany Army was the Wehrmacht.

Before reaching the SS camp, the soldiers of Lt. Col. Felix Spark's 3rd Battalion, 157th Regiment, I company, under the command of Lt. William P. Walsh, had seen a long line of abandoned cars of a freight train, filled with emaciated corpses, on Friedenstrasse (Peace Street) just outside the SS garrison. The photograph below shows the "Death Train." The train was loaded with prisoners from the Buchenwald camp, who had been evacuated to Dachau, but the train had been delayed for three weeks because of American bombing of the railroad tracks; some of the dead prisoners on the train had been killed by American bullets when the train was strafed by American planes, as Pfc. John Lee noted in his description of the liberation. The Waffen-SS soldiers, including a unit of Hungarian soldiers, who surrendered to the 45th Infantry Division in good faith, had nothing whatsoever to do with the Death Train.



American soldiers inspect the dead bodies on an abandoned train

An advance party of soldiers of I Company followed the railroad tracks and entered the SS garrison through the railroad gate, some time before an advance party from the 42nd Division went directly to the southwest entrance into the Dachau complex, where an SS-Totenkopf officer, 2nd Lt. Heinrich Wicker, was waiting to surrender the Concentration Camp. As quoted in Flint Whitlock's book "The Rock of Anzio," Lt. Col. Sparks said, "We went along the south side of the camp and I saw the main entrance and decided to avoid it; if the Germans were going to defend it [the camp], I figured that's where they'd do it." According to Whitlock, "Spark's decision to avoid approaching the main gate would result in much confusion and controversy for decades to come, for inside that gate, the Germans were ready to surrender, not fight."

The gate shown in the photograph below is where "the Germans were ready to surrender, not fight." It was about 75 yards from this gate, located on the southwest side of the Dachau complex, that 2nd Lt. Heinrich Wicker surrendered the Dachau concentration camp to Brig. Gen. Henning Linden of the 42nd Infantry Division. This photo was taken after the liberation; it shows two American soldiers guarding the gate.



Gate near where Lt. Heinrich Wicker was waiting to surrender at Dachau

Whitlock quotes Lt. Walsh as follows:

*There's a big gate, and this German guy comes out of there. He must have been about six-four or six-five, and he's got beautiful blond hair. He's a handsome-looking bastard and he's got more Goddam Red Cross shields on and white flags....My first reaction is, "You son of a bitch, where in the hell were you five minutes ago before we got here, taking care of all these people? ....Well, everybody was very upset. Every guy in that company, including myself, was very upset over this thing, and then seeing this big, handsome, son of a bitch coming out with all this Red Cross shit on him.*

The photograph below shows the "big gate" which Lt. Walsh described. This photo was taken on the day of the liberation; it shows Waffen-SS soldiers from the garrison surrendering to the Americans.



The "big gate" where Waffen-SS soldiers surrendered  
What Lt. Walsh and the men of I company did not know was that the SS training camp and garrison was completely separate from the Dachau concentration camp, although the prison compound was inside the large SS complex, and only accessible by first going through the gates into the SS garrison. The gate into the Dachau concentration camp is shown in the photograph below.



Gate into Dachau concentration camp was inside the SS complex  
In his book, "Surrender of the Dachau Concentration Camp 29 April 1945," Col. John H. Linden wrote that the night before, on April 28th, "A combat unit of the Waffen-SS was sent to the Dachau Concentration Camp to surrender the camp to the first U.S. Army unit to reach the camp."  
According to Nerin E. Gun's book "The Day of the Americans," published in 1966, the

Commander of the combat unit of Waffen-SS soldiers was Lt. Heinrich Skodzensky, although there are no SS records which mention his name. There is no mention of Skodzensky in the Dachau archives or in the Berlin Bundesarchiv.

Abram Sachar gave this account of the surrender of the concentration camp in his book entitled "The Redemption of the Unwanted" published in 1983:

*Soon the advance scouts (of the 45th Division) were joined by other Allied soldiers and one of the German guards came forward to surrender with what he believed would be the usual military protocol. He emerged in full regalia, wearing all his decorations. He had only recently been billeted to Dachau from the Russian front. He saluted and barked "Heil Hitler". An American officer looked down and around at mounds of rotting corpses, at thousands of prisoners shrouded in their own filth. He hesitated only a moment, then spat in the Nazi's face, snapping "Schweinehund," before ordering him taken away. Moments later a shot rang out and the American officer was informed that there was no further need for protocol.*

This account refers to the execution of Lt. Heinrich Skodzensky, who had allegedly been put in charge of the SS garrison only recently, according to Nerin E. Gun, a survivor of Dachau. Skodzensky was allegedly executed by soldiers of the 45th Thunderbird Division who had arrived at the Dachau complex before the 42nd Rainbow Division. Contrary to Sacher's description of Lt. Skodzensky's execution, the concentration camp where "thousands of prisoners shrouded in their own filth" were being held was at least one kilometer from the area where the first executions of the Waffen-SS soldiers took place. According to Col. Buechner, who wrote a book called "The Hour of the Avenger," the SS garrison had a capacity of 1473 men. The guards of the concentration camp, who were SS-Totenkopf soldiers, were quartered at the SS garrison, along with Waffen-SS soldiers who had recently arrived from the front. The Waffen-SS soldiers were not responsible for the Dachau concentration camp, which was administrated by the SS-Totenkopfverbände, not by the Waffen-SS. Many of the guards had fled on the April 28th. Their wives and families had been left behind in the SS garrison.

Whitlock wrote that one of the men of I company shot the handsome SS soldier, who had surrendered at the "big gate," because he tried to make a break to escape, after he had surrendered, according to Lt. Walsh. The name of this soldier is unknown. Then four more Waffen-SS soldiers emerged with their hands up and surrendered to the men of I company. Remembering the words of General Patton who had warned about dirty tricks, and knowing the evil reputation of the SS men, Lt. Walsh herded the SS soldiers into an empty railroad boxcar inside the camp and "emptied his pistol" into them, according to Whitlock.

Lt. Walsh and his men continued through the SS garrison, rounding up the soldiers who had surrendered and separating the Waffen-SS soldiers from the Wehrmacht soldiers, who were in the regular German army. The photograph below shows some of the German soldiers who had surrendered.



Soldiers at the Dachau garrison after they surrendered

Note the prisoners, who are assisting the American soldiers, in the photograph above, taken on April 29, 1945, the day of the liberation. On the right is a liberated prisoner wearing a pair of striped prison pants and a jacket with an X on the back. The X was painted on the civilian clothing worn by some of the prisoners to identify them in the event they escaped.

The SS soldiers, who had surrendered, were lined up against a wall that formed part of a coal bin, as shown in the photograph at the top of this page. Lt. Walsh called for a machine gun to be set up facing the prisoners, and ordered his I company soldiers to shoot the Germans if they didn't stay back. When the SS soldiers saw the machine gun cocked and ready to fire, they panicked and started toward the American soldiers, according to John Lee of I company, as quoted by Whitlock.

The medic who was present, Peter Galary, told Whitlock that he "refused to patch up the Germans we shot."

## **Hans Linberger survived the Dachau Massacre**





Five SS soldiers who have surrendered

Hans Linberger was a Waffen-SS soldier who had been wounded in battle on the eastern front and, after a long hospital stay, had arrived at the Dachau SS garrison on March 9, 1945 as a member of a Reserve Company. On April 9, 1945, the men of the Reserve Company were put into the hospital that was right next to the scene of the shooting. They had been so severely wounded that they were no longer fit for combat; Linberger had been wounded in battle four times and had lost an arm.

In his testimony given to the German Red Cross (DRK) after the war, Hans Linberger said that the American liberators came into the SS hospital armed with Machine Pistols (sub-machine guns).

Linberger stated that he went to the entrance of the hospital, carrying a small Red Cross flag as a sign of surrender; it must have been obvious to the American liberators that this was a hospital, that the soldiers there were unarmed and that one of the sleeves of Linberger's uniform was empty.

Linberger testified under oath that an American soldier shoved a Machine Pistol against his chest and then hit him in the face. Another American soldier allegedly said to him: *"You fight Ruski, you no good."* Ruski was German slang for a Russian. America was fighting on the side of the Russian Communists in World War II, and Linberger had been at the eastern front, fighting the Russians.

According to Linberger's sworn statement, the American who had placed the MP against his chest then went inside the hospital and immediately shot a wounded Waffen-SS soldier, who fell down to the ground motionless. When Dr. Schröder, the head of the hospital, tried to surrender, he was beaten so hard that he suffered a fractured skull, according to Linberger.

Linberger said that the wounded men in the hospital were ordered out and after the Waffen-SS soldiers were separated from the Wehrmacht soldiers of the regular Germany Army, the SS men were lined up against a wall. A movie camera was set up so that the scene could be filmed. The Waffen-SS soldiers were then mowed down with machine gun fire while the camera rolled.

The photograph below shows the hospital in the background on the right-hand side. On the roof is a red cross on a white background, which clearly marks the building as a hospital.



Waffen-SS soldiers executed with machine guns

There is considerable disagreement about what time the photo above was taken. According to Col. Howard A. Buechner, a medical officer in the 45th Division, the photo was taken at around 2:45 p.m. during a second action when 346 SS soldiers were allegedly killed. In his book, "The Hour of the Avenger," Col. Buechner wrote that a second machine gun was located to the right, but out of camera range. Lt. Jack Bushyhead was in charge of the second machine gun, which Col. Buechner says was set up on top of a bicycle shed. However, Lt. Col. Felix Sparks, commander of the 3rd Battalion, 157th Regiment, has stated that the photo above depicts a shooting which occurred around noon and resulted in 17 deaths, according to his story.

Linberger told the German Red Cross that he managed to survive only because the soldier standing next to him was shot in the stomach and when the wounded man fell to the ground, Linberger fell down with him. Linberger's head and face were covered with blood from the wound of the soldier who had been shot, so that it appeared that Linberger had been severely wounded. Linberger said that he shared some chocolate with another soldier while they waited for a shot in the neck to finish them off, as was customary in an execution.

According to Linberger, the shooting was halted when a few drunken prisoners arrived with shovels, "looking for a man named Weiss." The photo below shows a guard, named Weiss, who is being confronted by two Polish prisoners. In the background of the photograph below, one can see some of the buildings in the SS garrison and the coal yard wall where the bodies of Waffen-SS soldiers are lying on the ground after they had been executed with their hands in the air by the men of I Company, 3rd Battalion, 157th Regiment, 45th Division.



Two prisoners prepare to beat one of the guards

The photograph below shows Dachau prisoners celebrating with bottles of wine after the American liberators arrived. The wine was probably obtained from the SS warehouses, which Martin Gottfried Weiss, the acting Commandant, had turned over to the inmates before he escaped. The prisoners are wearing worker's caps which were adopted by some of the inmates as a symbol of their Communist affiliation. Note the man in the center in the bottom row; he is the man on the left in the photo above, and he is also in the next two photographs below.



Communist prisoners celebrate with wine after Dachau liberation

According to Linberger's account of the shooting at the coal yard wall, a man wearing a

Red Cross armband came up to the wounded men, as they were lying on the ground by the wall waiting to be finished off, and threw some razor blades to them, saying "There, finish it yourself." A wounded German soldier, named Jäger, cut the wrist of his own wounded right arm and then asked Linberger to slash his other wrist. Just as Jäger was proposing to return the favor by slashing Linberger's wrists for him, an American officer arrived with Dr. Schröder "who could barely keep himself standing," and the shooting was stopped. The SS soldiers who were still alive were allowed to drag away their wounded comrades, according to Linberger. The American officer who halted the shooting was Lt. Col. Felix Sparks, commander of the 3rd Battalion, 157th Infantry Regiment. The photograph below shows the same liberated prisoner, now armed with a rifle. He is talking, in a bellicose manner, to a Hungarian soldier who has surrendered, while a young American G.I. looks on in amazement. The liberated prisoners were armed by the Americans and allowed to kill 40 of the Dachau guards, according to Col. Howard Buechner, who wrote about the Dachau massacre in his book "The Hour of the Avenger," published in 1986.



Communist prisoner talks to Waffen-SS soldier who has surrendered.

Later, some of the wounded Waffen-SS soldiers went to the town of Dachau where Linberger mentioned that they were in the cafe of the Hörhammerbräu, a Gasthaus in Dachau, which had formerly been the site of Nazi party meetings. Linberger said in his testimony that the barracks of the SS soldiers had been looted by the liberated prisoners. As he and other Waffen-SS survivors were walking on the road to the town of Dachau, they were spat upon and cursed by the looters who "wished we would all be hung." Linberger testified that "During this action, 12 dead were left nameless." The "action" that he was referring to is the killing of the Waffen-SS soldiers at the wall around noon. His account agrees with that of Col. Howard Buechner, who says that there were 12 dead in the first incident, when SS soldiers were lined up against a wall and shot. Linberger continued his testimony: "As I later found out, documents and name tags had been removed on American orders, and a commando of German soldiers were supposed to have buried these dead in an unknown location." The "commando of German soldiers" refers to a work party of German POWs who were ordered to perform forced labor in the

burial of the dead. It is a violation of the Geneva convention to remove identification from fallen enemy soldiers or to bury them in an unmarked grave. In this passage of his testimony, Linberger is referring to the 12 men killed at the wall, whose name tags he says were removed.

Linberger told the German Red Cross that he found one of the mass graves of the SS soldiers, which included the body of a German soldier named Maier, who was in the SS hospital at Dachau because his leg had been amputated. According to Linberger, Maier was shot in another area of the hospital terrain near the hospital wall. "He lay there with a shot in his stomach and asked Miss Steinmann to kill him, since he could not bear the pain any longer. His dying relieved Miss Steinmann from completing the last wish of his comrade. In the proximity of the hospital/mortuary were probably other comrades executed at the walls, as I later found traces of gunfire." According to Linberger, bodies of the SS men killed during the liberation were buried in unmarked graves on the grounds of the SS garrison.

Linberger's statement to the German Red Cross was quoted by T. Pauli, the chairman of a group of survivors of the Flemish SS volunteers in their magazine called Berkenkruis in October 1988. The article, translated into English by one of the Flemish veterans, can be read on a separate page on this web site. This magazine also reported another massacre at Erfurt, where American soldiers killed 52 Waffen-SS soldiers who had surrendered. The bodies of the dead SS soldiers were left in the coal yard until May 3, 1945 when the incident was investigated by Lt. Col. Joseph Whitaker, the Seventh Army's Assistant Inspector General. A report on the "Investigation of Alleged Mistreatment of German Guards at Dachau" was filed on June 8, 1945. It was marked secret, but the contents were later revealed to the public in 1991. A copy of the report is included in Col. John H. Linden's book "The Surrender of Dachau 29 April 1945."

The paragraphs below, from the Secret Report, pertain to the Execution of German soldiers by members of the 45th Division.

*4. At the entrance to the back area of the Dachau prison grounds, four German soldiers surrendered to Lt. William P. Walsh, O-414901, in command of Company "I", 157th Infantry. These prisoners Lt. Walsh ordered into a box car, where he personally shot them. Pvt. Albert C. Pruitt, 34573708, Company "I" 157th Infantry, then climbed into the box car where these Germans were on the floor moaning and apparently still alive, and finished them off with his rifle.*

*5. After entry into the Dachau Camp area, Lt. Walsh segregated from surrendered prisoners of war those who were identified as SS Troops.*

*6. Such segregated prisoners of war were marched into a separate enclosure, lined up against the wall and shot down by American troops, who were acting under the orders of Lt. Walsh. A light machine gun, carbines, and either a pistol or a sub-machine gun were used. Seventeen of such prisoners of war were killed, and others were wounded.*

*7. Lt. Jack Bushyhead, O-1284822, executive officer of Company "I", participated with Lt. Walsh in this handling of the men and during the course of the shooting personally fired his weapon at these prisoners.*

*16. Lt. Walsh testified that the SS men were segregated in order to properly guard them, and were then fired upon because they started moving toward the guards. However, the dead bodies were located along the wall against which they had been lined up, they were killed along the entire line, although Lt. Walsh only claims those on one flank moved, and*

*a number of witnesses testified that it was generally "understood" that these prisoners were to be shot when they were being segregated. These facts contradict the defensive explanation given by Lt. Walsh.*

Lt. Jack Bushyhead was a Native American, a "Cherokee Indian" from Oklahoma. Col. Buechner claims that 346 Waffen-SS soldiers were executed, on Lt. Bushyhead's orders, in a second action later that day. They were lined up against a wall and machine-gunned to death while they had their hands in the air.

Dan Dougherty was a 19-year-old soldier with C Company, which was ordered to relieve I Company after the SS soldiers were killed. In an interview in April 2005 with Jennifer Upshaw, Assistant City Editor of the Marin Independent Journal in Marin County, California, Dougherty said that the men of I company had "gone berserk" under the strain. The soldiers of the 45th division had seen dead prisoners on a train parked outside the SS garrison before entering Dachau. At least one of the men of I company, Private John Lee, knew that some of the prisoners, who were riding in open cars, had been killed by American bullets when the train was strafed by American planes during its three-week journey, through the war zone, from Buchenwald to Dachau, a distance of only 200 miles. In the following quote from Upshaw's article in the Marin Independent Journal, Dougherty described how the men of I Company reacted to the sight of the dead prisoners:

*"They became very emotional, crying," Dougherty said. "We went in to relieve them. They'd walked along that same train of boxcars. We came to the coal yard. It was a strange sight because here are about 10 reporters standing in this courtyard around corpses of SS officers."*

*An estimated 200 to 300 SS guards were rounded up - two to three dozen were "killed unnecessarily," Dougherty said.*

*"I Company, we now know they got there about noon and at 2 p.m. arrived at the southwest corner and worked over to the east side where the prison was. They were holding the prisoners of war in the coal yard. We know there something happened. About 17 (guards) were shot."*

*Dougherty said he has learned through his research a U.S. Army private insisted the group had fired at the guards in self defense, although the company's commanding officer said the group was not provoked.*

*"I think it haunted some of them," he said.*

*No one was ever charged with a crime, he said.*

In a previous interview with Ronnie Cohen of the Jewish Weekly News of Northern California in April 2001, Dougherty said that, soon after he arrived at Dachau, he had seen about 10 reporters staring at a pile of corpses. The following is a quote from Dougherty in this article:

*"This mound of corpses was about 2 or 3 feet high and 15 feet across. And they were SS. One of the corporals in my company whips out a hunting knife and cuts a finger off one of the bodies. He wanted an SS ring for a souvenir."*

Herbert Stolpmann was a German POW who worked for the US military at Dachau after the liberation. In an e-mail letter to me, Stolpmann wrote:

*When American Troops "liberated" Camp Dachau proper, they forced all the SS-families, including women and children, out of the so-called villas, put their fathers against the wall and shot them. Most of the mothers had cyanide capsules; they gave them to their*

*children and told them, put them into their mouths, bite onto them as soon as Daddy is shot. The American "Liberators" stopped the shooting after about 24 children were dead.* The American soldiers who were involved in the Dachau massacre were court-martialled, but the papers were torn up and then burned by General George S. Patton, Commander of the US Third Army. The Dachau massacre was kept secret until 1991 when information was finally released. This [newspaper article](#) tells about the ethics of shooting unarmed prisoners of war at Dachau.

With regard to the shooting of German POWs, Jim Stephens, a rifleman with the 63rd Division of the U.S. Seventh Army, told reporter Steven Mihailovitch that "the experience of Dachau affected his unit during the subsequent fight against the German army." The following words of Jim Stephens were quoted in an article written by Steven Mihailovitch on November 10, 2008 for the San Marcos, CA [Today's Local News](#) website: *"We didn't bother too much with capturing," Stephens remembered. "If they stuck their head up, we didn't look if they were surrendering."*

At the proceedings against the Waffen-SS soldiers accused of the Malmedy Massacre during the Battle of the Bulge, which were held in a building inside the former SS training camp at Dachau, any mention by the defense that American soldiers had killed German POWs, was ordered stricken from the record by the judges of the American Military Tribunal.

## **Col. Howard A. Buechner's account of the execution of Waffen-SS soldiers at Dachau**

"Perhaps it was a technically improper act, and the deaths of these few hundred sadists could hardly atone for the millions of people who suffered and died at the hands of so many other participants in 'The Final Solution.' Nonetheless, in this instance at least, vengeance was complete. It finally occurred to me that the silence which has surrounded this episode for more than forty years should be broken and that the truth should be made known to the world. Those who survived the Holocaust, and the kinsmen of those who died in its flames, might draw some small comfort from the knowledge that the murderers of Dachau did not go unpunished." Howard Buechner, *The Hour of the Avenger*



Waffen-SS soldiers were lined up against a wall and shot by American troops

For forty-one years after the liberation of Dachau, nothing was known by the general public about the execution of the Waffen-SS soldiers stationed at an army garrison right next to the concentration camp, or about the killing of the SS-Totenkopf guards who had surrendered to the Americans. The documents of the US military investigation of the Dachau massacre were marked "secret" and the soldiers who were involved rarely talked about what had happened on April 29, 1945 when the most notorious camp in the Nazi concentration camp system was liberated by the US Seventh Army. Wives and families of the SS men, who were living inside the garrison and had heard the gunfire that day, were not notified of the deaths of their loved-ones; they were told that the SS men had escaped on liberation day and were still being hunted.

When the photo shown at the top of this page was published, the caption read as follows: *SC 208765. Soldiers of the 45th Infantry Div., U.S. Seventh Army, order SS men to come forward after one of their number tried to escape from the Dachau, Germany, concentration camp after it was liberated by U.S. forces. Men on the ground in background feign death by falling as the guards fired a volley at the fleeing SS men. 157th Regt. 4/29/45."*

In 1986, Col. Howard A. Buechner, a medical officer with the 3rd Battalion of the 157th Infantry Regiment, 45th Division, wrote and published a book called "The Hour of the Avenger," in which he revealed the deliberate killing of 520 Prisoners of War by American soldiers, in violation of the Geneva convention, after the SS garrison and concentration camp at Dachau had been formally surrendered to the American liberators under a white flag of truce.

The Waffen-SS was an elite volunteer army that fought in battle; they had nothing to do with the concentration camp that was located next to the SS garrison. The concentration camp guards were a separate group called the SS-Totenkopfverbände, or the Death's Head SS. By the end of the war, 60% of the Waffen-SS consisted of volunteers from other countries; some of the soldiers at Dachau that day were Hungarian.



"The Avenger," in the title of Col. Buechner's book, refers to 1st Lt. Jack Bushyhead, a "full-blooded Cherokee Indian" who was the Executive Officer of I Company, 3rd Battalion, 157th Infantry Regiment, the unit which allegedly murdered 346 Waffen-SS soldiers in cold blood, on Bushyhead's orders. Col. Buechner explains that Lt. Bushyhead was avenging the wrong that had been done to the native population of America by the white settlers; his people had been brutally uprooted from their ancestral homes in Georgia and North Carolina and forced to walk more than a thousand miles to Oklahoma on the "trail of tears" where they had "perished in untold numbers and without retribution." According to Col. Buechner, Lt. Bushyhead felt a kinship with the Jews who had also been "harassed and driven from country to country for thousands of years." As for himself, Col. Buechner wrote: "At that time, I am not sure that I had ever heard of a concentration camp and certainly did not know what took place in these awful centers of death and destruction. They were among Germany's best kept secrets."

According to Col. Buechner, the photograph above was taken around 2:45 p.m. on April 29, 1945; the photo was snapped by T4 Arland B. Musser "only a minute or two before the author arrived on the scene." By the time Col. Buechner got there, the four soldiers still standing had already been shot.

The wall where the soldiers were shot was surrounding a coal yard. According to Col. Buechner, another medical officer, Lt. Robert Kimsey, arrived on the scene by taking a circuitous route which brought him to the other side of the wall. Kimsey climbed up a four-foot pile of coal and then jumped over the wall, barely escaping a burst of machine gun fire.

Note the building, in the background on the right, which has a red cross on a white background painted on the roof. This was one of four hospital buildings in this area, from which Waffen-SS soldiers, that had been wounded in battle on the Eastern front, were dragged out and lined up to be executed in a previous incident around noon that same day. Col. Buechner wrote that this action had resulted in the deaths of 12 Waffen-SS soldiers.

Col. John H. Linden, the son of Brig. Gen. Henning Linden of the 42nd Division of the US Seventh Army, claims that the photo above was taken during the incident around noon. He wrote a book called "Surrender of the Dachau Concentration Camp 29 April 1945" in which he said that the shooting was halted by Lt. Col. Felix Sparks, commander of the 3rd Battalion.

The photo at the top of this page and the one shown below are the only evidence that the Dachau massacre occurred, according to Col. Buechner, who wrote that the guard in the photo below was probably wounded in the leg by an American soldier and then turned over to the inmates to be beaten to death with a shovel. In the background, one can see the wall where the Waffen-SS soldiers are being executed.



Dachau inmate prepares to beat a guard to death with a shovel

Col. Buechner wrote that there were only 19 Americans among the 27 or 28 witnesses to the Dachau massacre, and only three of them were positively known to still be alive when he wrote his tell-all book in 1986. One of them was Private First Class [John Degro](#), whom Buechner credits with being the first man to enter the Dachau concentration camp. Those present when the 346 Waffen-SS soldiers were executed, on Lt. Bushyhead's orders, included 3 American officers, 3 non-commissioned medical officers under Col. Buechner's command, Col. Buechner's driver, 3 or 4 German medics from the nearby hospital, around 4 inmates, and 12 Infantrymen under the command of 1st Lt. Jack Bushyhead.

The 346 SS soldiers, who were lined up at the wall, could have rushed the 19 Americans and the 4 inmates, taken their weapons, and killed them all, but they didn't. According to Buechner's account, they continued to stand with their hands in the air until every last man had been mowed down by the Americans, and then finished off by a pistol shot from the inmates.

Far from condemning the Dachau massacre, Col. Buechner characterized Lt. Bushyhead as a great hero in his book. He praised Lt. Bushyhead for showing restraint in not killing the German medics. Col. Buechner wrote that he and Lt. Bushyhead became best buddies after the Dachau massacre because the event had created a bond between them. Later, Col. Buechner and Lt. Bushyhead were both stationed at Augsburg in West Germany. Together, they visited the [Berghof](#), Hitler's bomb-damaged home on the Obersalzberg, near the town of Berchtesgaden, before the building was torn down to prevent it from becoming a shrine.

Life was so good for the American soldiers in post-war Germany that Lt. Bushyhead re-enlisted after he was sent home; he was stationed in Germany with the American Occupation in 1947 and 1948, until he contracted tuberculosis and was forced to end his military career. He never recovered his health, and he died an early death on Christmas Day in 1977.



Lt. Jack Bushyhead relaxing in Augsburg, Germany

Regarding Lt. Bushyhead's motive for the killing of unarmed enemy soldiers who had their hands in the air, Col. Buechner wrote:

*He (Lt. Bushyhead) was a kind and gentle person, but also a warrior, both by training and tradition. He hated injustice in any form and when confronted with the cruelty and indignities which had been inflicted on defenseless people (the Jews), he cried out for vengeance, just as his tribal leaders had done before him. An inscrutable plan of his God and theirs, was to place him in Dachau, a place of horror and death, on April 29, 1945.*

In his book, Col. Buechner wrote that he was a second generation German-American whose grandfather had emigrated to the United States in 1848. Although Col. Buechner didn't mention why his grandfather had left Europe, the Germans who came to America during that year, known as "the 48ers," had been forced to leave following a failed revolution. Col. Buechner wrote that he was born in 1919 in New Orleans, Louisiana; he became a doctor in 1943 and immediately became an officer in the Medical Corps. At the time of the liberation of Dachau, Buechner had the rank of 1st Lieutenant. Bushyhead was born in 1919 in Oklahoma, so they were the same age and had the same rank. On the day of the Dachau liberation, Col. Buechner had arrived at 11 a.m. in the town of Dachau, where he had set up an Aid Station. At the same time, forward elements of I Company of the 157th Infantry Regiment were just entering the SS garrison after viewing the dead bodies on a train abandoned on the tracks on the west side of the Dachau complex. Col. Buechner wrote that he waited for casualties to come streaming in from the battle to capture the camp, but none came, since the SS had surrendered. By early afternoon, rumors about the camp had reached the Aid Station. Col. Buechner wrote: "No one could believe the stories of horror, torture and death which the rumors contained." Col. Buechner had to see for himself. At 2:30 p.m. he was outside the SS garrison, where he met Lt. Col. Felix Sparks, who gave him permission to go inside, just in case there were wounded American soldiers there.

Entering the SS garrison with two other men of the 45th Division, Col. Buechner wrote that he had only gone a short distance when the trio was "brought to an abrupt halt by the sudden eruption of machine gun fire close to our left front." The bursts of machine gun

fire were followed by the sound of shots from .45 caliber pistols. The gunfire was coming from the vicinity of hospital buildings, marked by a red cross, on the west side of the SS garrison.

Col. Buechner wrote that the time of his arrival, at the wall where the execution was in progress, was 2:47 p.m. The shooting of 346 SS soldiers had taken place only two minutes before he arrived. According to Col. Buechner, there were two separate incidents at the same wall. It was the second incident in which 346 SS soldiers were allegedly shot. His description of the scene is as follows:

*Lt. Bushyhead was standing on the flat roof of a low building which was possibly a bicycle shed. Beside him one or more soldiers manned a .30 caliber machine gun. Opposite this building was a long, high cement and brick wall. At the base of the wall lay row on row of German soldiers, some dead, some dying, some possibly feigning death. Three or four inmates of the camp, dressed in striped clothing, each with a .45 caliber pistol in hand, were walking along the line of perhaps 350 fallen soldiers. As they passed down the line, they systematically fired a round into the head of each one of their former tormentors who was still alive, granting them a death far more merciful than their fellow prisoners had experienced. Even the wounded Nazis appreciated the mercy of this act, since those who were still able to move were pointing to their heads and pleading over and over again "pistola", "pistola", "pistola". They asked for a swift death and it was not long in coming.*

[...]

*Behind the inmate executioners, stood a line of infantrymen, rifle at the ready and another soldier manned a second machine gun at ground level. (Shown in the photo above.)*

[...]

*At the far end of the line of dead or dying soldiers a small miracle was taking place. The inmates who were delivering the coup de grace had not yet reached this point and a few guards who were still alive were being placed on litters by German medics. Under the direction of a German doctor, the litter bearers were carrying these few soldiers into a nearby hospital for treatment.*

When Lt. Bushyhead came down from the roof, Col. Buechner said that he asked him, "Jack, why did you do this?" At first, Lt. Bushyhead looked at him with a vacant stare and then said, "Doc, have you been to the crematorium? Have you seen the gas chamber? Have you seen the box cars? Have you seen the little people?" ("little people" was a reference to the emaciated inmates.)

At the time that the events described above took place, 1st Lt. Bushyhead was the highest ranking officer present in the SS garrison. Lt. Col. Sparks, the commander of the 3rd Battalion, 157th Infantry Regiment, was outside the Dachau complex at a Command Post that he had set up. Lt. William P. Walsh had "placed a small detachment of men under the command of 1st Lt. Bushyhead" and had then left the camp, according to Col. Buechner. Capt. Leland L. Loy, the Chaplain of the 3rd Battalion who might have stopped the massacre, had gone back to the city of Dachau to get his camera.

Col. Buechner wrote the following in his book:

*Lt. Bushyhead suddenly found himself in command of the camp and a small cadre of men armed with rifles, pistols, a Browning automatic rifle, and two machine guns. He could no longer reject the role which fate had fashioned for him and for which he seems to have been predestined. Acting with what he believed to be compelling justification, he*

*became an instrument of vengeance and recompense for the atrocities he had witnessed.*

*In a matter of minutes, he ordered his prisoners to line up along a high brick wall and disposed of them with a few bursts of machine gun fire. He then armed three or four inmates with pistols and allowed them the satisfaction of completing the execution.*

In the first hour of the liberation, while Col. Buechner was setting up his Aid Station in the town of Dachau, 122 SS men had allegedly been "shot on the spot," after they had surrendered to the 45th Division, according to George Stevens, Jr. who did a documentary film on the liberation; he was quoted by Col. Buechner in his book. The killing of 122 SS men in "the first hour," was also reported by Michael Seltzer in his book entitled "Deliverance Day," and subsequently repeated by many other writers.

According to Nerin E. Gun, a prisoner at Dachau, Lt. Heinrich Skodzensky was the commander of 560 SS men in the Dachau garrison. Lt. Skodzensky had been sent to Dachau because he was recovering from wounds received in battle on the Eastern front, according to Col. Buechner. In his 1966 book entitled "The Day of the Americans," Gun wrote that the American liberators rode into Dachau on a tank. The 20th Armored Division was supporting the 42nd and 45th Divisions that day, but there were no tanks at the camp during the liberation.

The Dachau Memorial Site has no information about Heinrich Skodzensky in their archives and there is no mention of him in the Berlin Bundesarchiv. There are no SS records for a soldier named Heinrich Skodzensky.

Stevens also told Col. Buechner that 40 SS guards had been beaten to death by the inmates, or shot with guns given to them by the American liberators, and 20 more SS guards were killed by American soldiers when they attempted to surrender after descending from the guard towers. Another 100 SS guards were murdered in unrelated killings by individual soldiers of both the 42nd and 45th Divisions, according to George Stevens, as told to Col. Buechner. These events had taken place during the 30 minute period of chaos, at the beginning of the liberation, before order could be restored. Lt. Col. Sparks said that during this time, "battle hardened veterans became extremely distraught. Some cried, while others raged. Some thirty minutes passed before I could restore order and discipline."

When the situation was brought under control, 358 SS men were rounded up and herded into an enclosed area that had been used as a coal yard before the camp had run out of coal. Shortly thereafter, 12 SS men were machine-gunned to death in an execution in front of the coal yard wall.

The photograph below shows American military officers inspecting the bodies of the 12 Waffen-SS soldiers who were executed in the incident at the coal yard.



US Soldiers inspect the bodies of 12 dead SS soldiers in the coal yard

The execution of the SS men at the coal yard was stopped by Lt. Col. Felix Sparks who kicked a machine gunner away from the gun. According to Lt. Col. Sparks, the machine gunner was a soldier whose nickname was "Birdeye." Birdeye had shouted "they are trying to get away," and had then cut loose with his .30 caliber machine gun. This incident brought the total number of dead to 174, according to Col. Buechner. Later, when the 346 Waffen-SS men were allegedly killed on the orders of Lt. Bushyhead, the total number of soldiers executed increased to 520. In addition, Col. Buechner wrote that 30 SS men had been "killed in combat" and 10 had escaped temporarily, but were captured and killed later, bringing the grand total to 560 SS men killed during the liberation of Dachau. Col. Buechner could have gotten his information about the 560 SS soldiers at Dachau from an article written by Andrew Mello in 1980 in *After the Battle*. Mello used Nerin E. Gun's book "The Day of the Americans" as his source. Gun wrote that an SS officer named Lt. Heinrich Skodzensky had reported that there were 560 SS men under his command when he surrendered the Dachau Army garrison to the men of the 45th Thunderbird Division.

The man who surrendered the Dachau concentration camp was Lt. Heinrich Wicker, who was accompanied by a civilian Red Cross representative. The photo below shows the surrender.



Lt. Heinrich Wicker (center) surrenders Dachau camp to 42nd Division

According to David L. Israel, author of "The Day the Thunderbird Cried," there is no evidence of a surrender of the Dachau garrison by Lt. Heinrich Skodzensky.

An investigation was conducted by the US Army between May 3 and May 8, 1945, which resulted in a report entitled "Investigation of Alleged Mistreatment of German Guards at Dachau." Israel wrote that 23 officers and enlisted men of the 45th Infantry Division and 9 officers and enlisted men of the 42nd Infantry Division were questioned in Pullach and Munich, Germany. Lt. Col. Joseph M. Whitaker headed the investigation; the report, which was filed on June 8, 1945, is sometimes called "the I.G. Report." In 1991 a copy of the I.G. Report was found in the National Archives in Washington, DC and was made public.

The following paragraphs from the I.G. Report pertain to the shooting of SS men at Dachau by soldiers in the 45th Division:

*4. At the entrance to the back area of the Dachau prison grounds, four German soldiers surrendered to Lt. William P. Walsh, 0-414901, in command of Company "I", 157th Infantry. These prisoners Lt. Walsh ordered into a box car, where he personally shot them. Pvt. Albert C. Pruitt, 34573708, Company "I" 157th Infantry, then climbed into the box car where these Germans were on the floor moaning and apparently still alive, and finished them off with his rifle.*

*5. After entry into the Dachau Camp area, Lt. Walsh segregated from surrendered prisoners of war those who were identified as SS Troops.*

*6. Such segregated prisoners of war were marched into a separate enclosure, lined up against the wall and shot down by American troops, who were acting under the orders of Lt. Walsh. A light machine gun, carbines, and either a pistol or a sub-machine gun were used. Seventeen of such prisoners of war were killed, and others were wounded.*

*7. Lt. Jack Bushyhead, 0-1284822, executive officer of Company "I", participated with Lt. Walsh in this handling of the men and during the course of the shooting personally fired*

*his weapon at these prisoners.*

*16. Lt. Walsh testified that the SS men were segregated in order to properly guard them, and were then fired upon because they started moving toward the guards. However, the dead bodies were located along the wall against which they had been lined up, they were killed along the entire line, although Lt. Walsh only claims those on one flank moved, and a number of witnesses testified that it was generally "understood" that these prisoners were to be shot when they were being segregated. These facts contradict the defensive explanation given by Lt. Walsh.*

There was no mention in the I.G. Report of a second incident in which 346 SS men were allegedly shot at the coal yard wall.

As a result of the investigation, the American soldiers who were involved in the execution of SS men at Dachau were threatened with court-martial, including Lt. Col. Felix Sparks and 1st Lt. Jack Bushyhead. Buechner had not been present during the execution; he was cited in the I.G. Report for dereliction of duty because he refused to give medical aid to the SS men who were still alive after the shooting which resulted in 12 to 17 deaths in the coal yard.

Col. Buechner testified on May 5, 1945 in the investigation conducted by Lt. Col. Joseph Whitaker. The following is a transcript of his testimony:

*Date: 5 May 1945. By: Lt. Col. Joseph M. Whitaker, IGD, Asst. Inspector General, Seventh Army.*

*The witness was sworn.*

*363 Q . Please state your name, rank, serial number and organization.*

*A. Howard E. Buechner, 1st Lieutenant, MC, 0-435481, 3rd Bn., 157th Infantry.*

*(The witness was advised of his rights under the 24th Article of War.)*

*364 Q. Do you remember the taking of the Dachau Concentration Camp?*

*A . Yes, sir.*

*365 Q. Were you the surgeon of the 3rd Battalion, 157th Infantry, at that time?*

*A . Yes, sir.*

*366 Q. Did you see or visit a yard by the power plant where some German soldiers had been shot?*

*A. I did, sir.*

*367 Q. Can you fix the hour at which you saw this?*

*A. Not with certainty, but I would judge about 4:00 o'clock in the afternoon.*

*368 Q. Of what day?*

*A. I can't give the exact date.*

*369 Q. Describe to me what you saw when you visited this yard.*

*A. We learned that one of our companies had gone through the camp and that it was something to see out there. So, we got on one of the jeeps to visit there and we were detained for some time by the commanding officer of the 1st Battalion, 157th Infantry, because he didn't know whether the place had been cleared. When we got there we saw a quadrangular enclosure; there was a cement wall about ten feet high and inside this enclosure I saw 15 or 16 dead and wounded German soldiers lying along the wall.*

*370 Q. Did you determine which were dead and which were wounded?*

*A. I did not examine any of them, sir, but I saw several of them moving very slightly.*

*371 Q . Did you make any examination to determine whether or not those who were not dead could be saved?*



A. I did not.

372 Q. Was there any guard there?

A. There was a soldier standing at the entrance of this yard whom I assumed to be a guard.

373 Q. Do you know the soldier or what company he was from?

A. No, sir.

374 Q. Do you know whether or not any medical attention was called for these wounded German soldiers?

A. I do not.

Note that Buechner's testimony contradicts what he wrote in his book. No other accounts of the killing of SS soldiers during the liberation of Dachau corroborate Buechner's story, as told in his 1986 book. No one knows for certain how many SS soldiers were killed on April 29, 1945 at Dachau, and estimates vary widely. General Dwight D. Eisenhower estimated that the number of SS soldiers killed at Dachau was 300.

In his book, Col. Buechner quoted the words of Jack Hallet, an eye-witness at Dachau, from "Inside the Vicious Heart," a book by Robert H. Abzug, published in 1985. Here is the quote as written in Col. Buechner's book, "The Hour of the Avenger."

*Control was gone after the sights we saw, and the men were deliberately wounding guards. A lot of guards were shot in the legs so they couldn't move. They were then turned over to the inmates. One was beheaded with a bayonet. Others were ripped apart limb by limb.*

Here is the same quote in it's original form, from "Inside the Vicious Heart":

*Control was gone after the sights we saw, and the men were deliberately wounding guards that were available and then turned them over to the prisoners and allowing to take their revenge on them. And in fact, you've seen the picture where one of the soldiers gave one of the inmates a bayonet and watched him behead the man. It was a pretty gory mess. A lot of the guards were shot in the legs so they couldn't move and ....and that's all I can say...*

Col. Buechner also quoted another passage from "Inside the Vicious Heart," as follows: *Such violence reached its peak when angry members of a squad guarding 122 captured Germans opened machine-gun fire and killed them all. When seen from the distance of four decades, this and other such incidents sometimes elicited a burning sense of guilt. The violence of Dachau had a way of implicating all, even the liberators. The Americans witnessed all this at Dachau - tears, anger, joy and revenge.*

Here is the same quote in it's original form, from "Inside the Vicious Heart":

*Such violence reached its peak when angry members of a squad guarding 122 captured Germans opened machine-gun fire and killed them all. When seen from the distance of four decades, this and other such incidents sometimes elicited a burning sense of guilt. One liberator talked about having problems sleeping when he thought about Dachau, but the memories were mostly of the "atrocities that were committed in the camp...by our people." The violence of Dachau had a way of implicating all, even the liberators.*

[...]

*The Americans witnessed all this in their first hour at Dachau - tears, anger, violence, joy and revenge.*

Included in the part that Col. Buechner left out of the quote from "Inside the Vicious Heart" is this sentence:

*But even these celebrations were marked by the inevitable and inescapable truths of Dachau. The cheering crowds were also carrying bodies of captured SS guards, which they were ripping apart limb by limb.*

Even though Col. Buechner wrote his book in order to finally reveal the truth about the liberation of Dachau, he apparently couldn't bring himself to write all the gory details or that some of the liberators felt some guilt about their alleged war crimes.

Col. Buechner makes it clear that 1st Lt. Bushyhead felt no remorse, although he did lie about what had happened, telling General Patton and his family "I lost control of my men." It was all an accident. The following quote from Col. Buechner's book is the story that Lt. Bushyhead told General Patton and his family:

*After prisoners had been rounded up, they were ordered to stand in line with their hands up, while a head count was being carried out. Some of the SS troops lowered their hands and began to move around. An American soldier thought they were planning to attack or trying to escape. He panicked and began to fire his rifle. Within moments the machine guns had joined in and before it could be stopped the guards were dead.*

Col. Buechner wrote that the court-martial charges against 1st Lt. Jack Bushyhead were considered to be serious: "He was accused of violating the rules of the Geneva Convention which protected prisoners of war, regardless of the atrocities which they may have committed."

Regarding 1st Lt. Bushyhead's lack of concern for what he had done, Col. Buechner wrote the following in his defense:

*He and his ancestors had always known discrimination, persecution and injustice, without retribution. In Dachau, he had seen atrocities far beyond human comprehension. The beasts of the earth had been delivered into his hands and when they mocked him, with arrogance and without the slightest indication of repentance or remorse for what they had done, he became an instrument of vengeance. He never disclaimed full responsibility for the retribution extracted at Dachau. [...] Virtually every German officer and every German soldier who was present on that fateful day paid for his sins against his fellow man. Only their wives, children and a group of medics survived. Although a few guards may have temporarily avoided death by disguising themselves as inmates, they were eventually captured and killed.*



Waffen-SS soldiers wearing battle fatigue uniforms were killed at Dachau

One might ask if Col. Buechner, a medical doctor and an educated man, knew that the SS men, who were allegedly executed on the orders of 1st Lt. Bushyhead, were soldiers who had recently been fighting at the front, and that they had not committed any atrocities in the concentration camp. Did he know the difference between the Waffen-SS and the concentration camp guards? The answer is Yes.

In his book, Col. Buechner includes a short history of the SS and a photograph of one of the victims who is wearing army fatigues, which is shown above. He mentions that some of the soldiers who were executed were disabled and walking on crutches. He also mentions that the commander of the garrison had been recently wounded in battle. (Lt. Heinrich Wicker, who surrendered the camp, had been wounded on the Eastern front before being assigned to concentration camp duty.) He wrote that he knew that the SS men who were executed were recent replacements and "not the real culprits." He knew that what 1st Lt. Bushyhead allegedly did was a clear violation of the Geneva convention. Still, he wrote:

*Public outrage would certainly have opposed the prosecution of American heroes for eliminating a group of sadists who so richly deserved to die.*

The sentence quoted above was Col. Buechner's justification for why the American soldiers who allegedly killed 520 POWs at Dachau on liberation day were never brought to justice. Col. Buechner wrote that the cover-up began immediately after the event, but when it was learned that two incriminating photos had been taken, an official investigation was begun.

In his book, "The Day the Thunderbird Cried," David L. Israel wrote:

*Buechner's inaccuracies and arbitrary use of figures in citing the untrue story about the total liquidation of all SS troops found in Dachau was eagerly accepted by Revisionist organizations and exploited to meet their own distorted stories of Dachau. However, in a report published by the Dachau International Committee it is clearly stated that 160 German prisoners were utilized in cleaning up the camp in the days following liberation.*

Col. Buechner's account of what happened at Dachau might have been wishful thinking: he wanted to believe that justice had been served and that every last SS man stationed at Dachau had been justifiably shot in retaliation for the horrible conditions that the Americans found at the camp that day. His attempt, to make his friend 1st Lt. Jack Bushyhead into more of a hero than he actually was, has instead brought shame to all Native Americans and to the men in the 45th Thunderbird Division.

General George S. Patton, commander of the US Third Army, had just been appointed the military governor of Bavaria and when he learned of the incident, he ordered all the reports and documentation of this war crime to be brought to his office. He tore up all the papers, dumped them into a metal waste can and then personally set it on fire. Col. Buechner's account, for which there is no proof whatsoever, has also brought shame on General Patton, who was a true American hero.

Two months after the liberation of Dachau, the camp was turned into [War Crimes Enclosure No. 1](#), a prison for German war criminals who were tried before an American Military Tribunal in a courtroom in the former SS training camp at Dachau. All the German war criminals were charged with participating in a common plan to violate the Laws and Usages of War under the 1929 Geneva Convention, regardless of what they had personally done.

In his book, Col. Buechner mentioned the [Malmedy Massacre](#) war crimes trial conducted by an American Military Tribunal at Dachau:

*The Waffen-SS troops who machine gunned American prisoners of war at Malmedy were also imprisoned and tried at Dachau. They were found guilty and sentenced to death, but their sentences were never carried out because of mistreatment which they suffered at the hands of American guards while awaiting trial. It seems that this evil place had a mysterious ability to inject brutality into the minds of men.*

When the proceedings of the American Military Tribunal were finished, the former Dachau concentration camp was turned into a camp for 5,000 German refugees who had been expelled from their homes in former German territory in the Sudetenland in what is now the Czech Republic. Col. Buechner mentioned in his book that some of these refugees lived in the former Dachau concentration camp for 18 years.

## The killing of the guards in Tower B

11. After entry into the camp, personnel of the 42nd Division discovered the presence of guards, presumed to be SS men, in a tower to the left of the main gate of the inmate stockade. This tower was attacked by Tec 3 Henry J. Wells 39271327, Headquarters Military Intelligence Service, ETO, covered and aided by a party under Lt. Col. Walter J. Fellenz, 0-23055, 222 Infantry. No fire was delivered against them by the guards in the tower. A number of Germans were taken prisoner; after they were taken, and within a few feet of the tower, from which they were taken, they were shot and killed. Quoted from the IG Report of the U.S. Seventh Army



US Army photograph shows 6 dead German soldiers at Tower B



Reconstructed Tower B now has door inside the prison compound

The photograph at the top of the page shows the bodies of six SS soldiers at the base of Tower B in the Dachau concentration camp after they were gunned down by American soldiers. The bodies of two other SS men from Tower B had fallen into the Würm canal beside the tower.

The second photograph above shows how the restored guard tower B looks today. When the camp was in operation, the door into the tower was outside the fence. During the reconstruction, the door was put inside the prison enclosure.

On April 29, 1945, the day that the Dachau concentration camp was liberated by American troops, white flags had been flying from all seven of the Dachau guard towers since 7 o'clock in the morning. When American soldiers first entered the camp, eight SS men descended from Tower G, the one closest to the gatehouse, and then surrendered with their hands in the air. One of the guards in Tower G was an SS man named Stahl, who survived to tell the story.

Eight guards from Tower A, which is on top of the gatehouse, then came down the stairs and surrendered to the Americans. The guards in Tower B also surrendered to the American liberators, but were gunned down.



Waffen-SS soldiers surrendering to American soldiers

The photograph above shows Waffen-SS soldiers who had been sent to Dachau to surrender the camp to the Americans. All of the regular guards had escaped from the camp the night before. There were 128 SS men in the camp prison who were released and ordered to guard the camp after the regular guards left.

The view in the photo above is looking north. On the right side of the photo is the road that ran alongside the prison compound on the west side. Tower B is located midway down this road, but not shown in the picture. The building in the upper left corner of the photo has since been torn down and there is now a wall in the location where the line of poplar trees is shown in the photo. Another wall and an iron gate now separate this part of the prison camp from the gatehouse, which is behind the camera in this photo. The crematorium building where the gas chamber is located is at the end of the road alongside the prison enclosure, on the west side of the Würm river which is shown in the photo below.

The photograph below shows two soldiers from the 42nd Rainbow Division and one of the released prisoners pulling the body of a dead Waffen-SS soldier from the Würm river which flows in a concrete-lined canal along the west side of the camp. The American soldier on the far right is 19-year-old Richard F. Dutro of 232 Infantry, E Company from Zanesville, Ohio.



A prisoner and two 42nd Div. soldiers pull body of guard from moat

Dr. Victor Maurer, a Red Cross representative from Switzerland, had arrived at the Dachau prison compound on April 27, 1945, two days before the liberation. Maurer had tried to persuade Obersturmführer Johannes Otto, the Adjutant to the last Commandant, Edward Weiter, to leave guards in the towers in order to secure the camp until the Americans arrived, but most of the regular guards left on April 28th, along with Martin Gottfried Weiss, the acting Commandant. The Commandant of the camp, Eduard Weiter, had already left on April 26th with a transport of prisoners headed toward Austria. Finally, Maurer convinced SS 2nd Lt. Heinrich Wicker not to abandon the camp, but to leave guards posted in the towers to keep order until the prisoners could be turned over to armed American soldiers. Wicker was in charge of a group of SS men who had recently arrived at Dachau; they were former guards in three sub-camps of the Natzweiler-Struthof camp in Alsace. The guards who were gunned down by Wells and the other American soldiers had only been at Dachau for a few weeks and they were, in no way, responsible for the conditions in the camp.

Maurer knew that there were around 800 common criminals, including convicted murderers, who had been imprisoned at Dachau. He was fearful that an estimated 40,000 vengeful Dachau inmates would be released to wreak havoc in the surrounding area which was still a battle zone. There was also a typhus epidemic in the camp and Maurer did not want the prisoners to be released until the epidemic could be brought under control.

When an advance party from the 42nd Division arrived in a jeep on the street that borders the south side of the SS complex, they saw Maurer and Wicker waiting to surrender the camp under a white flag of truce. At the same time, I Company of the 157th Regiment of the 45th Division was arriving at the railroad gate into the SS camp, on the west side of the complex, almost a mile from the prison enclosure. After Waffen-SS soldiers who had surrendered to I Company were gunned down in the coal yard of the SS camp. Lt. William Walsh led his men toward the prison

enclosure east of the SS camp. There they met some of the soldiers of the 42nd Division along the barbed wire fence on the west side of the concentration camp. The shooting of disarmed German soldiers during the Dachau liberation was investigated by the Office of the Inspector General of the Seventh Army. Their report was finished on June 8, 1945 but was marked Secret. The report has since been made public and a copy of it was reproduced in Col. John H. Linden's book entitled "Surrender of the Dachau Concentration Camp 29 April 1945." Here are four paragraphs from the report which pertain to the shooting of the guards at Tower B.

*11. After entry into the camp, personnel of the 42nd Division discovered the presence of guards, presumed to be SS men, in a tower to the left of the main gate of the inmate stockade. This tower was attacked by Tec 3 Henry J. Wells 39271327, Headquarters Military Intelligence Service, ETO, covered and aided by a party under Lt. Col. Walter J. Fellenz, O-23055, 222 Infantry. No fire was delivered against them by the guards in the tower. A number of Germans were taken prisoner; after they were taken, and within a few feet of the tower, from which they were taken, they were shot and killed.*

*12. Considerable confusion exists in the testimony as to the particulars of this shooting; however Wells, German interrogator for the 222 Infantry, states that he had lined these Germans up in double rank, preparatory to moving them out; that he saw no threatening gesture; but that he shot into them after some other American soldiers, whose identities are unknown, started shooting them.*

*13. Lt. Colonel Fellenz was entering the door of the tower at the time of this shooting, took no part in it and testified that he could not have stopped it.*

*18. It is obvious that the Americans present when the guards were shot at the tower labored under much excitement. However Wells could speak German fluently, he knew no shots had been fired at him in his attack on the tower, he had these prisoners lined up, he saw no threatening gesture or act. It is felt that his shooting into them was entirely unwarranted; the whole incident smacks of execution similar to the other incidents described in this report.*

None of the American soldiers who killed the guards who surrendered at Dachau were ever put on trial for violating the Geneva Convention. The guards and staff members who survived the massacre at the liberation of Dachau were put on trial by an American [Military Tribunal](#) conducted at Dachau and all were convicted of participating in a common design to violate the Laws and Usages of War under the Geneva Convention of 1929.

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