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TADEUSZ KUNCEWICZ, 'PODKOWA', AND HIS ATTEMPT TO REACH THE AMERICAN ZONE IN JULY 1945¹

MURDER IN THE BOTZENBERG FOREST

“In the evening hours of 6 July 1945, two automobiles drove through a forest that was then called Botzenberg: an American Dodge truck and a BMW car. When the small convoy had driven sufficiently deeply into the forest, the vehicles halted. Several men jumped out of the bed of the Dodge. They were wearing Polish uniforms and dragged two Czech soldiers out with them. The entire group disappeared among the trees. Shortly thereafter, the silence in the forest was shattered by a series of gunshots. The murderers then remained at the site only as long as they needed to fish through their victims’ pockets and pull off their boots and uniforms. Then they climbed back into their automobiles and started off in the direction of Eichendorf... [...] The victims of the terrorists were Lieutenant Josef Šindelář from the 2nd Infantry Regiment from Litoměřice, who was an officer of the Military Counterintelligence (OBZ²) commissioned with searching out members of the illegal Werwolf network, and his driver, Private Vlastimil Malina. [...] The real destination of Lieutenant Šindelář’s murderers was the South Bohemian village of Bernartice. There, at the end of May 1945 an armed band that called itself the ‘Dambrowski Brigade’ [sic!] had appeared. [...] The perpetrators,

¹ This article was published in Czech under the title of *Jak to bylo s vraždou v lese Botzenberg? Příspěvek k ilegálním útěkům polských občanů přes Českosloveno na Západ a k poměrům v pohraničí v roce 1945*, “Historie a vojenství” 55, 2016, No. 4, pp. 74–86. The version presented here was only lightly edited. The publication of the article was supported by Grant No. 17-01233S “Polish Repatriates and Refugees in Post-War Czechoslovakia,” funded by the Czech Science Foundation.

² In Czech: Obranné zpravodajství.

a Polish terrorist group whose leader was AK 'lieutenant' Tadeusz Kuncewicz (for whose head the Lublin Committee Polish provisional government was offering a reward of 50,000 zloty), were heading towards Bernartice. Their intention had been to join up with Dambrowski [sic!]³”.

This brief passage from an article by Jan Šturz in the Czech magazine *Hlas revoluce* that was published in 1987, concisely describes the event that transpired in the North Bohemian border region close to the town of Šluknov in 1945. It was not entirely unknown: the media had briefly mentioned the death of Lieutenant Šindelář and his driver Malina two weeks after their murder⁴. At first glance, this seemed like the kind of event that was occurring with some regularity in the rather chaotic conditions of the border regions at that time; the kind that would not necessarily be of interest to historians. However, in point of fact, it represents an interesting intersection of the fates of people of different nationalities, characters, backgrounds, political views and personal yearnings, which ultimately induced the representatives of the security forces in Czechoslovakia at that time to dream up an outlandish pairing of “reactionary Poles” with the Nazi Werwolf organisation. In the fable they constructed, Werwolf wanted to eliminate the Czechoslovak officer and former partisan who was supposed to be on the trail of sinister activities of Sudeten Germans who did not wish to accept the fall of the Third Reich. This idea, in short, also suggested the presence of the Polish Holy Cross Mountain Brigade, a unit of the National Armed Forces (the “Dambrowski Brigade”) in western Bohemia. This group held a strongly anti-Soviet position, and had gained the Germans' permission to leave Poland, with their weapons and after the war ended, which quite understandably aroused suspicion. (Other studies that discuss this unit in detail)⁵. This feeling was only strengthened by sensationalist reporting by the Polish journalist Stefan Litauer (who was suspected of collaboration with the Soviet secret services)⁶ on his visit to the brigade that was published in *News Chronicle* on 30 July 1945⁷.

The tale of a conspiracy with Werwolf chimed with (significantly exaggerated)⁸ ideas of that period about rampaging German diversionists in the Czech borderlands. In addition to this, the story of the tragic deaths of Šindelář and Malina also served to shore up the foundations of the new regime in Czechoslovakia after February 1948: it became part of the new historical discourse because it suited the needs of the struggle

³ J. Šturz, *Vražda v lese Botzenberg*, “Hlas revoluce”, 1987, no 29, 19. 7. 1987, p. 7.

⁴ A radio report about the case was broadcasted on 26. 7. 1945 at 18:00. Archiv bezpečnostních složek (ABS) Prague, Odbor politického zpravodajství ministerstva vnitra (OPZMV), file number 2M/11990, p. 14, report by the Minister of the Interior's London branch of political intelligence from 30. 7. 1945. See also: *Poláci, zrádci vlasti, ve spojení s vlkodlaky*, “Stráž severu”, 28. 7. 1945, p. 1; *Nedůvěřujte jim, jsou to vlkodlaci*, “Severočeská Mladá fronta”, 28. 7. 1945, p. 1.

⁵ For the most recent work about the activities of the Holy Cross Mountain Brigade on Czech territory, see: J. Friedl, *Žołnierze banici. Brygada Świętokrzyska Narodowych Sił Zbrojnych w Czechach w 1945 roku*, Gdańsk 2016.

⁶ The latest publication on this is: W. Materski, *Stefan Litauer. Przyczynek do biografii*, “Dzieje Najnowsze” 2011, nr 2 (48), s. 25–58.

⁷ Excerpts from reportage or a report about it were afterwards reprinted in many of the Czech dailies.

⁸ T. Staněk, *Perzekuce 1945. Perzekuce tzv. státně nespolehlivého obyvatelstva v českých zemích (mimo tábory a věznice v květnu – srpnu 1945)*, Prague 1996, pp. 138–152.

for a new republic. It is therefore no wonder that it was put to use not only in texts in the Stalinist period⁹, but later as well. Besides the essay by J. Šturz, another example is the book by the well-known Czech writer Ota Holub, *Smrt ze zálohy*, which was published at the end of the 1970s. The account of these events that draws a connection between the murders of Lieutenant Šindelář and Private Malina with “Polish fascists” from the Holy Cross Brigade has persisted even after 1989¹⁰, and was also even used by the author of these lines in one text that was published in Poland¹¹. However, due to pronouncements made by the Polish historian Rafał Wnuk¹², it has become more evident how it is necessary to work with documents from the Czechoslovak counterintelligence and the security forces of the time with more circumspection, particularly when they provide information about Poland or the Polish anti-communist underground (the communists came to power in Poland in 1944). It is, however, also necessary to add that this construction can also be found in the Polish literature¹³. At the same time, research in Czech and Polish archives enables the reconstruction of what actually took place in the forest near Šluknov on the evening of 6 July 1945. Additionally, in the course of research, some important circumstances affecting the case came to light, concerning the unlawful acts committed in the Czech borderlands in the summer of 1945. For these reasons, too, the case of the murder in the Botzenberg forest deserves one’s attention.

Some of the most important source materials for this study were the investigation files from the District Court (Krajský soud) in Česká Lípa that are now stored in the State Regional Archive (Státní oblastní archive) in Litoměřice, and other important documents were from the investigation that was conducted by Polish authorities after T. Kuncewicz and his companions were transferred to Poland in 1947. Additionally, a master’s thesis on Tadeusz Kuncewicz, which was successfully defended at the John Paul II Catholic University of Lublin in 2014 by Paweł Stępnia (with R. Wnuk as his academic advisor), also proved very useful.

TADEUSZ KUNCEWICZ

At the beginning of the passage cited above, the main characters in the dramatic evening of 6 July 1945 are mentioned, but in order to better understand their motives, it is necessary to provide more details about their lives and circumstances.

⁹ K. Bartošek – K. Pichlík, *Hanebná role amerických okupantů v západních Čechách v roce 1945*, Prague 1951, p. 23; Eosdem, *Američané v západních Čechách v roce 1945*, Prague 1953, p. 99.

¹⁰ J. Bílek, *Vojenské aspekty čs. – polského sporu o Těšínsko v roce 1945 (od ozbrojených zámýslů k politickému řešení)*, “Historie a vojenství” 49, 2000, No. 2, pp. 244–245.

¹¹ J. Friedl, *Niechciani goście. Brygada Świętokrzyska w Czechosłowacji*, “Mówią Wieki”, 2004, No. 4, pp. 19–35.

¹² R. Wnuk, “Niechciani goście” z innej perspektywy, “Mówią Wieki”, 2004, No. 8, pp. 54–56.

¹³ Z.S. Siemaszko, *Narodowe Siły Zbrojne*, London 1982, 163; M.J. Chodakiewicz, *Narodowe Siły Zbrojne. “Ząb” przeciw dwóm wrogom*, Warsaw 1999², p. 436, footnote No. 251. Here it is alleged that the murders of Šindelář and Malina were committed by a patrol of the Holy Cross Brigade.



Tadeusz Kuncewicz (photo from July 1947; Instytut Pamięci Narodowej, Oddział w Lublinie)

Tadeusz Kuncewicz, who is described as the leader of a group of Poles, was born on 26 November 1916 in Fastiv, a town that is located near Kiev. After the Great War, his family moved to Stanisławów in eastern Poland (today, Ivano-Frankivsk in western Ukraine). The profession of his father, who worked as an engine-driver, must have led the young Tadeusz to the railway. In the Polish army, into which he voluntarily enlisted in 1935, he not only graduated from the reserve officers' academy, but also a railway course. When his military service ended, he became a railway supervisor in the town of Ruskie Piaski in Lublin Province. His further career was similar to those of many other Polish patriots in this era. After Poland's defeat in September 1939 (as a railway worker Kuncewicz was not subject to the mobilisation, so he did not take part in battles as a soldier), he joined the domestic resistance movement. Over time, he became one of the most important commanders of the Home Army (Armia Krajowa, or just AK: the largest resistance group under the leadership of the Polish exile government in London) in Lublin Province, specifically in the Zamość district. At first, he continued working for the railway, but in May 1941 he left his position there and decided to dedicate himself fully to working for the resistance, in which he most frequently used the code name 'Podkowa'. He took part in operations in which the Polish resistance responded to the attempts by the occupants to expel Poles from the area around Zamość and replace them with German colonisers at the end of 1942 and beginning of 1943. In the following months, Kuncewicz's unit, which for a while numbered as many as 120 soldiers, undertook many more operations against the German occupiers, and in 1944 they even cooperated with a Soviet partisan detachment, with which they carried out several joint combat missions. Lieutenant Kuncewicz eventually even became the commander of an

AK battalion with two hundred soldiers, with whom he undertook several successful operations against the retreating German convoys in July 1944¹⁴.

The situation of the AK was very complicated in the summer of 1944. It answered to the exile government in London, which, however, since the spring of 1943 had not had diplomatic relations with the Soviet Union. Moscow had broken them off after the discovery of the mass graves at Katyn. Poland had previously appealed to the International Committee of the Red Cross to investigate the circumstances of the death of the Polish officers whose bodies the Germans had found at Katyn. This was essentially the culmination of the Polish-Soviet tension that had lasted from 17 September 1939, when the Red Army invaded Poland (on the basis of a secret amendment to the Molotov-Ribbentrop Pact) and its eastern part was annexed to the Soviet Union. The question of the Polish border with the USSR became a serious issue in international relations. At the same time, the United States and Great Britain did not want to lose an important ally in the anti-Hitler coalition for the sake of Poland. The great majority of Poles refused to recognise the Soviet annexation from September 1939, even though it was obvious that the Red Army would liberate Poland, and Josif Stalin would decide who would rule the country. In the summer of 1944 the Polish Committee of National Liberation (Polski Komitet Wyzwolenia Narodowego), which was made up of communists and their sympathisers, was established in Moscow. It recognised the new eastern border for Poland at the River Bug, and it took over responsibility for administrating the liberated territory under the patronage of the Soviets. The attempt by the AK to welcome the “allies of our allies” in the capital city, which they had liberated on their own and thereby to demonstrate the legitimacy of the exile government ultimately met with failure: after two months of bloody battles, the Warsaw Uprising ended on 2 October 1944, without the Soviets having effectively assisted.

With the Eastern Front approaching, the Home Army withdrew from the conspiracy against the Soviets and sometimes even cooperated with the Red Army in driving the occupiers out of the country (for example, in Vilnius and the surrounding area). However, following in the wake of the Soviet front-line troops that swept in after the German divisions retreated were members of the NKVD. For Moscow, the AK soldiers were an ideological enemy, so many of them ended up in prison or they were physically annihilated¹⁵. Therefore, some of the survivors again entered into conspiracies against the USSR.

These are the things Tadeusz Kuncewicz and his men were experiencing in 1944. Even though Lublin was to have remained part of Poland, the Soviets still directed Kuncewicz

¹⁴ The above-mentioned (as well as following) information about the life and activities of T. Kuncewicz have been drawn from the work *Konspiracja i opór społeczny w Polsce 1944–1956. Słownik biograficzny*. Tom I. Kraków – Warszawa – Wrocław 2002, pp. 249–250. For more details about the life of T. Kuncewicz, see P. Stępnia, *Tadeusz Kuncewicz “Podkowa” 1916–1991*, Master’s thesis. John Paul II Catholic University of Lublin, Lublin 2014.

¹⁵ One particularly famous event was a raid on former AK members near Augustów in July 1945 that was carried out by units of the Red Army and the NKVD, and supported by Polish security forces, with the objective of wiping out the Polish anticommunist groups. Nearly six hundred Poles were taken away, and no one knows where they ended up. This operation is sometimes also referred to as “Little Katyn”.

and his men to lay down their weapons and surrender them. Reports of the arrests of former members of the AK spread rapidly, so Kuncewicz and some of his companions preferred to join the anti-Soviet conspiracy. They also managed to hide away some of their weapons. The Soviets and the Polish pro-Soviet government became their new enemy. Kuncewicz was one of the men called 'cursed soldiers' (*żołnierze wyklęci*), which is how members of structures that had decided to fight against the communist regime with weapons in their hands are currently termed in the Polish historical discourse. Although their attempt at liberating their AK comrades who were imprisoned at Lublin Castle did not ultimately succeed, Kuncewicz managed to carry out several successful attacks on stations of the Citizens' Militia (*Milicja Obywatelska / MO*; the new name for the Polish police). In the town of Janów Lubelski he not only seized the police station, but also the gaolhouse. For the new regime in Poland, Kuncewicz and his command had become a bitter enemy, as indicated by the sum of the bounty offered for his head. However, it had begun dawning on the former hero of the domestic resistance that he had entered a blind alley. There were no indications that the new regime in Poland was going to collapse anytime soon. On the contrary, its position was only strengthening with Soviet support. And even though representatives of part of the Polish exile government, led by Stanisław Mikołajczyk, had entered the government, it was still beyond their powers to turn back the sovietisation of Poland.

In June 1945, Lieutenant Kuncewicz decided to attempt to reach the Polish army in the West, which meant reaching the British or American occupation zone in Germany. He assembled another twenty three men and they managed to acquire a truck (in the Polish literature this vehicle is further specified as a Studebaker). Passing themselves off as Polish soldiers fulfilling repatriation missions, they travelled westward on small by-roads¹⁶.

However, were they really seeking the Holy Cross Mountain Brigade in western Bohemia? This possibility can be excluded. The Holy Cross Mountain Brigade was one of the nationalist factions of the Polish domestic resistance movement called the National Armed Forces (*Narodowe Siły Zbrojne – NSZ*). The Brigade was founded in the summer of 1944, and its members had refused to merge with the AK. With their positions on various issues, the nationalists tended to bring elements of hatred and anarchy into the Polish resistance¹⁷. For example, they did not agree with the Warsaw Uprising, and they were accused of collaboration (partly because the brigade had been able to cross over to the west with permission from the Germans). Although at the end of the war both the AK and the NSZ perceived the Soviets as Poland's primary enemy, the relations between the two resistance forces were still not good. As the Polish historian R. Wnuk adds, Kuncewicz's centre-left political opinions were at great variance from the ideology of the NSZ. It is also necessary to remind oneself that the possibilities for communication between the Soviet and American zones at that time were not

¹⁶ *Konspiracja i opór społeczny w Polsce 1944–1956*, I., pp. 250–251; see also P. Stępnik, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, *passim*.

¹⁷ A. Friszke, *Polska. Losy państwa i narodu 1939–1989*, Warsaw 2003, p. 80.

good enough to enable Kuncewicz and his companions to discover anything about the Holy Cross Mountain Brigade¹⁸.

Then where did this information about the connection with the Holy Cross Mountain Brigade come from? There are good indications that the previously-mentioned reportage by S. Litauer may be the source, because the journalist seems to have put the incident that took place near Šluknov into the context of the Holy Cross Brigade's presence there: "There have already been serious consequences. The Czech Press has just revealed that on July 6 a group of 23 heavily-armed Polish soldiers, commanded by Lt. Kuncewisc [sic!], on an American lorry were stopped by a Czech security officer 30 miles east of Dresden, on Czech territory near Hanspach. When the Czech officer demanded their papers, they killed him and his chauffeur, and then escaped, taking his car with them."¹⁹ It seems that the editors of some of the Czech newspapers that reprinted synopses or excerpts from Litauer's reportage interpreted this text in their own manner, and came to cut-and-dried conclusions. One example of this is the Czechoslovak People's Party mouthpiece, *Hlas* that was published in Moravská Ostrava, in which one reads: "These soldiers in Polish uniforms were on the way to Bernartice."²⁰ It is thus clear that the baseless information about a connection between Kuncewicz and his comrades and the Holy Cross Brigade can be traced back to Litauer's reportage. The Czech and Polish authors then picked this material up and used it for their own purposes. This hypothesis is supported by the fact that in the interrogation reports that were made by both Czechoslovak and Polish authorities, neither Kuncewicz nor the other Poles ever mention that they had any idea about the Holy Cross Brigade being in western Bohemia. Kuncewicz's contact with the Holy Cross Mountain Brigade is also not mentioned in a report made by the OBZ on their investigation of Šindelář's death that was sent to government agencies²¹. There is therefore no doubt that the Czechoslovak investigators, too, did not consider any connection between the assassination of Šindelář and Malina, and the Holy Cross Brigade in western Bohemia.

JOSEF ŠINDELÁŘ AND VLASTIMIL MALINA

Like Kuncewicz, Josef Šindelář was also one of the active participants in the anti-Nazi resistance. He came from Horní Cetno (Mladá Boleslav district), where he was born on 10 January 1910. After graduating from high school, he entered military service, and completed his studies at the reserve officers' school 37th Infantry in Levoča, and thereafter remained in the army as a professional soldier. Even though his superiors had not evaluated his behaviour at school and during the final exams very positively ("rough,

¹⁸ R. Wnuk, *Niechciani goście z innej perspektywy*, p. 54.

¹⁹ The National Archives in London, file FO 371/47179, N 9777, clipping from News Chronicle 30. 7. 1945.

²⁰ *Tlupy fašistických polských vojáků řádí za Plzní*. *Hlas* 2. 8. 1945, p. 2. At that time the command headquarters of the Holy Cross Brigade was located in Bernartice u Tachova.

²¹ Archiv Ministerstva zahraničních věcí České republiky (AMZV) Prague, Teritoriální odbor Polsko 1945–1959 (TO-P), inv. no. 9, box 5, file 10, OBZ report from 20. 7. 1945.

unstable, irresponsible, determined, not very conscientious”), clearly other positive traits (his final evaluation upon concluding his studies at the reserve officers’ school was “clever, determined, energetic”) and his particular areas of expertise determined that Šindelář would be sent in 1938 to the 6th Border Guard Regiment, which was one of the elite units tasked with defending a newly-built fortification in northern Moravia. Only reliable Czechs who were hardy and proficient in their skills could be assigned there. September 1938 found Lieutenant Šindelář as the commander of a machine-gun platoon in the northern Moravian village of Chrastice near Staré Město. It is very likely that his experiences during these days left a deep impact and influenced his perspective on the question of Czechs and Germans living together in one state. However, even there, his commanding officers did not give him unqualified positive evaluations. They appreciated him as a good machine gunner and instructor, but one who would have achieved better results if he showed more initiative and interest in his own military education. Additionally, “He does not take as much care of his appearance as would be desirable,” one reads in an evaluation from 30 November 1938, written by Šindelář’s commander, who furthermore did not consider the lieutenant to be a competent commander of the machine gun platoon²².

After the dissolution of Czechoslovakia in March 1939, Šindelář was reassigned to the position of accountant in the Land Office in Prague. On 30 April 1939 he was married, and also joined the resistance in the Mladá Boleslav area. There, one of the activities he took part in was concealing escaped Soviet prisoners, but the Gestapo managed to infiltrate the resistance network. Thus, in February 1944 Šindelář had to flee into the forests around Kokořín and his parents, who were also involved with the resistance, chose suicide over arrest²³, which surely only intensified Šindelář’s aversion towards the Germans. At that time, he had no other options than to hide himself in the forests and cliffs around Kokořín. After the deployment of the Soviet paratroopers *Národní mstitel* (National, or Patriotic Avenger) in the spring of 1945, he became a member of a partisan group that bore the same name. Witnesses recall events that testified to Šindelář



Josef Šindelář (VÚA-VHA Prague)

having a forceful temperament. His insubordination put others at risk when they fled from the Gestapo into hiding places in the forests. His name is also connected with

²² Vojenský ústřední archiv – Vojenský historický archiv (VÚA-VHA) Prague, service record of J. Šindelář.

²³ VÚA-VHA Prague, Service record of J. Šindelář; Ibidem, request for issuing a certificate in conformity with Law No. 255/1946, čj. 100999/1969 from 17. 4. 1969; V. Zimerman, *Národní mstitel*, Řepín 2000, p. 78.



Vlastimil Malina (VÚA-VHA Prague)

the shooting of German prisoners near Řepín at the end of the war, and it is very likely that as the commander of the Šluknov garrison and a member of the OBZ in Děčín he took part in, or at the very least, at least knew about other acts of violence committed against the local German population²⁴.

Along with Šindelář, his driver Vlastimil Malina was also shot in the Botzenberg forest. Malina was born on 11 March 1923 in Chotětov, and had served an apprenticeship to become an auto mechanic. He joined the Národní mstitel partisan group at the end of the war, which means that he and Šindelář must have known each other at least since then. Nevertheless, the amount of time he spent in the group was not sufficient for him to be recognised as a partisan according to the law²⁵.

THE FATEFUL MEETING IN ŠLUKNOV

A group of twenty-three Poles gathered on 23 July 1945 near the town of Szperówka in the Lublin region, and under the command of T. Kuncewicz set off in a truck (that had been looted in May in a raid on the citizen's militia station in Janów Lubelski)²⁶ towards the west. Among the men were resistance fighters as well as deserters from the Polish army. All of them were wearing Polish uniforms and were armed with pistols, rifles, and sub-machine guns. Their journey led through Kielce, Katowice, Gliwice, and Wrocław to Görlitz/Zgorzelec. One of the members of the group had a safe conduct pass issued by the ministry (it is unknown which ministry had issued it) from the time when he had served in the Polish army, and according to the paper, its holder was to be provided with all forms of assistance. This document also opened the border at the River Nisa and enabled Kuncewicz and his comrades to pass into Germany. They wished to continue on to Dresden, and along the way they made a stop in Šluknov, without having been aware that they had passed into Czechoslovak territory.²⁷ The Poles deliberately

²⁴ Ibidem, pp. 80; 87; 118–124. For more on the situation in the Šluknov area in this period, see T. Staněk, *Poválečné "excesy" v českých zemích v roce 1945 a jejich vyšetřování*, Prague 2005, pp. 170–172; ABS Kanice, Secretariat of the Ministry of the Interior, A 2/1, box 57, pp. 978–979, report by the District Criminal Office in Šluknov from 29. 8. 1947.

²⁵ VÚA-VHA Prague, Partisan units, box 37, file on Vlastimil Malina, čj. 39353–Ma–83–1946.

²⁶ P. Stepniak, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, p. 72. Elsewhere, it is stated that Kuncewicz's group acquired a vehicle near the village of Zwierzyniec, in which two communist agitators had ridden. S. Nowak, *Oddziały wyklętych*, Warsaw sine datum, p. 111.

²⁷ P. Stepniak, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, pp. 71–74.

headed into the north Bohemian town, because one of them, Zdzisław Szyndzielarz, had served previously in the Polish army, with whom he had fought his way through Šluknov into Bohemia within the scope of a Prague operation. During this operation he became acquainted with a Polish family that was living in the house numbered 820 on a street in Šluknov that was then named after Wilhelm Weber (today, it is named after the 17th of November) in Šluknov. These Poles had probably been sent into the Third Reich to work, because they had been living in that house since 1943. Kuncewicz and his men arrived in the night of 5–6 July, and parked their truck there in the garden²⁸.

However the German couple, Josef and Anna Maschke, were the primary occupants of that house, with their two daughters. One of them was named Margit (b. 1926), and she was to play an important role in the course of the events to come. When the war ended, some of the more notorious detachments of the Revolutionary Guard began to enter the borderlands. Members of the partisan group Národní mstitel also began to move in, and Lieutenant Šindelář became the commander of a garrison of 280 men in

²⁸ Státní oblastní archiv (SOA) Litoměřice, Krajský soud Česká Lípa (KSČP), box 262, file number Tk IX 761/46, interrogation report with Margit Maschke from 22. 5. 1946; interrogation report with Theofil Sulikowski, undated; interrogation report with Witold Lew from 27. 5. 1946.



House on today's November 17th Street in Šluknov, where Kuncewicz's group was staying on 6 July 1945 (state in 2015; photo: J. Friedl)

Šluknov²⁹. The local authorities assigned Margit Maschke to live in the house where the partisan officers, including Šindelář, were accommodated. The lieutenant had begun to take an interest in the young German woman, and evidently wanted to have a relationship with her. Although she did not seem to be interested in this herself, it can still be conjectured that when she did eventually become his lover, it was out of fear over what might happen if she refused the military commander. “I eventually became fond of Šindelář though I knew that he is a decisive factor in operations against the Germans. He has never done anything to me or my family,” Maschke later stated during questioning. At other times she mentioned that Šindelář had been her first love. Whatever she really felt, it seems that the lieutenant did have deeper feelings towards her, because when he was later to be transferred to Děčín, he requested permission from Margit’s parents for her to go with him, which, given his position, was not at all necessary. On the other hand, Margit’s relationship with the Czechoslovak officer did not protect her parents from expulsion. When she went to Šluknov on 23 June to visit them, they were no longer living in that house³⁰.

It is difficult to assess how truthful Maschke’s later statements about her relationship with Šindelář were. If one realises what kind of situation obtained in the area around Šluknov, the position of the Sudeten Germans, Maschke’s later hardships during the investigation, and her fear of expulsion, it would not be surprising if she later attempted to depict the relationship with Šindelář in a more positive light. (It is also interesting to consider that in the beginning of her period of detainment Maschke signed her name under the interrogation reports in German cursive, but later on used Czech letters and lexical gender to feminise her name). Naturally, the question creeps in of whether she could really love a man who was organising the expulsion of Germans from Šluknov, which included her parents. And there is also the question of how sincere Šindelář’s own feelings were, and whether, given his known weakness for women, M. Maschke was not merely another lover. The full truth of these matters will probably never be known.

In the period when Kuncewicz’s group arrived in Šluknov, Šindelář was already working in Děčín, where he was living with Margit Maschke. But he still sometimes drove back to the north Bohemian town, and sometimes he was even accompanied there by Margit. On the afternoon of 6 July 1945 Margit and Šindelář again arrived in Šluknov, where, after her parents had been expelled, only her sister was living with her family. When Margit entered the house, she discovered a group of Polish soldiers in there, and her sister was cooking lunch for them. Maschke struck up a conversation with Szyndzielarz, who could speak German. When she asked him why they hadn’t yet returned to Poland, since the war had ended a long time ago, she reportedly received the answer that a new war was going to break out and the Poles would be fighting against the Soviet Union side by side with the Americans. Not long after this, Lieutenant

²⁹ *Vysídlení Němců a proměny českého pohraničí 1945–1951. Duben – srpen/září 1945: “Divoký odsun” a počátky osídlování*, tom II.1., (Ed.) A. von Araburg – T. Staněk, Středokluky 2011, document no. 63, p. 308.

³⁰ SOA Litoměřice, KSČL, box 262, file number Tk IX 761/46, interrogation reports with Margit Maschke from 12. 2. 1946 and 20. 9. 1946.

Šindelář returned for Margit and the Poles probably noticed. Perhaps their presence there did not even seem so strange, after all a Polish family was already living in the house, and they could be requesting repatriation. Suspicion, according to Maschke, was aroused by the comments by Szyndzielarz, about which she told him on the way back to Děčín. The lieutenant therefore decided to return to Šluknov in order to discover who in Kuncewicz's group had spoken about this future conflict between the West and the USSR. Most likely, when he was there he also asked more detailed questions about the purpose of the Poles' stay, and perhaps took a look at their documents, but this did not allay his suspicions. He therefore decided to go to the Soviet headquarters in Sebnitz, Germany and report the presence of the Polish group. Maschke said that she rode with him. However, the Soviet command in Sebnitz gave Šindelář an order to bring the group of Poles to the Soviet headquarters to prove their identity³¹.

Here it is necessary to pose the question: why did Šindelář drive to the Soviet headquarters and not take care of the matter himself? After all, there was a military garrison in Šluknov, and it would not have been a problem for them to handle the Poles. The sources do not provide an unambiguous answer, but one still must attempt to reconstruct the motives behind the lieutenant's behaviour.

Above all else, it is necessary to try to think the way a Czech person in this period, particularly a former partisan, would have thought. The great majority of Czechs unambiguously perceived the Red Army as liberators, and in Czechoslovakia there was a general admiration for the Soviet Union and its efforts during the war. Essentially, most of the Czechs had only a foggy idea about the reality of life in the Soviet Union (the situation in Slovakia was better due to engagement of the Slovak military troops in combat on the eastern front), or about how the Polish communists with support from the NKVD had reckoned with their adversaries or the resistance fighters from the AK. When any news about the AK appeared in the Czechoslovak press of that time, it was heavily distorted, as illustrated by the following passage from an article: "[...] The 'Armija Krajowa' [...] was an illegal military organisation of the London [-based] Polish government that was active on the territory of Poland. Its mission was armed combat against the Red Army and against the Polish army of the Lublin government. It was also tasked with performing acts of sabotage, assassinations, and espionage against the USSR and against the Lublin government. The 'Armija Krajowa' was financed by the London Polish government and recruited its members and fighters from the ranks of the Polish aristocracy, affluent classes, and people who were directly compromised by actions against the Soviet Union"³².

Anyone in Czechoslovakia who spoke about a future war against the USSR, or made similar pronouncements therefore aroused strong suspicions that they were involved in some sinister activities, or that they had some wartime crimes on their conscience. These kinds of pronouncements must have particularly disconcerted Šindelář, who, additionally, in the last phase of the war had come into contact with Soviet soldiers in

³¹ Ibidem, interrogation report with M. Maschke from 12. 2. 1946, p. 23, interrogation report with M. Maschke from 22. 5. 1946.

³² *Nedůvěřujte jim, jsou to vlkodlaci*, "Severočeská Mladá fronta", 28. 7. 1945, p. 1.

the partisan detachment. He perceived the officers of the Red Army as an authority to whom it was necessary to report such suspicious persons. Collaboration with Soviet security forces, particularly with the objective of hunting for war criminals or of clearing out the remnants of German units or Werwolf, was after all not so unusual, in this period in the border regions³³.

It is also necessary to add that the Šluknov panhandle had already seen Polish soldiers, and not only during their quartering for the Prague operation.³⁴ Even after the liberation, with regard to the nearby Polish-German (though officially only temporary) border, it sometimes happened that Polish troops would drive through, and they did not overly concern themselves with the fact (or, they did not even realise) that they were in Czechoslovak territory. Sometimes the Poles even organised looting raids³⁵.

It seems that Šindelář did not wish to handle the situation himself because, due to territorial disputes, the official relations between Czechoslovakia and Poland at the time were very poor. A sloppily-executed operation could have serious diplomatic repercussions. Šindelář additionally must have considered Kuncewicz's group as part of the Polish army that was under the command of the government in Warsaw, and therefore, allies. It had to look very suspicious to him that they would be speaking about the Soviet Union in such a manner. If one considers all of the above, Šindelář's decision to go to Sebnitz seems more understandable.

Šindelář thus requested that the Poles accompany him to the Soviet headquarters. In this light, the theory that Šindelář was motivated to persuade the Poles to go to Sebnitz with him because Kuncewicz was courting Margit Maschke (which upset Šindelář) seems very unlikely.³⁶ She was no longer living in that house, and on 6 July had only appeared there for a short time. And when Šindelář spoke with the Poles, Maschke, according to her testimony, was in any case sitting outside in the car. There is a question of why the Poles did not simply drive away quickly when they realised that Šindelář was not satisfied with their documents. Even though Sebnitz is not far from Šluknov (about 16 km), the journey there and back, and the meeting with the Soviet commanders would have taken up enough time that the Poles could have escaped. Even though Kuncewicz later stated: "Before Lieutenant Šindelář arrived, we wanted to depart by ourselves; however, he arrived earlier than we managed to get away, and therefore we had to go with him", it does not seem credible, with respect to the length of the trip from Šluknov to Sebnitz. Additionally, when Šindelář invited the Poles to go with him to the Soviet headquarters, it was already nearly six o'clock in the evening³⁷. There would have been plenty of time for an escape. The Poles perhaps assumed that the documents they had in hand, due

³³ *Vysídlení Němců a proměny českého pohraničí 1945–1951*, document no. 145, p. 433.

³⁴ The last source on this topic: J. Marek, *Bojová činnost polské 2. armády na severu Čech v květnu 1945* "Historie a vojenství" 54, 2005, No. 2, pp. 19–36.

³⁵ *Vysídlení Němců a proměny českého pohraničí 1945–1951*, document no. 63, pp. 307–308, document no. 61, p. 306.

³⁶ R. Wnuk, *Niechciani goście z innej perspektywy*, pp. 54–56; S. Nowak, *Oddziały wyklętych*, p. 112.

³⁷ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, interrogation report with T. Kuncewicz from 20. 9. 1946.

to which they had even managed to cross the border at Zhořelec, would provide them with enough protection, and they did not expect that the Czechoslovak officer could ask them to visit the Soviet headquarters. No matter what the details were of what happened in house No. 820 on Wilhelm Weber Street, it is certain that the Poles had decided to listen to Šindelář and follow him to Sebnitz³⁸.

IN THE BOTZENBERG FOREST

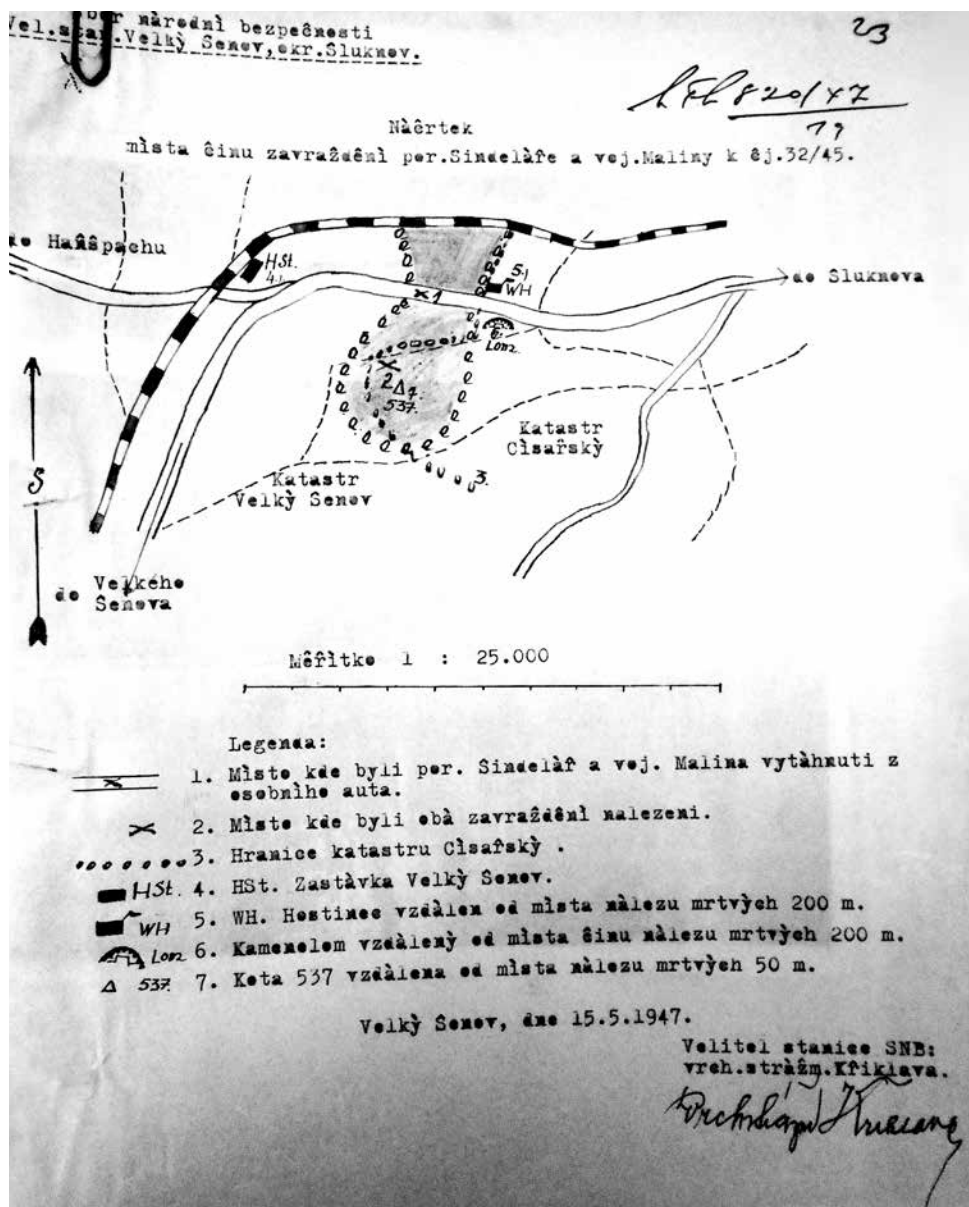
The automobiles set off around six o'clock p.m. from Šluknov, heading in the direction of Hanšpach (today Lipová) towards Sebnitz. One may add that besides Šindelář and Maschke, the driver, Private Vlastimil Malina, was also in the BMW. To Kuncewicz it was clear that the visit to the Soviet headquarters would thwart his attempt to reach the western occupation zone. Logically, therefore, he came to the conclusion that he would have to dispose of the Czechoslovak officer in some way, so between Šluknov and Hanšpach the Poles feigned a car breakdown. This occurrence, and everything that followed afterwards, did not take place in the absence of witnesses. The course of the events was described the very same day in detail at the gendarmerie in Velký Šenov by Václav Ohman from Hanšpach, who had accidentally found himself in the centre of the events:

“On 6 July 1945 around 18:00, I was standing on the road that leads from Hanšpach to Velký Šenov, [...] where I was waiting for my wife, who had been in Šluknov. A car approached from the direction of Šluknov travelling at moderate speed, and a truck was following about 100 metres behind it. The truck was filled with Polish soldiers, numbering about 25 soldiers, and I distinguished them by their grey uniforms and peaked, four-pointed caps with the eagle badge. One soldier got out of the truck, went over to the car, opened the bonnet, and fixed something. At the same time that the truck stopped, the car also stopped, and it reversed towards the truck. I thought that the soldier in the car had gone to help the private from the truck in repairing his engine. However, when the car was about forty to fifty metres from the truck, the Polish soldiers jumped out of their truck, and 6 of them approached me. The other soldiers surrounded the car and pulled the driver out of one side of it, and the officer out of the other side.”

The Poles searched Šindelář and Malina, disarmed them, took Šindelář's long leather coat, and made him and Malina get into the truck. Maschke remained sitting in the car. “Afterwards, I was ordered,” Ohman continues, “to enter the car and a Polish soldier sat down next to me with a cocked pistol. A second soldier came and took a seat next to the lady concerned here.” The vehicles turned around and went back to Šluknov, first the truck, and after it the car, towards the Botzenberg forest, where both vehicles stopped.

Returning to Václav Ohman again: “They led me out of the car and made me stand next to the truck. A Polish officer of unknown rank emerged from the truck, and examined some documents. He then took out a map, which he also examined. Then they took both soldiers out of the car and led them into the forest. During the disarming,

³⁸ Ibidem, box 262, file number Tk IX 761/46, interrogation report with Margit Maschke from 12. 2. 1946.



Period sketch of the place of the murder of Šindelář and Malina (SOA Litoměřice, Krajský soud Česká Lípa, box 250, file Tk VII 820/47)

both Czechoslovak soldiers were slapped around. I stood facing the road to Šluknov. When they led both of them in handcuffs to the forest, I looked that way. This was noticed by one of the Polish soldiers, and he ordered me to immediately turn my back to the forest. Perhaps 5 or 6 minutes later, gunshots were heard from the forest. It seemed

to me that there were 4 shots fired in quick succession. After another 6 minutes, the Polish soldiers returned from the forest and they brought along the uniforms of the soldiers who had been shot to death. The uniforms of the Czechoslovak soldiers were then thrown into the car and I was ordered to run away as fast as my legs would take me. One of them spoke to me only in German, in broken German. The soldiers spoke among themselves in Polish. I know that they were speaking Polish because they were speaking the same language as the army that had trekked through the territory here. The car left after the truck, heading towards Šluknov. The lady concerned here was also riding in the same car. When I came running into Hanšpach, I reported the case to the local national committee. Then, at the behest of the committee member Hubert, I went over to the gendarmerie, where I gave a detailed account of the case. Then I departed on a motorcycle with one gendarme to the site of the deed, where more gendarmes had already gathered. There, I showed them the place where both vehicles had stood, and thereupon we began to search the forest. I went with the others and showed them the approximate direction where the two men who were shot had been dragged away. At a distance of about 100 m from the road, on a hill, I noticed broken branches. The gendarme, who I later discovered was Václav Harvalík from Šluknov, ordered me to stay there and went himself to that place. In the meantime, more gendarmes gathered, and they were conversing very angrily in Czech amongst themselves, so I do not know what they said [Ohman was of German nationality – JF]. Then I headed back to the road, where I was interrogated several times about the case³⁹.

Even though the Czechoslovak security forces very quickly learned of the murder of both of the Czechoslovak soldiers⁴⁰, no one had any idea where the vehicles with the Poles in them had disappeared to. From the testimony of M. Maschke,⁴¹ whom the Poles continued to detain, it is known that they drove through Šluknov and Rumburk. At Česká Kamenice, the Poles waited in the forest for night to fall. During this time, they questioned Maschke about how to reach the American zone. Around 22:00 the vehicles continued on towards Děčín, where a military patrol stopped them before the bridge across the Labe. Kuncewicz passed himself off as a Soviet soldier: he had put Šindelář's cap on his head, and he spoke Russian. The patrol let them go through, and a similar situation (though without the use of Šindelář's cap) was repeated in Duchcov. Maschke requested that the Poles let her out in Děčín, but they only did so when they had reached Klášterec nad Ohří. She then reported all these events at the gatehouse of the Sumag company, which was located nearby⁴².

³⁹ SOA Litoměřice, KSČL, box 262, file number Tk IX 761/46, copy of the interrogation report with V. Ohman written in the night of 6 – 7. 7. 1945.

⁴⁰ Both vehicles were sighted by three further chance witnesses, one woman working in a field, and two soldiers from the garrison in nearby Mikulášovice, who were out on a walk, though because of the distance, they did not hear the gunshots or notice anything suspicious. Ibidem, interrogation reports from soldiers Jaroslav Grežák and Jindřich Kurilák from 10. 7. 1945 and Anna Hille from 10. 7. 1945.

⁴¹ It is not true that the Poles tied her up to a tree in the Botzenberg forest. S. Nowak, *Oddziały wykłętych*, p. 112.

⁴² SOA Litoměřice, KSČL, box 262, file number Tk IX 761/46, interrogation report with M. Maschke from 12. 2. 1946, interrogation report with K. Matoušek from 14. 10. 1946.



Dead body of Josef Šindelář (SOA Litoměřice, Krajský soud Česká Lípa, box 250, file Tk VII 820/47)



Dead body of Vlastimil Malina (SOA Litoměřice, Krajský soud Česká Lípa, box 250, file Tk VII 820/47)

The gendarmerie in Klášterec nad Ohří questioned Maschke and determined: “Because certain inconsistencies were detected in the testimony of Margareta [sic!] Maschková, the garrison headquarters in Děčín and Krásná Lípa was also asked about the veracity of Maschke/Maschková’s answers. Major Novák, the battalion leader in Děčín, answered through a telephone connection that Maschková is a very dangerous person and a spy working for an enemy state. He further added that an attempt to break her out would not be impossible”⁴³. The gendarmeries and military garrisons in the region were also informed. However, the Poles were not tracked down, because coordination among the security forces was poor and not all of the stations received information about the murder of Šindelář and Malina. In one report, one may read: “So, for example, this intelligence was not received in Varnsdorf and in Teplice, whereas in Děčín Lieutenant Hrubý made a record of it the same day [7 July – JF] and in Karlovy Vary under the leadership of the NKVD⁴⁴ there were general raids made by military and police forces, in which many persons and vehicles were detained”⁴⁵.

⁴³ Ibidem, interrogation report with M. Maschke from 7. 7. 1945.

⁴⁴ People’s Commissariat for Internal Affairs (*Narodnyi Komissariat Vnutrennikh Del*) – USSR.

⁴⁵ ABS Prague, Různé bezpečnostní spisy po roce 1945 (RBS), file number 304–226–3, p. 18, report no. 2 from 11. 7. 1945.

The mention of the NKVD's engagement in the investigation of the murder of Šindelář and Malina is very interesting, but details are not available. The unknown author of the above-cited report only adds that in the borderlands, Šindelář and Malina "were moving around in Red Army uniforms"⁴⁶ and were evidently collaborating with the NKVD, which also reacted very swiftly and radically to the matter. [...] The NKVD [...] prevented anyone from getting closer to the case"⁴⁷. Yet, if the NKVD was indeed involved in investigating the case, its interest did not last long. In other sources, there is no mention of the NKVD, such as the SNB (Sbor národní bezpečnost/National Security Corps) station in Velký Šenov that answered later inquiries about how the investigation conducted by the OBZ (Obranné zpravodajství/Military Counterintelligence) had proceeded⁴⁸.

It was only on 8 July 1945 that the truck was found dumped into the Ohře near the village of Kyselka, close to Karlovy Vary. Other reports spoke of a group of armed Poles who were camping in the forest near Andělská Hora. When a military unit arrived at the place, Kuncewicz's group had already gone, and even a large search party did not find anything. On the following day, at 22:00, the gendarmerie in Karlovy Vary provided the information that the Poles had given themselves up to the Americans in Loket⁴⁹.

Kuncewicz and his companions had managed to achieve their desired objective, although their hope of being sent to join Polish army units in the West quickly faded away. The Americans apparently already had information about the incident near Šluknov, because when Kuncewicz described how the group had entered the American zone, the American officer asked him whether they had not encountered any difficul-



Place marked with a cross where the bodies of Josef Šindelář and Vlastimil Malina were found, on a photograph taken in 1947. In the background, the monument commemorating the murder of the two Czechoslovak soldiers is clearly visible (SOA Litoměřice, Krajský soud Česká Lípa, box 250, file Tk VII 820/47)

⁴⁶ This is also possibly attested by the above-mentioned use of Šindelář's cap by Kuncewicz, when he passed himself off as a Soviet soldier to the Czechoslovak guards in Děčín.

⁴⁷ ABS Prague, RBS, file number 304–226–3, pp. 18–19, report no. 2 from 11. 7. 1945. I owe thanks to Professor F. Hanzlík for drawing my attention to this document.

⁴⁸ SOA Litoměřice, KSČL, box 262, file number Tk IX 761/46, report from the SNB station in Velký Šenov from 8. 10. 1946.

⁴⁹ Ibidem, copy of phone call transcript from 8. and 9. 7. 1945, SNB report made in Karlovy Vary on 14. 10. 1946.

ties during their travels. Kuncewicz answered in the negative. Tadeusz Juszcziński, one of the members of the group, later opined that it was this denial of the incident near Šluknov that resulted in the Poles being turned over to the Czechoslovak authorities: “The fundamental error was that we did not inform them about the killing of the Czech captain [sic!]. The Americans held this against us when they had to give us up to the Czech authorities...”⁵⁰. On 9 July, the Poles were taken by gendarmes, who imprisoned them at Loket Castle. The Americans requested that the Czechoslovak authorities inform them about how the investigation went. The Americans were probably really trying not to have to give the Poles up, because their negotiations with the officers of the OBZ who had come to Loket lasted four hours. Against the evidence that the Poles had murdered two Czechoslovak soldiers on Czechoslovak territory, the Americans could hardly do anything. On 10 July at 11:30, a military vehicle came to drive the Poles to Karlovy Vary⁵¹. The examinations were led by the staff captain Vilém Dovara from the Military Counterintelligence in Česká Kamenice⁵².

IN THE CLUTCHES OF THE OBZ

“That was the first time I got a slap from a Czechoslovak,” Kuncewicz later recalled in an interrogation in Karlovy Vary⁵³, where members of the OBZ had also taken M. Maschke, who identified the Poles, and also Šindelář’s car, which was found near Andělská Hora⁵⁴. Soon after the liberation, Staff Captain Dovara was offered a privileged position in Česká Kamenice. He and his subordinates then became infamous for committing unlawful actions against the local population⁵⁵, and the records indicate the Poles, Margit Maschke, and other innocent civilians who were drawn into the legend of the conspiracy of the Werwolf against Lieutenant Šindelář also became victims of the caprices of Dovara and his accomplices. “During our questioning by the Czechoslovak authorities [in Karlovy Vary], they beat us terribly. They rebuked us directly for being Germans and members of the SS,” Tadeusz Jankowski mentioned later⁵⁶.

At the same time, the Poles inadvertently contributed to strengthening the suspicion that they are a dangerous enemy when they tried to escape from their escort from Karlovy Vary to Prague. At one point they knocked on the driver’s cabin and asked for

⁵⁰ Quoted by P. Štěpniak, *Tadeusz Kuncewicz “Podkowa” 1916–1991*, p. 77.

⁵¹ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, copy of the report of the arrest of the Poles 10. 7. 1945; AMZV Prague, TO-P, inv. no. 9, box 5, file 10, OBZ report from 20. 7. 1945.

⁵² SOA Litoměřice, KSČL, box 262, file number Tk IX 61/46, letter by the SNB station in Velký Šenov from 8. 10. 1946.

⁵³ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, interrogation report with T. Kuncewicz from 20. 9. 1946.

⁵⁴ Ibidem, box 262, file number Tk IX 761/47, interrogation report with M. Maschke from 12. 2. 1946.

⁵⁵ T. Staněk, *Poválečné “excesy”*, pp. 149–150.

⁵⁶ SOA Litoměřice, box 250, Tk VII 820/47, interrogation report from the questioning of T. Jankowski from 20. 9. 1946. See also: Institute of National Remembrance – Lublin section (IPN Lu), file number Lu 17/1254; p. 5, interrogation report with T. Kuncewicz from 15. 7. 1947.

water. The car stopped⁵⁷. Kuncewicz later related about this: "We had already been interrogated and we had the possibility of coming to an agreement among ourselves. I gave the order that we would escape at the earliest opportunity. When we were then in the car, we communicated with gestures that the moment had come for us to escape. I gave the signal and now at this moment, [those] who were closest to the escorting soldiers threw themselves at them and disarmed them. The Poles managed to actually wrest the weapons away from the escorting authorities. I gave the order to the Poles that they may not shoot, because what was important was that we could escape, and this is why we seized the weapons from the escorting authorities, so that they could not shoot, and so that they scattered in all directions. Several shots were fired and later soldiers also showed up [...]"⁵⁸.

The Polish historian Rafał Wnuk mentions that the Poles had planned to kill the guards and then return to the Americans in the car they had acquired. When they threw themselves at the escort and seized their weapons, they shot rounds at the driver's cabin, where other Czechoslovak soldiers were sitting. However, this series of shots went too high⁵⁹. In the ensuing shootout, eight Poles died, including Zygmunt, the younger brother of Lieutenant Kuncewicz. During their escape, Kuncewicz and Jan Chwiejski came across two cyclists, whose bicycles they seized. Whereas Chwiejski managed to reach the western zone in Germany and later enter the Polish 2nd Corps under General Władysław Anders in Italy, Kuncewicz did not have such luck. The military and security forces immediately carried out a raid in which they were able to capture altogether nine Poles. Besides Kuncewicz, they also arrested Seweryn Błaszczak, Tadeusz Juszciński, Zbigniew Hryckiewicz, Henryk Józwiakowski, Tadeusz Jankowski, Piotr Radziszewski, Tadeusz Wiatrowski, and Witold Lew. However, Jan Chwiejski, Henryk Marczewski, Zdzisław Szynzielarz, and Waclaw Mączek, managed to escape, and by various routes return to Poland. The fate of Wiesław Rudzoński, who also escaped, is not known⁶⁰. The extent of the losses suffered by the Czechoslovak escort is also not known⁶¹.

The attempted escape took place on 10 July 1945 around 20:00 between the villages of Liptice (which today no longer exists, as it was razed to accommodate the expansion of brown coal mining operations in the 1970s) and Duchcov. Kuncewicz had chosen the

⁵⁷ R. Wnuk, *Konspiracja akowska i poakowska na Zamojszczyźnie od lipca 1945 do 1956 roku*, Lublin 1992, p. 68.

⁵⁸ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, interrogation report with T. Kuncewicz from 20. 9. 1946.

⁵⁹ R. Wnuk, *Konspiracja akowska i poakowska na Zamojszczyźnie*, p. 68.

⁶⁰ P. Stępiak, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, p. 78; AMZV Prague, TO-P, inv. no. 9, box 5, file 10, OBZ report from 20. 7. 1945. Somewhat discrepant figures for the numbers of those killed and those who managed to escape are provided by R. Wnuk, "Niechciani goście" z innej perspektywy, p. 55. The search party memorandum issued by the district commander of the SNB in Duchcov on 11. 7. 1945 also shows different counts. Document stored in the XXX International Memorial to Victims of the Second World War in Most. I thank Mr. Karel Novák from Most for providing this document for my study.

⁶¹ Only an indeterminate mention of it is made in Litauer's reportage: "Czech and Russian pursuers were also killed and wounded." The National Archives in London, file FO 371/47179, N 9777, clipping from *News Chronicle* 30. 7. 1945.

Sbor národní bezpečnosti okresní velitelství
Duchcov.

Čís. jedn. 155/1945.

Duchcov, 11. července 1945.

Pátrací oběžník.

Dne 10. 7. 1945 o 20. hod. projíždělo státní silnicí Most—Duchcov nákladní vojenské auto, jímž bylo eskortováno 23 polských partyzánů — příslušníků partyzánských skupin bývalého generála Bora — kteří již dne 6. 7. 1945 podle pátr. oběžníku spáchali vraždu na čsl. důstojníku a jeho šoferovi, ze Šluknova do Prahy.

Ve vzdálenosti asi 4 km před Duchcovem pokusili se eskortovaní o odzbrojení eskorty pozůstávající z pěti mužů a v nastalém zmatku za jízdy podařilo se jim část eskorty přemoci, odzbrojit a prchnouti. K přemožení eskorty použili eskortovaní kladiva, kapesních noží a posléze jedné automatické pušky a 3 pistolí, kterýchžto zbraní se zmocnili odzbrojením eskorty.

V nastalé přestřelce byli dva z eskortovaných eskortu provádějící vojenskou hlídkou na místě zastřeleni a zbytek se rozprchl do vlnitého, stromovím a křovinami zarostlého terénu.

Na místo byly okamžitě vyslány posily a hlídky posádkového velitelství v Duchcově a orgány Sboru národní bezpečnosti z Duchcova i okolí. Akcemi těchto hlídek podařilo se zajistit za použití zbraní celkem 13 eskortovaných, kteří kladli, krajní odpor, takže 7 z počtu těchto osob bylo při pronásledování zastřeleno, 2 zraněny a pouze u 4 podařilo se překonat odpor bez použití zbraně a mohli být dopadeni bez poranění.

Zbytku 10 eskortovaných podařilo se v nastalé tmě uprchnouti a lze předpokládati, že se t. č. nachází na útěku i ve větší vzdálenosti od Duchcova.

Popis:

Všichni uprchnuvší polští příslušníci jsou mladší muži vesměs do věku 30 let, mluví polsky a někteří z nich částečně rusky a německy. Oblečení jsou ve stejnokroje polské armády, soukenné, šedozelené barvy a knoflíky stejnokrojů jsou opatřeny polským výsostným znakem — orlicí. Jako pokrývku měli na hlavách vesměs polní čapku se štítkem bez výsostného znaku. Blížeší popis chybí a taktéž nemožno býti udávány jména uprchnuvších, protože tito při zatčení neměli při sobě osobních dokladů a jako partyzáni používají nepravých imen.

Celá skupina byla zatčena na útěku ke spojitým armádám na západě, kam prchala proto, aby pro svoji protisovětskou činnost se nedostala do moci sovětské Rudé armády a podle udání velitele skupiny byla vyspána na jeho dopadení sovětskými úřady vysoká odměna. Velitel skupiny byl dopaden a zatčen v Duchcově.

Při zatýkání a eskortování pozor — uprchnuvší využívají každé okolnosti k útěku.

O zatčení a nebo zadržení budiž podána zpráva zdejšímu velitelství a vojenskému posádkovému velitelství v Duchcově.

Zasílá se všem velitelstvím a úřadům podle rozdělovníku.

Okresní velitel SNB:

V zast.

Vrch. strážm. Hajdinger, v. r.

Search party memorandum issued after the Poles' attempt to escape near Duchcov. The mention of the use of pocket knives and hammers to overcome the escort is interesting. It could indicate negligence in the searches performed on the persons of the Poles, and the insufficient security provisions made during the transfer of the detainees. They should not have been able to find objects that could be used to help them escape (from the collections of the International Memorial to Victims of the Second World War in Most)

spot well. The terrain was “deeply cragged after the coal mining and also extensively wooded”⁶². Judging by the site the Poles chose to make their escape, we can assume that the car was heading to Česká Kamenice.⁶³ We do not know whether after the incident, the escort continued with the captured Poles to Česká Kamenice. Rafał Wnuk writes that the interrogations were carried out there.⁶⁴ However, the reports that have been preserved provide Prague as the place where they took place. The OBZ also brought the other detainees to the capital city, including M. Maschke, who in the meantime went through a living hell. Later, she recalled the interrogations performed by the OBZ: “For as long as I did not admit to something, which was not actually admission, but what the officers themselves dictated and I confirmed, because I was beaten with a truncheon. In

⁶² AMZV Prague, TO-P, inv. no. 9, box 5, file 10, OBZ report from 20. 7. 1945.

⁶³ Ibidem.

⁶⁴ R. Wnuk, “Niechciani goście” z innej perspektywy, p. 56.

order to force a confession out of me, I was transported in a car to Bezděz⁶⁵, where they threatened to shoot me if I did not tell the truth⁶⁶.

Similar interrogations led by the OBZ were later also described by others who had been arrested in connection with the case of Šindelář's murder. Among them were the Šluknov German August Eiselt, and Maschke's Czech friend, Dagmar Brožová. Eiselt later repudiated his interrogation reports made by the OBZ with reference to the circumstance that he had been "harshly abused" during the interrogation.⁶⁷ Brožová, too, described techniques that definitely do not belong among regular investigation methods: "I am pointing out that I signed the paper on account of being afraid. This report was not read to me, so I don't know what I signed. I am pointing out that before I was questioned, I had been locked up for 3 days and was not allowed out, I was not beaten. I was threatened with being imprisoned and that I would not return home. Before I was interrogated, I was raped against my will three times by those who interrogated me. [...] When the interrogations were conducted, I had the possibility of spending a few minutes with Maschková, who told me that I shouldn't be angry with her if she had said [something] against me, because during the interrogations she was beaten terribly, and she even showed some bruises on her legs, and said that she was raped by all of them⁶⁸.

As mentioned above, the Poles also endured physical violence during the first interrogations in Karlovy Vary. The attempt at escaping near Duchcov must have further enraged their guards, and according to R. Wnuk, one of the Poles (Marian Mijalski) was even beaten to death when the escapees were overpowered. Seweryn Błaszczak also later spoke about the "torturing" ["zmučení" – JF], but from the context it is not entirely clear whether this was supposed to have happened in Karlovy Vary or during their attempted escape with the escort⁶⁹. Rafał Wnuk mentions that the interrogators beat the detained Poles during the interrogations with rubber truncheons and wooden batons until they lost consciousness, and they tortured them with hunger. They came down especially hard on Kuncewicz. Some of the things they did to him included inserting matches into his fingernails and then burning them, and they also slashed the palm of his right hand. According to Wnuk, Piotr Radziejowski and Witold Lew eventually died as a result of exhaustion⁷⁰.

However, whether the immediate cause of death of both of these men were the results of abuse during interrogations (or, to what degree this contributed to it), is not

⁶⁵ A village of about 50 kilometers southeast from Česká Kamenice well known for its castle which dates back to the middle ages.

⁶⁶ SOA Litoměřice, KSČL, box 262, file number Tk IX 761/46, p. 26, interrogation report with M. Maschke from 20. 9. 1946.

⁶⁷ Ibidem, file number Tk IX 759/46, interrogation report with A. Eiselt from 20. 9. 1946.

⁶⁸ Ibidem, file number Tk IX 761/46, interrogation report with D. Brožová from 14. 10. 1946.

⁶⁹ Błaszczak literally said: "Podkowa gave the order that along the way, as soon as he gave the sign, we should all fall upon the guards, disarm them, and that we will take their car and drive away. Whether he said that the guards should be shot, I don't know. If he gave the order to do this, but they were not shot, I don't know. I was tortured at the time, so I don't even really know what was said." SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, interrogation report from questioning of S. Błaszczak from 21. 9. 1946.

⁷⁰ R. Wnuk, "Niechciani goście" z innej perspektywy, p. 56.

clear. Lew expired in the prison hospital in Česká Lípa on 17 November 1946. There, Radziszewski also died, but in his case, the exact date of death is not provided on the documents. According to Paweł Stępnia, he died at the end of 1945 or beginning of 1946⁷¹. What can be gleaned from the archives gives one to understand that both men had been treated for a longer period of time, although specific details about for what disease are only indicated in the coroner's report for Witold Lew, in which tuberculosis is provided as the cause of death⁷².

Tadeusz Jankowski's health problems may indicate abuse during interrogations. On 25 July, the chief physician of the infirmary of the prison of the field court of the 1st Army Corps reported that due to the numerous furuncles on the head and the swollen lymph nodes on his throat, Jankowski needed to be immediately hospitalised. It cannot be ruled out that beating could have contributed to Jankowski's illness (through the mechanical damage to the skin and if he had lowered immunity the bacteria that caused the furuncles could have entered his body)⁷³.

As was mentioned above, the interrogators forced those they questioned to admit that they committed the murder of Lieutenant Šindelář and Private Malina after making an agreement with Werwolf, which Lieutenant Šindelář had harmed with his activities, and who was on his trail. Werwolf therefore planted Maschke, and with her help, used the Poles as a means to dispose of Šindelář and Malina. However, this was a fiction invented by the investigators. Everyone who testified along these lines later declared that the investigation reports were false and they were forced to do this through violence. Kuncewicz bitterly added to this: "It is not true that we had an agreement with Werwolf, seeing that we only drove through Šluknov. I fought for 4 years against the Germans and I was decorated for that, and I do not have a reason to ally myself with the Germans. We did not have any kind of agreement with Margit Maschke"⁷⁴. In the OBZ report about the murder of Lieutenant Šindelář and Private Malina, there are other inconsistencies as well. For example, it mentions that the Poles' vehicle had a white star on its door and the inscription USA. However, this does not make any sense, because this would have unnecessarily attracted the attention of Polish and Soviet security forces to the Poles⁷⁵.

Is there an attempt to prove the usefulness of the OBZ and to silence potential critics hidden behind the fiction about the activities of Werwolf? Or an attempt to conceal the illegal acts committed by Staff Captain Dovara and the yarn about the conspiracy between the Werwolf with the "reactionary" Poles by diverting attention in another

⁷¹ P. Stępnia, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, p. 79.

⁷² SOA Litoměřice, KSČL, box 262, file number Tk 761/46, report from the prison in Česká Lípa from 22. 5. 1947, copy of the coroner's report from 17. 11. 1946.

⁷³ Ibidem, box 250, file number Tk VII 820/47, letter by the chief physician from 25. 7. 1945; <http://cs.medixa.org/nemoci/furunkl> (28. 1. 2016).

⁷⁴ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, interrogation of T. Kuncewicz from 24. 5. 1946.

⁷⁵ AMZV Prague, TO-P, inv. no. 9, box 5, file 10, OBZ report from 20. 7. 1945. It has also been written (J. Bílek, *Vojenské aspekty čs. - polského sporu o Těšínsko*, p. 244), that the Poles were dressed in Soviet uniforms, which of course again makes no sense. None of the Poles had a sufficient command of Russian language to pass for a Soviet soldier, and additionally, the above-cited testimony of V. Ohman clearly speaks of the typical Polish military caps that the Poles had on their heads. See R. Wnuk, "Niechciani goście" z innej perspektywy, p. 54.

direction? Or was the motive to conceal the truth that had come to light during investigation, that the redoubtable resistance fighter Šindelář (who was, additionally, married) was having an affair with a Sudeten German woman⁷⁶, so the OBZ made her into an agent of the Werwolf? That the last question could cause some unpleasantness is testified by the commentary in *Severočeská Mladá fronta*. "How is it possible that an officer of the Czechoslovak army was taking a German woman along with him on an official journey," asked the author of the article about the murder of Šindelář and Malina, but he then excused the lieutenant's behaviour with exaggerated credulity⁷⁷.

The Werwolf story also came in handy in connection with the explosion that took place in Krásné Březno (close to Ústí nad Labem in northern Bohemia), which has not been explained to this day, and which was commonly attributed to this organisation, or perhaps to sabotage efforts by Sudeten Germans⁷⁸. One does not know the exact reason why the OBZ thought up this fictitious invention, and can only speculate about it. What is certain is that nine Poles led by Kuncewicz were held in prison, along with Maschke, Eiselt, and a few others who were arrested in connection with this case. On 24 September 1945 they left the military prison on Kapucínská Street in Hradčany (Prague's castle district) for the district court prison at Pankrác, during which time the case files that had already made their way to the Commission were then in turn taken over by an exceptional People's Court in Prague (these were established in September 1945 in order to punish war criminals and quislings). The reasons for the long-term imprisonment in Hradčany were explained by the military prosecutor thus: "[...] whereas the committee was overwhelmed with work, a decision was only made about the transfer of the accused to a civilian prison after a longer time [...]"⁷⁹.

IN ČESKÁ LÍPA

Even at Pankrác, as Paweł Stępniaak writes, the guards physically and mentally tormented the Poles⁸⁰. In October 1945 the preparations were made for the transfer of the Poles, as well as Maschke, Eiselt, and two other accused Germans (Elisabeth Mathiasko and Alfred Schneller) to Česká Lípa, where they were to stand before the exceptional People's Court there⁸¹. Starting that November, the walls of the prison in Česká Lípa were to become a new "home" for Kuncewicz and his companions. And there, too, Paweł Stępniaak tells us, the conditions were also bad at the outset: the Poles were tormented with hunger and cold, and only after an intervention by the Red Cross did the situation

⁷⁶ On the period perception of the relations between Czechoslovak soldiers with German women, see: *Proč musí od nás, proč jim nesmíme odpustit*, "Stráž severu", 6. 7. 1945, p. 5.

⁷⁷ *Nedůvěřujte jim, jsou to vlkodlaci*, "Severočeská Mladá fronta", 26. 7. 1945, p. 1.

⁷⁸ See *Werwolfové zapálili muniční skladiště v Krásném Březně*, "Severočeská Mladá fronta", 1. 8. 1945, p. 1.

⁷⁹ SOA Litoměřice, KSČL, box 262, file number Tk VII 761/46, letter from the military prosecutor in Prague from 5. 10. 1946.

⁸⁰ P. Stępniaak, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, p. 79.

⁸¹ These were special courts established in Czechoslovakia after the war, which were tasked with punishing war criminals, collaborators, and traitors.

change for the better. Kuncewicz and his companions became “halls”, they washed the hallways and helped distribute food, for which they were to be rewarded with a bowl of soup and two or three potatoes⁸².

It was only in February 1946 that new interviews were conducted with the Poles and the other accused parties. Everyone, as mentioned previously, denied during these new hearings the fiction about a conspiracy with Werwolf, and they complained about the abuse by members of the OBZ. They also repeated the same things during further interviews conducted during 1946. In the fall of 1945, the Ministry of Defense received information about the unlawful acts committed by Staff Captain Dovara and initiated prosecution proceedings against him. The investigators at Česká Lípa were aware that the story about the Poles’ conspiracy with Werwolf was utter nonsense, so they more or less focused on two types of deeds: the attack on the escort during the transfer from Karlovy Vary to Česká Kamenice, and on the question of which of the detained Poles had killed Šindelář and Malina.

This investigation, however, also did not lead to definitive findings. The Poles either named those who had been killed during the attempted escape, or those who successfully escaped as the ones who had committed the act. Kuncewicz himself denied that he had given an order to shoot the two Czechs. The order was given to tie Šindelář and Malina up to a tree, he said. According to Kuncewicz, this act was to have been carried out by Jan Chwiejczyk and Waclaw Mączka (Kuncewicz only provided their code names), and they were joined by Zdzisław Szyndzielarz. In Česká Lípa, Kuncewicz testified that Šindelář and Malina were supposed to have attempted to escape, so they were shot⁸³. He said that he was angry with them for this, and threatened to punish them after their arrival in the American zone⁸⁴, but in a later interrogation with Polish investigative agencies he again related a somewhat different version. In this one, Zdzisław Szyndzielarz was supposed to have joined Chwiejczyk and Mączek, and that Szyndzielarz, out of fear that Šindelář might later take revenge against the Polish family in Šluknov, was supposed to persuade Chwiejczyk and Mączek that Kuncewicz had given the order to shoot both of them⁸⁵. The investigation into the attempted escape also did not progress any further. It had proved impossible to determine who had been a member of the escort that day, so it was not possible to interview them⁸⁶.

To Kuncewicz’s credit, it is necessary to say that as a commander, he took responsibility upon himself: “I feel at fault. [...] Although I deny that I would have given a direct order to shoot Lieutenant Šindelář and chauffeur Malina, as the leader of a military unit I take full responsibility for what happened. Among those persons who are being

⁸² Ibidem.

⁸³ SOA Litoměřice, KSČL, box 250, file number 820/47, interrogation report with T. Kuncewicz from 24. 5. 1946.

⁸⁴ Ibidem, interrogation report with S. Błaszczak from 21. 9. 1946.

⁸⁵ Instytut Pamięci Narodowej, Oddział w Lublinie, file number LU 17/1254, p. 5, interrogation report with T. Kuncewicz from 15. 7. 1947; P. Stępmiak, *Tadeusz Kuncewicz “Podkowa” 1916–1991*, p. 75.

⁸⁶ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, letter from the military formation 4528 from 20. 5. 1947.

held in imprisonment here, none of them took part directly in the execution of the Czechoslovak soldiers. Also, in relation to the revolt, I take responsibility for the entire unit, which includes all the members of the unit that were obligated to obey me as their commander.⁸⁷ In this light, the declaration made by some of Kuncewicz's companions that they (as testified by Tadeusz Juszczynski, Seweryn Błaszczak, and Tadeusz Wiatrowski) had set out towards the West with his division against their own wills seems somewhat strange. The motives of these testimonies are unknown, but it is doubtful that they had joined Kuncewicz involuntarily. Additionally, there would have been many opportunities to flee all along the way. It would be more appropriate to understand these declarations as part of a tactic (possibly agreed upon with Kuncewicz) used to try to secure the least possible punishment⁸⁸. In the interrogation records made in Poland one does not find any mention of it.

The Poles did not have the possibility of informing their friends and relatives about their fates, nor was the Polish embassy in Prague informed about the situation. According to Paweł Stępnia, Seweryn Błaszczak managed to make the acquaintance of a Czech (whose name was said to be František Moudr), who had been released from prison in 1946, and with his help he was able to notify the families of the other prisoners. After their intervention, the Polish diplomatic representation in Prague began to take an interest in these men⁸⁹. The district court, however, was not considering sending the Poles back to their homeland. The investigation came closer to its end, it was assumed that within two or three weeks the whole case would be transferred to the public prosecutor at the extraordinary People's Court in Česká Lípa⁹⁰.

Only, it was not during the spring of 1947 that anything happened, by which one may surmise that the investigators still lacked enough evidence to bring the Poles before the court. To give an example, on 15 May 1947 the SNB station in Velký Šenov sent a sketch of the place where the murder of Šindelář and Malina took place, along with photographs of the site⁹¹. Margit Maschke was even released from prison on 16 April 1947, because the prosecutor found no reason to prosecute her further. Her later fate is unknown: most likely, she did not escape the expulsions⁹². In this period, additionally, Dovara served a sentence of five months in jail (and was stripped of his rank). These penalties were meted to him by a military court in Prague for the crime of abuse of his official powers and the misdemeanor of causing minor bodily harm in February 1947⁹³.

⁸⁷ Ibidem, interrogation report with T. Kuncewicz from 8. 5. 1947.

⁸⁸ Ibidem, interrogation report with T. Wiatrowski from 21. 9. 1946; interrogation report with T. Juszczynski from 18. 2. 1946; interrogation report with S. Błaszczak from 21. 9. 1946.

⁸⁹ P. Stępnia, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, pp. 79–80; SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47; letter from the consular division of the Polish embassy from 24. 9. 1946.

⁹⁰ Ibidem, letter from the district court to the Polish embassy from 13. 10. 1946.

⁹¹ Ibidem, letter from the SNB station in Velký Šenov from 15. 5. 1947 with a sketch and photographs.

⁹² Ibidem, box 262, file number Tk IX 761/46, record of the release of M. Maschke from 16. 4. 1947; letter from the head military prosecutor from 19. 2. 1948. It is extremely likely that Eiselt was also released, for the command of the reception camp in Šluknov had been demanding his release since the summer of 1946. Ibidem, file number Tk 759/46, letter from the command of the reception camp in Šluknov, 11. 7. 1947.

⁹³ T. Staněk, *Poválečné "excesy" v českých zemích*, p. 150.

He was not held accountable for illegal actions performed on the Poles and the other detained persons in the case of the murder of Šindelář and Malina, and it is unknown whether the same is true in the cases of the other OBZ members who were also involved in the investigations. Moreover, it is probable that there was a lack of interest in having the entire case aired out to the public.

Given the situation, sending Kuncewicz and his companions back to Poland was really the only solution. On 30 June 1947 an escort drove them from Česká Lípa to Prague, and on 12 July they were received at the border crossing Chałupki near Bohumín by officials in Poland⁹⁴.

CONCLUSION

The Polish investigation officers further interrogated all seven Poles, who provided more or less the same answers about the murder of Šindelář and Malina to them as they had previously. The officers in the Polish security force were not even very interested in the case of the Botzenberg forest. The charges against Kuncewicz focused only on the acts committed on Polish territory within the context of his engagements against the communist regime. Czechoslovakia is mentioned in connection with the misdemeanour of the unauthorised crossing of a state border and carrying secret documents out of the country with the purpose of giving them to foreign intelligence agencies. The other Poles were indicted for membership in the AK, for desertion, for use of forged documents, for unauthorised carrying of weapons, and for participation in selected operations organised by Kuncewicz. By 15 December 1947 the military court in Lublin handed down sentences of five years in prison to Jankowski, Błaszczak, Józwiakowski and Wiatrowski, but due to an amnesty they were set free. Kuncewicz, Hryckiewicz and Juściński had to wait for their verdicts until 23 January 1948. The last two received a sentence of five years imprisonment, but they, too, were granted amnesty. Kuncewicz, however, was to spend ten years in prison, and he had been spared an even stiffer penalty owing to his services in the struggle against the German occupiers⁹⁵.

Kuncewicz's motion to have the period he spent imprisoned in Czechoslovakia taken out of his sentence in Poland was eventually successful, and on 10 July 1955 – that is, ten years after the Americans had handed him over to the Czechoslovak authorities – a military court ruled that he was to be set free. He worked on the railways, but the state security forces continued to take an interest in him. They followed him, and collected information about him, and even attempted to recruit him to collaborate with them. He lived to see the change of regime, but fate was not to allow him to enjoy his country's freedom that he had fought for. He died on 14 February 1991 in Warsaw⁹⁶.

⁹⁴ SOA Litoměřice, KSČL, box 250, file number Tk VII 820/47, report about the escort on 30. 6. 1947; Instytut Pamięci Narodowej, Oddział w Lublinie, file number LU 17/1254/1, p. 2, report about the transfer of Kuncewicz and co. to the border crossing Chałupki.

⁹⁵ P. Stępnia, *Tadeusz Kuncewicz "Podkowa" 1916–1991*, pp. 80–85.

⁹⁶ *Ibidem*, pp. 88–100.



Monument commemorating the murder of Josef Šindelář and Vlastimil Malina (state in 2015; photo: J. Friedl)

To this day, there is still a monument, which had been ceremoniously unveiled on the occasion of the first anniversary of the tragic event, at the place where Šindelář and Malina were murdered⁹⁷. Another form of commemoration is the name of the hill, Partisan Peak, at whose base both men met their death. Both Šindelář and Malina were posthumously promoted to higher ranks, and Šindelář was additionally awarded the Czechoslovak War Cross 1939–1945 (*Válečný kříž 1939*). Their remains rest in the cemetery in Chotětov⁹⁸.

The murder in the Botzenberg forest was a result of a conspiracy of chance and circumstances that made the paths of Kuncewicz and his group, and Šindelář and Malina cross. I believe that the sources herein examined prove beyond a doubt the absurdity of the theory of the conspiracy with Werwolf, which was supposed to be using the Poles as a means to eliminate Šindelář. On the other hand, they also draw attention to other cases of commission of unlawful acts by the Czechoslovak army's military intelligence in 1945 in the border regions. Even Polish citizens were not spared in this case, and it is

⁹⁷ V. Teršl, *Jeden z nejstatečnějších*, "Severočeská Mladá fronta", 5. 7. 1946, p. 5.

⁹⁸ <http://www.vets.cz/vpm/7300-hrob-josef-sindelar-a-vlastimil-malina/> (17. 12. 2017). In the case of Malina, the gravestone displays the rank of corporal, and Šindelář's shows him to be a first lieutenant, though in his service record it actually shows that he was promoted as high as staff captain in memoriam VÚA-VHA Prague, Service record of J. Šindelář.

startling that besides the abuse, they also had to suffer a long period in a stockade, and the Polish authorities were not notified.

Kuncewicz's group had surely arrived on Czechoslovak territory accidentally, and they probably did not intend to reach the western allies through Czechoslovakia. Moreover, it was easier to pose as Polish soldiers in the Soviet occupation zone than on Czechoslovak territory where they would (as the case with Šindelář had proved) have easily become the objects of suspicion. This did not, however, mean that the Czech lands were not a preferred route for illegal movements of Poles into the American zone. The opposite was true. Focused studies prove that members of the anticommunist structures in Poland utilised them frequently and the courier routes were well organised.⁹⁹ Further research of the domestic and foreign sources shall certainly bring a good deal of further information on this subject.

KEYWORDS

Tadeusz Kuncewicz, escape to the West, Czechoslovakia

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Tadeusz Kuncewicz ps. „Podkowa” i jego próba dotarcia do strefy amerykańskiej w lipcu 1945 r.

Podjęta przez Tadeusza Kuncewicza i jego oddział próba dotarcia do amerykańskiej strefy okupacyjnej w lipcu 1945 r. jest powszechnie znana. Jednakże opracowania naukowe utrzymują, że jego działania miały związek z Brygadą Świętokrzyską stacjonującą w lecie 1945 r. w zachodnich Czechach. Co więcej, działalność Kuncewicza i jego współtowarzyszy na terytorium Czechosłowacji była owiana tajemnicą, a w wydanych dotychczas opracowaniach można napotkać wiele błędów. Niedawno odkryte archiwalne dokumenty pozwalają nam odtworzyć, co rzeczywiście się wydarzyło po dotarciu oddziału Kuncewicza na terytorium Czechosłowacji. Wiadomo, że Kuncewicz i jego

⁹⁹ J. Plachý, *Československo jako tranzitní země polské emigrace po roce 1945*, [w:] Slovenská republika 1939–1945 očami mladých historikov IV. Zborník príspevkov z medzinárodnej vedeckej konferencie, Banská Bystrica 14. – 15. apríla 2005, (Ed.) M. Šmigel – P. Mičko, Banská Bystrica 2005, pp. 464–469; Idem, *Tajné prepačky polského podzemí v Československu po roce 1945*, „Historie a vojenství” 60, 2011, No. 3, pp. 65–68; J. Friedl, *Delegatura Polskiej Misji repatriacyjnej w Pilźnie. Udział w nielegalnych przerzutach Polaków oraz ucieczka pracowników na Zachód w 1945 roku*, „Zeszyty Naukowe Uniwersytetu Jagiellońskiego. Prace Historyczne” 142, 2015, No. 1, pp. 135–148.

ludzie znaleźli się w niewielkim miasteczku Šluknov (zachodnie Czechy) przypadkowo i prawdopodobnie nawet nie zdawali sobie sprawy, że są na terytorium Czechosłowacji. Niestety natknęli się tam na porucznika czechosłowackiej armii, Josefa Šindelára, który postanowił sprawdzić tożsamość Polaków w pobliskim posterunku sowieckim. Ponieważ dla Kuncewicza i jego towarzyszy oznaczałoby to koniec podróży na Zachód, w drodze na posterunek Polacy podążający za samochodem Šindelára postanowili udać, że ich pojazd się zepsuł. Šindelár oraz jego kierowca Vlastimil Malina zostali następnie rozbrojeni i zastrzeleni w lesie. Kochanka Šindelára, Margit Maschke, która podróżowała wraz z nim, została przez Polaków uprowadzona, a później wypuszczona w pobliżu miejscowości Klášterec nad Ohrzą. Polacy dotarli do amerykańskiej strefy okupacyjnej w zachodnich Czechach. Amerykańscy urzędnicy, dowiedziawszy się, że Kuncewicz i jego ludzie zamordowali dwóch czechosłowackich żołnierzy, wydali ich w ręce czechosłowackiego kontrwywiadu. Polacy zostali oskarżeni o współpracę z nazistowską organizacją Werwolf. W drodze do więzienia podjęli nieudaną próbę ucieczki. W rezultacie ośmiu z nich zostało zastrzelonych; dziewięciu schwytano, a tylko pięciu udało się uciec. Dziewięciu Polaków – w tym Kuncewicza – torturowano podczas przesłuchania (dwóch z nich zmarło w niewoli) i zmuszono do przyznania się do zabójstwa Šindelára we współpracy z Werwolfem. Oczywiście wszyscy później odwołali swoje zeznania. Przesłuchanie prowadził kapitan Vilém Dovara, który został potem skazany za popełnione w tamtym czasie na czeskim pograniczu zbrodnie przeciwko niemieckiej ludności cywilnej. Polacy byli przetrzymywani w więzieniu (bez procesu) przez niemal dwa lata. Po pewnym czasie udało im się skontaktować z polską ambasadą w Pradze. Ponieważ żaden z nich nie był bezpośrednim sprawcą morderstwa, czechosłowackie władze odesłały ich do Polski, gdzie wszyscy zostali skazani na karę więzienia za wcześniejszą antykomunistyczną działalność w Polsce.

SŁOWA KLUCZOWE

Tadeusz Kuncewicz, ucieczka na zachód, Czechosłowacja