

Answers Muddled By Nazi Slayer Of Toronto Flier

Aurich, Germany, March 18 (CP).

—As the first RCAF war crimes trial dragged toward its finish here today, Johann Neitz, former German Marine charged with shooting with intent to kill an RCAF prisoner, denied that FO. Rudolph Roman of Toronto had his hands in the air when he shot him near Wilhelmshaven in October, 1944.

Replying to questions from both Air Vice-Marshal R. E. McBurney of Montreal Ottawa and Saskatoon, president of the court, and Wing Cmdr. Pat Durdin of London, Ont., prosecutor, the accused said he never had intended to kill the Canadian flier. When questioned again whether or not FO. Roman had his hands up, he said: "If he had raised his hands nothing would have happened. In that case I would just have taken him along."

Neitz is the first of four Germans to go on trial for mistreating or killing RCAF prisoners. The others, charged with more serious crimes of killing captured airmen, will go on trial after the Neitz case is completed.

Accused Confused

Neitz said in his testimony today that after he shot FO. Roman—whom he had captured in a lighthouse after the Canadian had bailed out of a burning aircraft and taken refuge there—he shouted and waved to Germans on a near-by dike to come to the spot. He told the court he stood near Roman who had collapsed on the ground.

"I just looked at him and said: 'Well all right'—that was all."

All afternoon the prosecution strove to pin down Neitz and draw contradictory testimony from him. Frequently the accused became confused and his answers were far from the point. He could not explain why he told Wing Cmdr. Durdin in an examination by war crimes investigators last December that there was some doubt in his mind that FO. Roman's hands were up or were not when he shot him.

Neitz' replies became so difficult to follow that Wing Cmdr. Collins interjected: "The defense has great difficulty with the accused all the way through. Either he has no understanding of our court procedure or he has little intelligence."

In Wing Cmdr. Collins' re-examination of Neitz, the accused gave his story mixed up when he said that in firing the first shot he only intended to injure FO Roman slightly. Previously he said the first shot was a warning shot, fired into the ground.

The defense is expected to call three witnesses tomorrow and this first case then probably will be concluded. It will be followed by the trial of two Germans charged with being concerned with the murder of a Canadian airman at Oberweiler in Bavaria.

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