

WAR CLAIMS COMMISSION
WASHINGTON 25, D. C.

CLAIM NO.
78727

-2

(Do Not Write In This Space)

APPLICATION FOR LIVING EX-PRISONER OF WAR COMPENSATION
FOR COMPULSORY LABOR AND/OR INHUMANE TREATMENT

I hereby make application for compensation payable to ex-prisoners of war under Section 6 (d) of the War Claims Act of 1948 (Public Law 896, 80th Congress, July 3, 1948), as amended by Public Law 803, 82d Congress, April 9, 1952.

PART I

IDENTITY OF EX-PRISONER OF WAR

1. Name Frederic NMI Martini
(First name) (Middle name) (Last name)
2. Address 1779 Prospect St. Trenton RD #1 New Jersey
(Street and number) (City or town) (Zone) (State)
3. Date of birth Oct. 18, 1918 Place of birth B'klyn. New York
4. Military or naval service serial No(s). 32163997 A.S.N.
5. Branch of military service at time of capture (check one): Army ☒; Navy ☐; Marines ☐; Coast Guard ☐; Other (specify) A.A.F.
6. Military or naval rank or rating at time of capture Staff Sergeant
7. Did you file a claim for prisoner of war \$1 per day benefits? Yes If so, give your
(Yes or No) claim No. 78727
8. Places or camps of confinement:
- | Place or camp | From— | To— |
|--------------------------------------|---------------------|----------------------|
| <u>Fresnes Prison Paris</u> | <u>Aug. 5, 1944</u> | |
| <u>Buchenwald Concentration Camp</u> | | |
| <u>Stalag Luft #3</u> | | <u>Jan. 27, 1945</u> |
| <u>Stalag 7 A</u> | | <u>Apr. 29, 1945</u> |

PART II

INFORMATION CONCERNING LABOR DURING IMPRISONMENT

Before answering the questions in Part II, please read carefully the following provisions from the Geneva Convention of July 27, 1929, pertaining to labor. These provisions are grouped to correspond with the consecutive order of the questions.

The enemy government may utilize labor of able prisoners of war, excepting officers. If officers request suitable work, it shall be secured for them so far as is possible. Noncommissioned officers shall only be required to do supervisory work. Officers and persons of equivalent status shall be treated with regard due their rank and age. Labor detachments must be furnished good sanitary conditions and food. (Articles 21, 27, and 33.)

The enemy government must pay prisoners of war for work performed except work connected with maintenance of prison camps. Wages shall be paid at the rate in force for National troops or native workers. All wages earned must be paid at the end of captivity. The work day, including the trip going and coming, shall not be excessive or exceed that of civilian workers. Every prisoner shall be allowed a rest of 24 consecutive hours each week, preferably on Sunday. Work clothes, whenever required, must be furnished. (Articles 12, 30, and 34.)

Unhealthful or dangerous work is prohibited. No prisoner may be employed at work for which he is physically unfit. (Articles 29 and 32.)

Labor furnished by prisoners of war shall have no direct relation with war operations. Prisoners cannot be employed making or transporting arms or munitions or transporting any material intended for combatant units. (Article 31.)

9. (a) Were you required to work during imprisonment? (exclusive of work maintaining prison

camps) _____ If so, describe the kind of work you performed and your physical condition
(Yes or No)

at that time PHYSICAL CONDITION AFTER LEAVING BUCHENWALD
POOR. REQUIRED TO WORK IN CAMP AT LUFT 3. NO COMPEN.
WHILE IN I DID VARIOUS TYPES OF WORK IN MUNICH - C/RE
RING BOMB DAMAGE

(b) If you were an officer or noncommissioned officer, was your rank respected in the matter of the kind of work you were required to perform and otherwise?

NO - NO RANK RECOGNIZED IN BUCHEN OR
LUFT 3 WORK DONE WAS NOT SUPERVISORY
DID MANUAL LABOR WITH ALL GRADES

10. (a) Were you paid for labor performed? (exclusive of work maintaining prison camps) NO

(Yes or No)

If so, estimate total wages paid you and, if known, give hourly or daily rates of pay NONE

(b) What were the hours of work required of you in a work day? VARIED

(c) Indicate if a rest day was allowed at least once a week YES

(Yes or No)

(d) Were adequate work clothes furnished you? NO

(Yes or No)

11. Describe any labor conditions which were unhealthful or dangerous

12. Did any of your work have direct relation to war operations? NO? If so, describe

(Yes or No)

clearing Bomb Damage FROM R.R. YARD # 5727100
IN Munich

13. Describe here any other conditions under which you were compelled to work that may be relevant to the provisions of the Geneva Convention of 1929 on labor

PART III

INFORMATION CONCERNING HUMANE TREATMENT DURING IMPRISONMENT

Before answering the questions in Part III, please read carefully the following provisions from the Geneva Convention of July 27, 1929, pertaining to humane treatment. These provisions are grouped to correspond with the consecutive order of the questions.

Prisoners of war shall be lodged in buildings or in barracks affording all possible guarantees of hygiene and healthfulness. The quarters must be fully protected from dampness, sufficiently heated, and lighted. All precautions must be taken against danger of fire. With regard to dormitories—the total surface, minimum cubic amount of air, arrangement and material of bedding—the conditions shall be the same as for the troops at base camps of the enemy. Clothing, linens, and footwear shall be furnished and replacement or repairs of these effects regularly assured. (Articles 10 and 12.)

Prisoners shall have at their disposal, day and night, installations conforming to sanitary rules and constantly maintained in a state of cleanliness to assure healthfulness and prevent epidemics. Toilets must be convenient and clean, and sufficient water must be available for bathing. Prisoners must be allowed to exercise in and enjoy fresh air. (Article 13.)

Every camp shall have an infirmary, where prisoners of war shall receive every kind of attention they need. If necessary, isolated quarters shall be reserved for the sick affected with contagious diseases. When important surgical operations are needed, prisoners must be admitted to qualified Military or Civil Medical Units. Medical inspections shall be arranged at least once a month. (Articles 14 and 15.)

Personal effects and objects, including metal helmets and gas masks, shall remain in the possession of the prisoner of war. Arms, military equipment, and military papers may be taken by the enemy government. (Article 6.)

Prisoners must be humanely treated at all times and protected against violence, insults, and public curiosity. They must have their persons and honor respected. Women shall be treated with all the regard due their sex. A receipt must be given for any money taken from a prisoner and the money refunded on his release. Prisoners are not to be kept in danger zones and shall not be made to walk more than 20 kilometers or 12.43 miles a day. Prisoners are to be treated with regard due their rank and age. Soldiers of the same army are to be assigned to prison camps in which officers of that same army are held prisoners. They are not to be given any more severe disciplinary treatment than arrest for more than 30 days. Quarters must be sanitary and prisoners may not be put in jails or penitentiaries. Prisoners under arrest must be allowed to stay in the open air at least 2 hours daily. Each prisoner must be allowed to write a definite number of letters and postal cards a month and at least one week after arrival in camp each prisoner must be allowed to send a postal card to his home. Such cards may not be delayed in transit by the enemy. Prisoners must be allowed to receive mail and packages, except, while under arrest, packages may be withheld. (Articles 2, 3, 6, 7, 21, 22, 36, 56, and 57.)

14. (a) Describe the living conditions and sleeping facilities (crowded conditions, heating, ventilation, bedding, fire protection, etc.) Bushenwald - 3000 IN OPEN CAMP
NO BEDDING - BALANCE OF TIME APPROX 200 MEN IN BARRACKS
SLEEPING IN SHACKS ALONG WALL & ON FLOOR. LIFT 3 FAIR 79 POOR
- (b) What clothing, linens, or footwear, if any, were furnished you? Bushenwald - Fair
ALL PERSONAL PROPERTY CONFISCATED
of TROUSERS & SHIRT T-SHIRT - LIFT 3 G.I. UNIFORM - 79 - NONE
15. (a) Were sanitary measures taken to assure cleanliness and healthfulness of camps and to prevent epidemics? NO If the answer is no, describe the conditions of the camps Bushenwald
(Yes or No)
Sanitary conditions none - LIFT 3 Fair - 79 - POOR
- (b) State whether toilet facilities were adequate and if sufficient water was provided for bathing to maintain cleanliness LIFT 2 FAIR OTHERS NO
- (c) Were you allowed to exercise in the open air? YES
(Yes or No)
16. Describe what medical care, supplies, or facilities were available LIFT 2 GOOD BUSHEN
PARITY NONE - 79 - POOR
17. Were you permitted to retain personal effects and objects, other than arms, military equipment, and papers? NO
(Yes or no)
18. Describe here any other conditions to which you were subjected that may be relevant to provisions of the Geneva Convention of 1929 as to the humane treatment of prisoners of war (e. g., abuse, ridicule, humiliation, subjection to attack, bombardment, etc.) ABUSE DURING
INTERROGATION - IMPRISONMENT BY GESTAPO &
S.S.
19. (a) Having read the requirements of the Geneva Convention of 1929 outlined above with regard to labor and/or inhumane treatment of prisoners of war, do you allege that the enemy government which held you prisoner continually failed to comply with those requirements? YES
(Yes or no)
- (b) If you believe your answer to (a) above should be "yes" for most of the period of your imprisonment, but you wish to except certain periods when you received treatment in compliance with the Geneva Convention of 1929, give dates of such periods _____

PART IV

20. If you have paid or agreed to pay anyone for assistance and/or advice in the presentation or filing of this claim, state names and addresses of each person or persons and the amount of the fee paid or agreed upon. (See item No. 4 of general instructions.) _____

21. If this application is being executed in behalf of an ex-prisoner of war who is incompetent or incapable of filing for himself, give your name, mailing address, and state capacity in which claim is executed _____

I CERTIFY that the foregoing statements are true and that they are made with full knowledge of the fact that penalties involving fines and imprisonment are prescribed by various statutes of the United States for making a false statement.

IF SIGNATURE MADE BY (X) MARK, WITNESSES SIGN HERE:

NOTE.—No witnesses are necessary unless this application has been signed by mark (X). If signed by mark (X), the signatures and addresses of two persons to whom the person making the claim is personally known, must be shown below:

1. _____
(Signature of witness)

(Address)
2. _____
(Signature of witness)

(Address)

(Signature of claimant)

(Date)

By _____

Title _____

(NOTE.—If this application is executed by a person other than the ex-prisoner of war, please sign the name of the ex-prisoner of war in the space indicated "signature of claimant," followed by your name and the capacity in which you sign.)

DO NOT FORGET TO SIGN APPLICATION

Mail application form and acknowledgment card to

WAR CLAIMS COMMISSION, WASHINGTON 25, D. C.

CLAIMS MUST BE FILED ON OR BEFORE APRIL 9, 1953