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PROCEEDINGS

of a

MILITARY COURT FOR THE
TRIAL OF WAR CRIMINALS

held at

LUNEBURG, GERMANY

on

WEDNESDAY, 17 OCTOBER 1945

upon the trial of

JOSEF KRAMER

and

44 Others.

TWENTY - SEVENTH DAY.

Transcript of the Official
Shorthand Notes.

(At 0930 hours the Court reassembles pursuant to adjournment, the same President, Members and Judge Advocate being present).

(The accused are again brought before the Court).

THE PRESIDENT: Colonel Backhouse, I think you were going to put in some document.

COLONEL BACKHOUSE: I have both the commentary of the film which was read, the commentary in English, and I also have the German translation here. I think they were going to be put in as one Exhibit.

THE PRESIDENT: Yes.

COLONEL BACKHOUSE: Copies have been supplied to the Defence.

(English and German versions of commentary on film are together marked Exhibit "125", signed by the President and attached to the proceedings).

THE ACCUSED, IRMA GRESE, is recalled on her former oath and cross-examined by COLONEL BACKHOUSE as follows:

- Q You told us yesterday about how you went to your elementary school and then you went farming, and then you went to this hospital at Hohenluchen ?
A Not quite.
- Q Well, did you go to the hospital at Hohenluchen ? A Yes.
- Q And you wanted to stay there and be a nurse there, did you not ?
A I wanted to go to Schwerin because there in Hohenluchen I could not have become a nurse, so therefore I wanted to go to Schwerin.
- Q Hohenluchen was run by the S.S., was it not ? A When I was there it was a sports sanitorium. Later on it became S.S.
- Q When did you go there ? A 1939 to 1941.
- Q After you left there you went to work in this butter shop and then you went to Ravensbruck ? A Yes.
- Q What were you paid at the butter shop ? A 40 to 60 marks per month.
- Q What did you get at Ravensbruck ? A 54 marks per month.
- Q Why did you get so much less than the others ? A Because I was only 18.
- Q Tell me a little about Ravensbruck. Is it right to say that the treatment there was very severe ? A Yes.
- Q In fact is Ehlert right when she says it was terribly terribly severe ?
A Yes.
- Q Are those two witnesses for the defence who were called right when they say that all the aufseherin there, with the exception of the gentle Ehlert, were regularly beating prisoners ? A I do not know.
- Q There was a lot of beating there, was there not ? A I had a kommando of 20 prisoners and I went out to work with them, and I never beat anybody.
- Q That was not what I asked you at all. There was a lot of beating of prisoners there, was there not ? A I did not see it.

- Q An S.S. woman who did not behave badly to the prisoners was punished or moved, was she not? A I do not know.
- Q And it was the end of your training at Ravensbruck, your period at Ravensbruck, that you went home and saw your father, was it not? A Yes.
- Q And you told your father what you had been doing at Ravensbruck, did you not? A Yes.
- Q And did you quarrel with him? A Yes.
- Q Did he turn you out of the house? A Yes.
- Q When you came to Auschwitz you told us that your first job was a telephone orderly? A Yes.
- Q But even when you were a telephone orderly you had to take your turn, did you not, or looking after the prisoners in the morning before they went out and in the evening when they came back? A Yes.
- Q And even then you had to attend appels, did you not? A No.
- Q Was there not an appel before the working parties went out?
A At the beginning, yes, later, no.
- Q Now I want to ask you about when you were in charge of a strafekommando.
A Yes.
- Q The first thing I want to put to you is this, that you were in charge of a strafekommando out of the camp for a great deal longer than you have told us in Court? A No.
- Q You know Kopper quite well, do you not? A Yes.
- Q She was at Ravensbruck when you were there, was she not? A I do not know.
- Q And she was at Auschwitz for a long time with you, was she not?
A Not with me.
- Q Well, she was at Auschwitz whilst you were there for a long time, was she not? A Yes.
- Q And she was at Belsen all the time you were at Belsen, was she not?
A Yes.
- Q She would hardly mistake you for somebody else, would she? A I do not know.
- Q I suggest to you that you have not told us the truth about this, and that you were in charge of a strafekommando employed on working at a sand pit?
A I was never in charge of a strafekommando working at a sand pit.
- Q Well, lest we are quarrelling about words, perhaps you were not in charge, but you were actually with and guarding and supervising a kommando working at a sand pit? A I explained already yesterday that I was in charge during two days of a strafekommando and that was a punishment for myself, a strafekommando which was working in bringing in stones from outside the camp.
- Q I know what you told us yesterday. You see, I am suggesting you did not tell us the truth yesterday. A I have sworn I shall tell the truth and that is what I have been doing.
- Q There was a great deal of sand brought into the camp too for the roads,

was there not ? A I do not know.

Q Well, you were with the kommando that was building the roads, so why do you not know ? A Yes, they were building roads, but they did not bring sand in.

Q Was there not a lot of concrete used in that camp ? A I do not know.

Q Had not the roads got a cement surface ? A I was not interested in that.

Q Well interest yourself now. You were in charge of the party making them. Were the roads not in fact given a cement surface ? A I do not know.

Q Do you not know what the prisoners were doing when you were in charge of the kommando ? A They were putting stones into the ground; they were hammering it in for the purpose of road making.

Q Is your story that you never saw the sand pit at all ? A I cannot remember.

Q You cannot remember, now ? A I have never seen it.

Q Why did you say you could not remember a moment ago ? A I thought you meant to bring in the sand from outside, not the sand pit itself, but the process of bringing the sand from outside into the camp.

Q Cannot you remember whether you saw the sand brought in ? A I cannot remember.

Q I suggest to you that when you were working at the sand pit there was a wire round it with guards round it at intervals ? A It is possible, but I do not know it.

Q And that you used to amuse yourself by sending women outside the wire so that they would be shot by the guard ? A No.

Q Do you remember giving evidence at an enquiry against a guard ? A I do not know.

Q Do you remember at any time giving evidence at an enquiry against a guard ? A No.

Q I suggest to you that you gave evidence at an enquiry against a guard who had refused to shoot people crossing the wire on the ground that you had sent them over deliberately ? A You can think what you like, but it is a lie and it is wrong.

Q Do you remember a ~~prisoner~~ called Anna Guterweiss ? A No.

Q I suggest to you she is one of the women that you sent through the wire in that way ? A No.

Q Do you remember a prisoner called Camina Stasika ? A No.

Q Or Karola Mikot ? A No.

Q I suggest to you that both those women were in the same kommando as well as the accused Kopper ? A Why should it not be ?

Q And that that is the kommando which was working under your direction in the sand pit ? A No.

Q Tell me about this gardening kommando that you say you were in charge of. Where did it work ? A In the garden.

- Q Where was the garden ? A In Auschwitz No. 1, but they were gardens belonging to the S.S.
- Q How far from Berkenau ? A Three-quarters of an hour walking.
- Q Did you go on a bicycle and the prisoners walk ? A No.
- Q Let us take it by stages. Did the prisoners walk ? A Yes.
- Q You had a bicycle at Berkenau, did you not ? A Yes.
- Q Did you not ride it ? A It was prohibited to use the bicycle for outside working parties.
- Q Did you not have a dog to guard those kommandos ? A No.
- Q Why not ? A I do not know.
- Q That is what the dogs were there for, was it not ? A Not for me. They were trained and had their guards.
- Q They were trained to guard these kommandos going out of the camp, were they not ? A Yes.
- Q Why were you not allowed one ? A I did not want to have a dog because I was not professionally an aufseherin and if I had had a dog it would have tied me down to that particular type of job.
- Q But you were an aufseherin, were you not ? A Yes.
- Q And you were sent out with this outside working party, were you not ? A Yes.
- Q Then why did you not have a dog ? A I did not want to have one.
- Q Could you just please yourself what you did in this camp ? A No.
- Q Let me put it to you that in fact you had a dog with you and when you were marching the party along the dog used to round up the stragglers.
A I should know better whether I had a dog or not.
- Q Did you take your kommando periodically to pick herbs for the kitchen ?
A Yes, when there were some herbs they picked them.
- Q You have heard read the affidavit of Triszynska, page 163. Was she in your kommando ? A I do not know. I had only Russians in my kommando.
- Q Well, as she is a Russian perhaps she was in your kommando then ?
A Possibly.
- Q In fact she says she was a member of your kommando for about five weeks.
A I do not know.
- Q She says: "Often we had to march about 15 km. to a place where we had to pick herbs for the kitchen". Is that right ? A No.
- Q At least, it is true they had to march, you say, for about three-quarters of an hour to pick herbs for the kitchen, is it not ? A I do not know.
- Q You just told us so, you know. I am only repeating what you said a few moment ago yourself. A I said that we were marching for three-quarters of an hour to do gardening work, but not to pick herbs for the kitchen.

Q Where did you go to pick herbs for the kitchen ? A I do not know any such kommando picking herbs for the kitchen.

Q I confess I find you difficult to understand. A few moments ago you said that your kommando did pick herbs for the kitchen when there were herbs. Is that true or not ?

THE INTERPRETER: I am sorry, it is my mistake. She said she was picking grass in the garden, but not herbs for the kitchen. It must have been my mistake.

COLONEL BACKHOUSE: Do you mean getting weeds up ?

THE INTERPRETER: Yes.

COLONEL BACKHOUSE:(To the witness): Getting nettles up ? A Yes, when it was necessary to tidy up the garden and to pick up weeds, they did.

Q Did you have any kitchen garden or vegetable garden for the camp ? A Not for the camp.

Q Did you have it for the S.S. ? A There were several kitchen gardens or vegetable gardens for the S.S.

Q And did your kommando look after them ? A Yes.

Q And if herbs were required, did they pick them ? A What sort of herbs ?

Q Did they pick any herbs at all ? A No.

Q Then why worry to ask me what sort of herbs ? A In the garden there were no herbs. There are either vegetables or weeds, but no herbs.

Q As you went, did you not go on your bicycle with this kommando and also have a dog with you when you were with this kommando ? A No.

Q Did you carry a stick ? A No.

Q What did you carry ? A Nothing.

Q Why did you not carry a stick on this occasion ? A It was not necessary.

Q I suggest to you that you used your stick to good purpose ? A And I say I never had a stick with the exception of Camp "C".

Q I put it to you that you injured several women with that stick ? A No.

Q Did women sometimes have to be carried back to the camp by other women ? A On the contrary my women, those women working in that kommando, were very strong; they were Russians, and there was no need at all to carry them back into the camp.

Q Why, was that sometimes necessary with other women ? A I never saw it.

Q You were asked yesterday about Ilse Lothe ? A Yes.

Q I suggest to you again that she was a kapo ? A I do not know.

Q And that she worked under you as a kapo ? A Never.

Q And that on an occasion when Lothe complained about Rosenwayg - volume 10, page 17 of the transcript - that you set your dog on to the woman Rozenwayg ?

- A As I had no dog I could not set it upon Rozenwayg.
- Q You remember Rozenwayg giving her evidence in Court here, do you not ?
A Yes.
- Q Do you remember the affidavit of Watinik ? A Yes.
- Q She says: "I saw Irma Grese set her dog on my friend Rozenwayg".
A She must have had some instructions from Rozenwayg to say so.
- Q "I saw the dog bite Hanka in the shoulder". A She might have seen that happen, a dog bite her shoulder, but I never had a dog and I never set a dog upon anybody.
- Q I suggest this to you, that when you went out with these outside working parties you made a habit of beating women and of kicking them, and you enjoyed it ? A And I say that you are badly informed about me and that it is a big lie.
- Q When you were a little girl you were frightened to stand up for yourself, were you not ? You ran away to avoid a fight. A I cannot remember.
- Q Did you hear your sister say so yesterday ? A Yes.
- Q What I am suggesting to you is this, that you found it great fun to hit somebody who could not hit back ? A No.
- Q Do you remember the deposition of Gertrud Diamant, where she says: ~~Your~~ favourite habit was to beat women until they fell to the ground, and then kick them as hard as you could with your heavy boots ? A That is not true. Perhaps it is her habit to lie.
- Q You affected heavy top boots, did you not ? A Yes, I wore boots.
- Q And you liked to walk round with a revolver strapped on your waist and a whip in your hand, did you not ? A I did not like it.
- Q You thought it was very clever to have a whip made in the factory, did you not ? A Yes.
- Q And even when the Commandant told you to stop using it you went on, did you not ? A Yes.
- Q What Gertrud Diamant said about you was this: "Her favourite habit was to beat them until they fell to the ground and then she kicked them as hard as she could with her heavy boots". Is that not true ? A No.
- Q Tell me a little bit more about this whip. What was it really made of ?
A Cellophane paper.
- Q How was it made up ? A It is this translucent cellophane paper; you can see through it. It is of this length (demonstrating) and then you wind it together.
- Q Do you mean plaited and then bound ? A Just like a pig-tail, in that way; like hair.
- Q Did you have a number of them made ? A One.
- Q Whatever it was made of it hurt if you used it, did it not ?
A Yes.
- Q Who gave you the idea of having it made of cellophane ? A Because

there in this weaving factory they made all sorts of things and I had the idea to have made a whip out of cellophane.

- Q What colour was it ? A It was translucent like white glass.
- Q Did it look like a riding whip ? A It was so long, and it had a swinging effect. (The witness demonstrates).
- Q A type of switch you would use for a horse ? A Yes.
- Q Then most of these prisoners who said they saw you carrying a riding whip were not far wrong, were they ? A No, they were not wrong.
- Q They were cross-examined, and it was suggested they were talking awful nonsense, but it was right, was it not ? A My idea about a riding whip is quite different.
- Q When did you have this whip made ? A From May to December, 1944.
- Q That is when you were in lager "C" ? A Yes.
- Q Did the other aufseherin have these whips made too ? A No.
- Q It was just your bright idea ? A Yes.
- Q Of course, in lager "C" you used to carry a walking stick too, did you not ? A Yes.
- Q And you beat people sometimes with the whip and sometimes with the stick ? A Yes.
- Q Were you allowed to beat people ? A No.
- Q So it was not a question of having orders from your superiors to do it; you did this against orders, did you ? A Yes.
- Q Pretty well everybody in the camp did it, did they not ? A I do not know.
- Q Was it just you who was vicious ? A It has nothing to do with being vicious.
- Q Were you the only person who beat the prisoners against the regulations ? A I do not know.
- Q Did you go about with your eyes shut ? A On the contrary, I had my eyes always open.
- Q Did you never see anyone else beat prisoners ? A Yes.
- Q Then why keep saying "I do not know" when you are asked if they did ? A Maybe they got perhaps an order to beat; I cannot say; I cannot know.
- Q That was not what you were asked. You knew quite well what you were asked. I asked you whether you say anyone else beating prisoners in Auschwitz and you said, "I do not know". A No, you asked me whether the others were beating in spite of contrary orders, in spite of being prohibited to beat. My answer was, therefore, I do not know because I do not know whether maybe they got an order for that particular purpose.
- Q Did you sometimes get orders to beat ? A No.

Q Did you give orders to other aufseherin working under you to beat prisoners ? A Yes.

Q Had you any right or authority to do that ?

A I had the right and authority to see that the camp for which I was responsible and of which I was the leader, should be put in order.

Q Had you the right to authorise aufseherin to beat people ?

A No.

Q You went to lager "C" in May of 1944 ?

A Yes.

Q That is when the gassings of the Hungarians began, is it not ?

A Yes.

Q I think that is the time when Hoessler told us that transports were coming in day and night. Is that not right ?

A Yes.

Q And lager "C" was where the Hungarians were put, is it not ?

A Yes.

Q Because you took care to have Czech ~~lagers~~, did you not ?

A No. Those blockaltesters which I had in camp "C" were detailed

from Camp "A" at Auschwitz and were sent to me for that purpose. From

camp "A" Berkenau they were detailed to do that particular job.

- Q. They were Czechs, were not they? A. Yes.
- Q. That was the practice at Auschwitz, was not it, to have the altesters as far as possible of some other country? A. No, it was nothing to do with that. Those blockaltesters I had in my camp they knew their jobs from previous times. The Hungarians who arrived they had no idea at all what to do. They arrived 1,000 per block and they would not have known how to organise the whole block.
- Q. Nobody could organise a block which was meant to hold 100, or at the most 200, if you put 1,000 into it without beds, could they? A. This overcrowding was only during one or two weeks.
- Q. Why? Were they killed off pretty quickly? A. Those people who came to me in Camp C were all strong people fit for work and they went out on working parties.
- Q. You remember the selections that you used to attend? A. Yes.
- Q. It was quite simple to know whether or not the selection was for the gas chamber, was not it? A. No, one could not know that.
- Q. Because only Jews had to attend the ones for the gas chamber, did not they? A. I myself I had only Jews in camp C.
- Q. Then they would all have to attend selections for the gas chamber, would not they? A. Yes.
- Q. And you were told to wait for the doctors, were not you? A. Yes.
- Q. Then you knew perfectly well what it was for, did not you? A. No.
- Q. And when these people were paraded they were very often paraded naked, were not they? A. Nearly always.
- Q. And they were inspected like cattle to see whether they were fit to work or fit to die, were not they? A. Not like cattle.
- Q. And you were there keeping order, were not you? A. Yes.
- Q. If one ran away you brought her back, did not you? A. Yes.
- Q. And gave her a beating for running away? A. Yes.
- Q. Just listen to the affidavit of Lebowitz, page 92. "I have often seen the women Grese with Dr. Mengele selecting people for the gas chamber and for forced work in Germany. If the woman Grese saw a mother and daughter or sisters trying to get together in selections for forced work in Germany she would beat them until they were unconscious and leave them lying on the ground." Is that true? A. It is true that when they ran away I brought them back and I might have beaten them, but that is fantasy to say I have beaten them till they lay on the ground, or until they were bleeding, or perhaps until they were dead. That is sheer fantasy.
- Q. Were there guards present on these occasions? A. No.
- Q. If people tried to escape and got very far they were shot, were not they? A. Never in the camp.
- Q. You remember the witness Ilona Stein, who gave evidence in court? (Day 9 - page 12) A. I do not know of the woman.
- Q. You remember that she said that prisoners who tried to escape if they got far they were shot, if they did not they were brought back, terribly beaten till they bled all over the place and put back in their lines again; is that true? A. Why should one shoot people inside the camp; there is barbed wire round the camp, so they cannot escape.

- Q. If you are gassing somebody it does not make very much difference if you shoot them or gas them, does it? A. I do not know.
- Q. You know Ilona Stein was asked to give some details about this sort of thing. Do you remember what she said? Do you remember telling the court about a selection towards the end of August? Was there an S.S. woman called Dreschel there? A. Yes.
- Q. What was her position in the camp? A. At the beginning she was a rapport-fuhrerin, later on oberaufseherin.
- Q. And as rapportfuhrerin did she attend selections with Dr. Mengele?
A. Possibly.
- Q. Did the camp commandant sometimes attend? A. Yes.
- Q. Was it generally Dr. Mengele who you were with on these selections?
A. I was only with Dr. Mengele.
- Q. Let me remind you of what the witness Stein said: that you were usually with Dr. Mengele, and then she spoke of this particular occasion when the commandant, Kramer, Dr. Mengele, Dreschel and yourself were present, and that on that occasion some prisoners tried to hide. That has happened before now, has not it? A. That happened before.
- Q. You have seen prisoners trying to hide from these selections, have not you?
A. Yes.
- Q. And you went to drag them back to the parade very often, did not you? A. Yes.
- Q. On this occasion I suggest to you that you pointed them out to a guard and they were shot. A. No.
- Q. One killed and the other badly wounded. A. I do not know; I have not seen it.
- Q. Do you remember the occasion which was read to you yesterday in Trieger's affidavit (page 160)? A. I remember.
- Q. How she said she was made to stand at the door with her arms outstretched to prevent people running out and escaping? A. Yes, I know.
- Q. Do you remember her being made to stand like that? A. I cannot say whether her arms were stretched out, but I do know the blockaltester had the order to see that those who were sent to the left side stayed there and did not try to get over to the right.
- Q. Trieger was a blockaltester, was not she? A. No.
- Q. What was she? A. I know all the blockaltesters who were in my camp, I know the Christian names, and I had one with a Christian name "Edith", but it was not Edith Trieger.
- Q. Your block altesters were Czechs, were not they? A. Czechs and Poles.
- Q. And Trieger, of course, is a Czech, is not she? A. Yes.
- Q. Do you remember Trieger? A. No.
- Q. How do you know she is a Czech? A. Because I have read it in the declaration.
- Q. Who was the Edith that you had as a blockaltester.

THE JUDGE ADVOCATE: Col. Backhouse, some of us on the court are getting a little confused. We have an affidavit for Katherine Neiger.

COL. BACKHOUSE: I am not talking about that one.

THE JUDGE ADVOCATE: That is the one I have got down where she was supposed to hold up her hands with stones in them.

COL. BACKHOUSE: We have not been talking about that at all.

THE JUDGE ADVOCATE: Then we have an affidavit of Edith Trieger.

COL. BACKHOUSE: Yes.

THE JUDGE ADVOCATE: And according to my note there are two incidents. Which one are you talking about for the moment?

COL. BACKHOUSE: I am talking about the incident where she said she was made to stand at the door and prevent women from running out of the block. It is paragraph 4. That is the only one I have been talking about up to now. (To the witness) I suggest to you that on an occasion when this girl Trieger was acting as your blockaltester and was put at the door to prevent these people getting out two girls, or some girls at any rate, managed to get through and passed her hands. Did that sometimes happen? A. Yes.

Q. And that you caught the majority of them yourself; is that right?

A. No, because mostly I had no time for that. My job was to write into my book how many people were sent away from my camp. That was my proper job.

Q. You know, you have already told us as a general proposition that when people tried to escape you did go and bring them back and did beat them. Why do you jib at this one particular incident? A. I do not speak about this occasion. Of course when I saw that somebody tried to escape or to hide of course it was my duty, and I did it, to try and bring him back and give him a beating; but that my job would have been to stand there and watch, that is not true.

Q. Nobody suggested it was your job to stand there. That is the drawback when you have time to read the middle. Did you in fact, when these girls escaped, go and drag them back? A. Yes.

Q. I suggest that you beat them with your hands and kicked them. A. I beat them with my hands, but I never kicked them.

Q. Do you remember being on a selection on . . . in camp A? A. Never.

Q. Do you know a Dr. Emma? A. Yes.

Q. Do you know a blockaltester in camp A called Rehr? A. I do not know.

Q. Do you remember block 9 in camp A? A. Yes.

Q. I suggest to you that you were on a selection there. A. I say that this witness who stated that has lied.

Q. I am not the least interested in your opinion of the witness. I want to know if you were on a selection there. A. No.

Q. If there was a selection during the day any aufseherin's who happened to be handy had to be called up, did not they? A. I do not know.

Q. Even Hessler himself had to do it when there was no aufseherin available, did not he? A. That is possible.

Q. But if there was an aufseherin available she had to come along and lend a hand, did not she? A. I have never seen an aufseherin at a selection.

COL. BACKHOUSE: That cannot be right.

MAJOR CRANFIELD: I think she said: "I have never seen an aufseherin present at a selection in A lager."

THE INTERPRETER: I am sorry, she did.

COL. BACKHOUSE: (To the witness) There were selections in A lager, were not there? A. Yes.

Q. Who was present there? A. I do not know.

Q. Some aufseherin's must have been present, must not they? A. I do not know.

Q. It would be very unusual to have a selection without an aufseherin present, would not it? A. No, on the contrary.

Q. Who would take down the numbers which you have to deal with in your camp? A. I do not know.

Q. Who would look after the women who were selected? A. I was never interested in selections in A Camp, and neither was I interested in selections in C Camp, but it was my duty to be present there.

Q. That has really nothing whatever to do with what I am putting to you, so will you listen to the questions and answer those. Will you tell me again who would do all these duties on these selections if there were no aufseherin present? A. I told you already because I was not interested in it I do not know.

Q. Then why do you say it would be unusual for an aufseherin to be present if you were not interested? A. Because all the aufseherin had their jobs with outside kommandos or in offices of the administration.

Q. Is not that just why you had to be brought in on occasions? A. No.

Q. You would be the handiest person, of course, would not you, when you were in the blockfuhrer's room? A. I had my duties; I was not allowed to leave the telephone.

Q. I suggest to you that on a selection in block 9 two girls jumped out of the window. A. That is possible.

Q. And that you went up to them and shot them whilst they lay on the ground. A. No.

Q. Even someone who was not a very good shot would not find it very hard to hit two women lying on the ground, would they? A. I do not know.

Q. Just one last thing about these selections. You told us that when people were sent to the gas chamber you entered that up in your books as "Special treatment"? A. Yes.

Q. That was an instruction, was not it? A. Yes, instructions through the 'phone give by oberoefseherin Deschel.

Q. And were you forbidden to speak outside the camp about these things? A. About what things.

Q. About the selections and the gas chamber and the beating of prisoners? A. Nobody prohibited that.

Q. You were allowed to talk about it, were you? A. I do not know whether it was allowed, but I know it was not prohibited.

Q. No attempt to keep it secret? A. It was already kept secret through the fact you were never allowed to leave the camp because the camp was closed because of typhus, so we could not leave the camp anyway.

Q. I want to talk to you about appels. I do not think there is very much difference between us on the appels from the evidence you have already given. You often did keep prisoners as long as three and four hours on appels, did not you? A. Not so long.

Q. How long? A. One hour; an hour and perhaps it might have been two hours.

Q. Why did you say yesterday it was sometimes three or four hours? I was only quoting your own words back to you. A. That was an exception.

Q. And you made people stand still then, did not you? A. Of course, quite naturally.

Q. If they moved they were beaten, were not they? A. That is nonsense.

Q. Well, what was the point in telling them to stand still? A. No - stand still, I do not want to say with that expression that they were not allowed to move, sort of not stand to attention.

THE PRESIDENT: What is that?

COL. BACKHOUSE: I think she is making a distinction between moving about and standing to attention. (To the witness) And if people did not behave themselves as you wanted them to on appels did not you sometimes make them kneel? A. Yes.

Q. Or on other occasions did not you make somebody hold stones above their head? A. No, that is fantasy.

Q. Have you seen other people doing it? A. Yes.

Q. It was quite a usual punishment in a concentration camp, was not it? A. I do not know; I mean on my own.

Q. But you have seen people being made to do it, have not you? A. Yes.

Q. Who made them do it? A. I do not know.

Q. Have you ever seen it in C lager? A. No.

Q. I suggest to you that if any of these internees did not stand still on the appel that is what you made them do, you either made them kneel or hold stones upright for a long time, and if they faltered you beat them. A. No.

Q. Do you remember the affidavit of Lebowitz (No.92)? A. Yes.

Q. That is really the account that she gives of an appel by you which I have just asked about. She says you used to kick people lying on the ground too, did not she? A. Yes.

Q. Do you remember the affidavit of Dunklermann (No.22) which you were asked about yesterday? A. Yes.

Q. She is the woman who said you had your hair tied up at the back. A. Yes.

Q. As a matter of fact you did wear your hair tied up at the back, did not you? A. I did not wear my hair in that way at all. I had a sort of drum of my pigtails, and that was quite low in the neck.

Q. Your hair was drawn back, was not it? Just have a look at this photograph of yourself (S.G.C.16 handed). Your hair is tied up at the back there, is not it? A. Yes.

Q. This new hair style with the curls hanging down is something new since you left Belsen, is not it? A. Yes, that originated in the prison in Celle.

- Q. And, of course, Ehlert used to wear her hair down at the back and she has put it up since she came here, has not she? A. One has not got all the opportunities now for all the hair fashions which one would like to have, and one has to make the best of it.
- Q. Of course it is not as easy to recognise them when you come and look at them in a dock if they have changed their hair style completely, is it? A. The face is always the same.
- Q. Do you think that Ehlert looks now as she looked at Belsen? A. Slightly different.
- Q. You remember what that girl Dunklemann said about you, do not you? A. Yes.
- Q. I do not want to read it all out because you have read it yourself, but it is almost exactly what the others say about you on these appels, is not it? A. Yes.
- Q. You remember the next page, 23? A. Yes.
- Q. Brzustovska, the two Weinfelds and Witz, all who say exactly the same thing? A. Yes.
- Q. Are they all wrong? A. Yes, all wrong; these people exaggerated; they made out of a small fly an elephant.
- Q. They say that you were the worst S.S. woman in the camp. A. Yes, they say so.
- Q. You did get very rapid promotion for a young girl, did not you? A. No; during my service of two years.
- Q. Well, from a girl in the dairy to in charge of 30,000 women in a matter of two years is pretty rapid promotion, is not it? A. That is nothing to do with the dairy.
- Q. Were not you specially chosen for Lager C when they began to gas the Hungarians? A. No. There were very few Aufseherin and the post office censor department was closed, so I had no particular duty and therefore I was sent in camp C.
- Q. And was it on the strength of that appointment that you thought it would be a bright idea to carry a whip round with you? A. When I carried a whip I was not promoted at all. I was promoted on the 1st January 1945, after having left Berkenau.
- Q. Were you promoted as a reward for your services in liquidating camp C? A. Camp C was not liquidated. Whether I had been promoted therefore I do not know.
- Q. Hessler was wrong in telling us Camp C was liquidated in December, was he? A. Maybe he has chosen a wrong expression; it was transferred into Camp A.
- Q. How many were left to transfer? A. 15,000 to 20,000.
- Q. I want to ask you about one or two particular instances. You remembered, I think, yesterday the occasion when you saw this mother trying to talk to her daughter across the wire? A. I remember.
- Q. I just want to see how far we are in agreement about the incident. When did it happen, first of all? A. No, I do not remember that special incident; that was a frequent case.
- Q. I see. You quite regularly beat women for trying to talk to their daughters, did you? A. No, I have never beaten somebody because a mother spoke with her daughter; that is nonsense or a lie.
- Q. I am only going by what you said last night. You keep changing so. You said you did not deny that you beat her, you deny that you beat her till she fell to the ground and did not kick her. Let us have it plain what you do mean.

MAJOR CRANFIELD: I do not agree with that. I think the witness said yesterday that it was possible that if the incident took place she beat her; in any case she would not beat her so badly that she fell to the ground. I do not agree she remembered the incident or agreed she did beat ----

THE JUDGE ADVOCATE: My note says: "I do not deny I beat her, but I did not beat her till she fell to the ground, and I did not kick her."

COL. BACKHOUSE: That is exactly the same as mine. To be quite sure we had better look at this in the transcript. "I do not deny that I beat her, but I did not beat her till she fell to the ground and I did not kick her either."

MAJOR CRANFIELD: I apologise.

COL. BACKHOUSE: (To the witness) Do you remember the incident or do not you?
A. No.

Q. You have beaten so many women you cannot remember whether it happened or not; is that really the position? A. I do not remember this incident, and I did not beat so many women that I would not be able to remember.

Q. You know Ilona Stein when she recounts that incident says that you kicked her too. Was not it a habit of yours to kick these women? A. I never kicked anybody with my foot.

Q. I suggest to you that you regularly kicked people; it was all part and parcel of this business of swaggering round in top boots. A. I would like to know who has seen me swaggering in the camp.

Q. Come to Belsen now. We will leave Auschwitz altogether. When you arrived at Belsen you went with a transport, did not you? A. Yes.

Q. Then Kramer asked specially that you should stay, did not he? A. No, it was me who wanted to stay.

Q. Did you ask Kramer if you could stay? A. Yes.

Q. And then he applied for you and you stayed? A. Yes.

Q. And there you were arbeitsfuhrerin? A. Yes.

Q. Is it true that part of your duty was to stand at the gate when the working parties were going out and coming in? A. Yes.

Q. And did not you regularly beat people at that gate? A. I would like to ask you to leave this word "regularly", and I have never beaten prisoners at the gate.

Q. Did not you regularly carry your whip at Belsen? A. No.

Q. What did you do during the day after the working parties had gone out and before they came back in the evening? A. I went with my working party into the wood and tried to look for some material for preparing wreaths for the S.S. people who were dying at that time in great numbers from typhus.

Q. And you were working your party in the wood collecting material for that?

A. I went with three prisoners who were called arbeitsdienst on duty, but they were prisoners. With these three I went to collect this material.

Q. I see what you mean. Did you spend all day doing that? A. No, I also saw to it that the camp should be neat and tidy.

Q. You used to go round inspecting the camp, did not you? A. No.

Q. How did you see whether it was neat and tidy or not if you never inspected it? A. No, I was mostly concerned with some sort of gardening or ornaments in front of the kitchen. About cleanliness or tidiness of the camp I did not both about it because there were others who were responsible for those things. I stood there in front of the kitchen and told the prisoners how to do it.

Q. What did you beat the prisoners with at Belsen? A. I remember only once that I had beaten somebody in Belsen, and that was the kapo of a kommando, and this kapo instead of seeing to it that the kommando worked she was lying in the sun sunning herself, and that is the only time when I slapped her face.

Q. I suggest to you that you carried on at Belsen just as you had done at Auschwitz, beating and kicking. A. It is a lie.

Q. And making people kneel and making people hold stones over their heads, just as you had done at Auschwitz.

A. No, only once I gave orders to a kitchen working party to do some sport,

but of course without holding stones in their hands.

- Q Let us now turn to making sport. Did not you make one kommando do sport for half an hour because one of the girls dropped a piece of rag as they were marching in from work? A. No, it was not the question of a rag at all, not a rag, it was because somebody threw two parcels away each containing three pounds of meat. It was not the question of some rag thrown away.
- Q Do you remember the witness Sunschein? A. Yes.
- Q Was she in that kommando? A. It is possible; I do not know.
- Q Do you remember the witness Helene Klein? A. Yes.
- Q Was she in that kommando? A. It is possible; I do not know.
- Q Do you remember her account of how you made sport? A. Yes.
- Q Beating anybody who stopped with your riding whip? A. No, that was Helene Klein who said that, not Sunschein; Sunschein was honest, she did not say it.
- Q Did you realise that people were dying all round you at Belsen? A. Of course I realised it.
- Q Did you realise the amount of food that these prisoners were getting? A. I knew.
- Q Did you think that was a proper way to treat them? A. No.
- Q There is one more thing I want to ask you about. Your sister told us at the beginning that you were a little coward, when you were a little girl you ran away and would not fight. Do you remember Anita Lasker giving evidence? A. Yes, I do.
- Q Is not it true that you tried to curry favour with the prisoners when you knew the British were coming? A. No, never.
- Q You had always treated them - let me choose the most difficult word I can - very severely, had not you? A. Yes.
- Q But the last few days was quite a different story, was not it? A. No, it was always the same, as always.
- Q Did not you try and mix yourself with the prisoners? A. Why should I?
- Q Do you remember saying to her: "It will soon be the end and we will be liberated"? A. I have never spoken to Anita Lasker at all, and when the witness came in, when she saw me, she could not say anything against me so she invented this lie.
- Q Let me just put this finally to you, that you went into this service, the concentration camp service, as a young girl, a frightened young girl according to your sister, a cowardly little girl, and found yourself for the first time in a position to strike people when they could not strike you back? A. Yes, it might have been that I was frightened when I was a child, but I grew up in the meantime.
- Q I suggest to you that you gloried in your jack boots and your pistol and your whip? A. Gloried? I could not say so.
- Q And that you beat and illtreated prisoners to such an extent that even you were told to stop carrying a whip, that you continued to do it? A. I have beaten prisoners, but I have not illtreated them, and it was not prohibited to me personally to carry a whip; it was a general order emanating from the commandant that whips will not be carried any more.
- Q And I suggest to you that when you got to Belsen you asked to be allowed to stay there and continued your conduct right up to the time that you knew the British were coming into the camp? A. If I would have wanted to continue this behaviour, as you say, I need not have asked permission to stay in Belsen; I could have continued to do so in the other camps; no, it had quite a different reason.

Re-examined by MAJOR CRANFIELD.

Q You have been asked about your jack boots or top boots. Are these part of the German uniform? A. Yes.

Q Were they issued to you with your uniform? A. Two pairs.

Q And did all aufseherin at Auschwitz wear them? A. Yes.

Q Was your revolver at Auschwitz an issue? A. Yes.

Q Were you ordered to wear it? A. Yes.

Q Was it explained to you in the order why you were to wear it? A. Yes, we were told it is for self-protection.

Q Were you told against whom it was to protect you? A. Yes.

Q What were you told? A. Against partisans.

Q I want you to look at the affidavit on page 22. Does she describe you as aged 30? A. Yes.

Q Is there any mention in that affidavit of a photograph of you? A. No.

COL. BACKHOUSE: I did not suggest that there was; she was pointed out at the time.

MAJOR CRANFIELD: Have you got a copy of the affidavit on page 23? A. Yes.

Q Is there any identification of you in that affidavit at all? A. Yes.

Q Where is it?

COL. BACKHOUSE: I do not think the witness knew what was meant.

THE PRESIDENT: She has taken it to be an answer "Yes" to the question: "Is there any identification".

COL. BACKHOUSE: I will agree at once that there is nothing in that affidavit.

THE PRESIDENT: The Court have seen it.

MAJOR CRANFIELD: There is another affidavit on page 24, a month afterwards, when an identification by photograph took place.

COL. BACKHOUSE: Somebody realised it had not been done.

THE JUDGE ADVOCATE: I find it very difficult to follow. If the defending officer would just put his point then if the Court do not like it then the Court might stop him, but it does not seem to help if we have these discussions. There is a further one on page 24; I do not know whether that is in mind or not.

MAJOR CRANFIELD: I will leave that. (To the witness): You were asked why you stayed at Belsen. Will you tell the Court why you asked Kramer to let you stay at Belsen? A. It is a private affair. I got to know somebody in Auschwitz who was transferred to Belsen and that is the reason why I wanted to stay.

Q Where was he at Belsen? A. He was an S.S. man, his rank was Oberscharführer, and his work was engineer in some part of the building.

THE JUDGE ADVOCATE: You were not very long at Belsen, were you? A. No.

Q Did you in Belsen ever take part in what you call making sport? A. I myself made sport with the prisoners.

Q In Belsen? A. Yes.

- Q It was rather strenuous to the prisoners, was not it? A. Yes.
- Q Were there people in Belsen in March and April who were fit to do that strenuous kind of exercise? A. Yes.
- Q How many would you make sport of at one time? A. 20.
- Q Why were those 20 selected? A. They were not selected but I told them to do these physical exercises because nobody admitted that he had thrown away this meat which I mentioned before.
- Q Is that the only occasion on which you say you made people make sport in Belsen? A. Yes.

A MEMBER OF THE COURT: Was there a lagerfuhrer in "C" lager in Auschwitz?
A. Yes, a female lagerfuhrer called Mandel.

- Q You were under her orders? A. Yes.
- Q Can you say whether you were the youngest of the aufscherin or not?
A. Yes, I was the youngest in Auschwitz.

(The accused leaves the place from which she has given her evidence.)

MAJOR CRANFIELD: As I mentioned in my opening, it is part of my case that the affidavit evidence, the documentary evidence, in this case is unreliable and to prove that I wish to put in the affidavits made by the witnesses who came here in person. In cross-examination of these witnesses various passages out of the affidavits were put to them by the defending officers. It would be open to the prosecutor to say that the defence have not proved those affidavits were made, and I want to point out that I am going to the credibility of the affidavits, not to the credibility of the witnesses, when I put in these affidavits now. In an ordinary case it might, I think, be said that the affidavit should have been put in at the time when the witness was here, but the Court will remember that Major Munro, during the prosecution's case, mentioned that he intended to put the affidavits in and it was then he was told that was not the time to do it.

In the case of some affidavits, some witnesses who came here made an affidavit containing a single accusation against one of the accused and when they came here they failed to recognise the accused. That being so the defending officer concerned did not, of course, put the affidavit to the witness because he failed to recognise the accused.

It is my case now that there are discrepancies between the evidence of the witnesses in the box and what they said in their statements and in order to prove that I have got, in my submission, to put in the affidavits themselves. They are part of the bundle and have been before the Court but were, of course, withdrawn when the prosecutor was reading his own affidavits. I say that these affidavits are authentic documents; they are just the same as the other affidavits in the case, and they assist in proving or disproving the charge because they show what reliability one can give to the affidavits coming from that source. All the affidavits came from the same source, No. 1 War Crimes Investigation Team, and the only affidavits we have had an opportunity of checking are the ones of those witnesses who have come here in person. Then we had the opportunity of checking the value of these affidavits and comparing them with the oral evidence given by the witnesses. I submit on that ground it is a document of assistance to the Court, it is authentic, and I am therefore enabled by Regulation 8 to put it in and it will be convenient for me to put them in formally at this stage.

THE JUDGE ADVOCATE: This becomes very complicated, but it is entirely a matter for the Court to say what they will do. Major Cranfield is right when he says in the normal way when a witness comes in person into the dock you cross-examine her in the witness box to see whether she has made a

different statement from what she has said in Court. If she agrees that she has made that statement then that is the end of that incident and accordingly later on the defending officer says: "You should not believe that woman because she has told a different story".

If she denies she ever made the statement when she is questioned in the witness box then, and then only, is it usual to draw her attention to the written document and, if she does not remember it or does not admit it, then cross-examine her as to whether she made that statement. I thought that had been done and the documents were not put in, I think, because I understood the defending officers were satisfied that they had made their points as regards that particular piece of evidence. Now I gather Major Cranfield is, in effect, saying: "Under Regulation 8 I want to put before you affidavits which have been made by witnesses who have been here personally, and I want to show that those affidavits contain either different stories, or an additional story, or do not contain the story which they told in the box".

It seems to me rather complicated and I would like, before the Court consider this matter, to hear what Col. Backhouse has to say.

COL. BACKHOUSE: I would say, as a matter of practical politics, I do not know if it matters a lot because the Court have had a copy all the way through, but as a matter of theory it is a most improper suggestion because the proper time for one to suggest that a witness has said something at one time and is now saying something different in the box is when the witness is in the box, and then the witness has an opportunity of explaining it. It may well be that the witness can explain what those differences, if any, are. In my view it would be quite valueless to put these documents in now. If they are put in I shall ask the Court to pay no attention to these differences, if they exist, because the witness was not asked to explain them.

My friend has not told the Court which ones he is proposing to ask for. He has informed me but I have not taken the trouble to see whether there are differences or not because I do not think it matters in the least unless the witnesses are given an opportunity of explaining them if there are differences. If my friend suggests there were differences he should have asked about them at the proper time. He cannot now seek to put forward these differences at this stage; if he does those witnesses will have to come back. He had his opportunity of cross-examining them, but if wants to suggest they told one story at one time in one place and a different story at another time in another place well they should come back and be given an opportunity of explaining it.

You cannot have your cake and eat it. If the defending officers do not want to draw the witness's attention to an affidavit because he has failed to recognise somebody in the dock, then they cannot put the affidavit in afterwards and say: "Well, you see, it never happened because she missed the incident out" whereas if it had been put to her she might very well have given it.

The Court will appreciate I cannot lead my witnesses, no more than the defence are allowed to lead theirs, and the result is that very often you have a witness who when he comes into the Court does not remember all the things he said before. Sometimes, as I have had to do during the course of this case once or twice, you can direct the witness's mind to the incident without leading and sometimes you cannot do it at all. It is a hopeless position if the defence want to suggest that the incident did not take place, or they are now telling a different story. The defence can put the thing to them; they can direct the witness's attention straight to that point, and the very good rule of practice which has always been made in Courts is that if you want to question a witness about a previous statement, or if you want to question the veracity of the previous statement or deposition in any way the proper time to do it, and the only time to do it, is when the witness is in the box and can answer questions upon it and explain the differences. To put them in now would be quite wrong and I would certainly have to recall those witnesses and let Major Cranfield put his points to them.

THE JUDGE ADVOCATE: The point on that which troubles me is this: I agree with you, and I think we are all agreed, that the defending officer when he had the witness here should have cross-examined. If that is not done is not Major Cranfield saying: "Owing to the Regulation I am still able, not as any attempt to demolish the case for the prosecution in cross-examination but in order to build up my case during my defence, to place before the Court a document which I suggest is one which would help them to decide the truth or otherwise of this case". You see my point?

COL. BACKHOUSE: I see that point and I also see their points, but what I am saying is that quite early in this case it was suggested that it was improper to put in an affidavit when the witness was present. You suggested that yourself, sir, as a matter of fact, and, if you will remember, I did not do it. I did not put it in and it was agreed that that was the proper practice. These witnesses have been present. It makes no difference if the affidavit is put in then or withheld. She has gone and my friend has had his opportunity of doing it. He had his opportunity of doing it at the proper time when he could have assisted the Court a lot if he could have said to the witness: "Now you have told a totally different story on another occasion, is not it false?".

Major Cranfield is not now trying to discredit the witness in the box; he is saying her affidavit is wrong and, therefore, you must not pay any attention to the other affidavit -- well, I do not profess to know what he is talking about because as I understand it he was saying "you must not rely on this affidavit because I am going to produce another affidavit of a witness and then you will see how unreliable the affidavits are.", but if he is trying to discredit the witness of course he should put it to her.

I understood his point was that it was not the witness he was seeking to discredit but the whole system of the affidavits by saying that these affidavits do not represent what the witness would say in the box. That is the only way it can be put. I still say that it is quite wrong for him to say: "Now you see how unreliable those affidavits are because she has said something different" when he does not give the witness an opportunity of saying on oath: "They are both true" or explaining how the difference arose". That is what he should have done and if he does not do it then, in my submission, they should not be put in and I do not think we ought to start it at this stage. It is an ordinary rule of practice. The witnesses have been here and they could have been put to them and, in my submission, they should not now go in.

I think it is quite academic because, of course, the Court have them in front of them and their minds were directed to the affidavit each time. I have not the slightest doubt the Court have long since compared these things. If they have not they might have been curious, but it is obviously one of the things the Court does look at. You have them in front of you and the Court compares them with the evidence given in the box. But as a matter of principle I think it would be wrong to admit them at this stage. The defending officers should follow the regular practice of giving the witness an opportunity of explaining the discrepancies, if they want to, therefore I submit that the Court in their discretion should say these should not be put in and put in in this way. Had they been put in quite properly when the witness could have made an explanation they might have helped us a lot, but in this way they cannot help.

THE JUDGE ADVOCATE: Col. Backhouse, what you have just said somewhat disquiets me, because I am here principally to ensure that at the close of the case I indicate what in my view may be treated as evidence against each accused, and if an affidavit has not been put in or has only been used on a specific point I must direct the Court that whether they can do that or not in law they must not take into account in that bundle the affidavits which were not produced, or not deal with the whole of the affidavit if only one portion of that affidavit was put in evidence.

COL. BACKHOUSE: I will agree with that at once, but my point is not that it is evidence of the facts which they contain. I am sure you will agree it is not only the right but the duty of the Court which has a summary of evidence put before it, as it is always -- and this is an abstract -- that when a witness comes into the box and gives evidence to compare the abstract with the evidence which the witness is giving, and it is not only right but it is the normal practice of the Court to draw attention to the discrepancies.

All these statements which my friend is talking about are contained in the abstract which has been before the Court and I have no doubt at all that you, sir, as judge advocate when those witnesses were giving their evidence followed it on the abstract because that is naturally one of the functions of a judge advocate at a trial and, as a matter of fact, I think the defence probably put to them -- I have a recollection if it being done -- discrepancies which they thought of and you obviously would put to them any discrepancies which you saw which had been left by the defence, which is the normal practice and has already been done by the Court long since. It is a question purely of something which should have been done and was done because I am sure you would have done it yourself and put the abstract to the witness if there was a material discrepancy.

That is why I still say this is the wrong way of doing it when it could have been done the right way. My recollection is that you drew during the course of one of the cross-examinations to the right way of doing it. It is my firm recollection at the time that these things were put to them.

As I say, I really do not mind but, of course, if they go in my friend will appreciate that they go in at their face value as affidavits and events which are spoken to therein then become sworn evidence by witnesses. Whether he fully appreciated that I do not know. At the moment I should have said he has had the best of two possible worlds. He has had the opportunity of cross-examining on the abstract with regard to any discrepancy there may have been but the prosecution are unable to put what is on the affidavit if the witnesses at the time does not say it. How he is going to put the prosecution in the position of taking advantage of that evidence as well and if he wants to do that it is up to him.

I think it is largely academic but it seems to me he is putting himself in danger and getting no advantage in law.

THE PRESIDENT: Have you anything further to say, Major Cranfield?

MAJOR CRANFIELD: The object of this application is this: it is part of our case that the witnesses have failed to come up to their statements when in the box and we are going to say that these are grounds for being very cautious when one considers the documentary evidence in this case, and in our speeches we propose to comment on the discrepancies between a witness's statement in the affidavit and a witness's statement in the witness box.

It occurred to us that if we did do that the prosecutor might very well have objected to that because he would say the affidavit of this witness is not in evidence, the Court has not got it before it, it has not been put in, and you cannot comment on it. Whether we are right in that view I do not know.

COL. BACKHOUSE: I can tell my friend he is not right in that view. I shall not say that. I should say he must not comment on the discrepancies because he did not put them to the witness. I should say that undoubtedly whether the document is before the Court or not

THE JUDGE ADVOCATE: The point is that the document is not before the Court. The Court have certainly used the bundle of documents, which are not originals, and it has only been for convenience, but those affidavits he is speaking about are not before the Court as affidavits. If a defending officer is going to say: "I point out that the witness who gave evidence in person said nothing about this incident though she said it in an affidavit" the Court are going to say: "Well, where is the affidavit?"

COLONEL BACKHOUSE: I shall still make my objection whether the affidavit was before the Court or not, because I would say that if you want to comment on the fact that a witness has told a different story at one time to the story which she has told before the Court, there is only one time that you are allowed to put that and that is when the witness is in the box, and so give the witness an opportunity of tying up those two stories. That is one of the oldest rules of evidence that I know, that where you want to suggest that there is a discrepancy between what a witness has said on a previous occasion and what the witness is now saying in the box, it is your duty to indicate that to the witness. If it is documentary evidence it is your duty to put that part of the document to the witness and, if you wish, to then say to the Court that that is what was said. You must give the witness that opportunity of explaining it.

The reason I interrupted my friend is this. I shall not, under any circumstances, object to his commenting on the discrepancies between an affidavit and what was said on the ground that the affidavit was not before the Court, but whether or not that affidavit is now put in I shall still object to that comment unless it was put to the witness at the proper time and the witness given an opportunity of explaining it. That is why I say that it should not be put in now.

MAJOR CRANFIELD: This is a most important matter for all the Defending Officers, and a number of them wish to put points to the Court.

I have only got one point to put forward on what Colonel Backhouse has said and that is, I think, this. One has got to realise, whatever happens in the criminal courts in England, they are not run under the Rules of Procedure of the Royal Warrant, and people do not have brought against them 120 or 150 affidavits, whatever it is, and about 20 oral witnesses.

By far the greater part of the evidence in this case is documentary, and we feel that whatever the Regulations may be in the ordinary way, it is essential for us to be able to challenge the documentary evidence on the basis of comparing the statement which a man gave at Belson to No. 1 War Crimes Investigation Team, their arrangements, their translators, their officers who took the statement, their sergeants, the whole arrangements under which this evidence is produced, with what the man says in the box. I think other Defending Officers would like to add their points because, in my submission, it is most important.

MAJOR MUNRO: There is only one point I would like to make on behalf of my own four accused, and that is that if these affidavits are put in merely as a basis of comparison to allow the Court to judge the weight of the other affidavits, then I shall associate myself with the application. If, on the other hand, these affidavits, having been put in, are to be used as evidence themselves against the accused, then I disassociate myself with the application.

CAPTAIN ROBERTS: I am extremely interested in this application and I want to put in, in fact, some four affidavits of witnesses who have been before the Court. What I think Colonel Backhouse has over-looked is that though we may, in cross-examination, have put the substance of what the witness said in her statement to her, yet what we are also interested in is not only what she did say at that time, but to whom she said it, at what date she said it, who was the Interpreter, who took the statement from her, and a number of other things of a similar nature. Certainly I do not think anybody has put those questions to the witness when he or she was in the box, and to my mind that will be in my own case very material to my defence if I can put those affidavits before the Court and so at a later date be allowed to comment upon them. It is not only the evidence or alleged evidence contained in that affidavit, it is the whole form of the document.

CAPTAIN CORBALLY: What I would like to deal with is the question of identification. There are quite a number of discrepancies between the oral evidence

and the affidavit evidence about which we must complain. It deals with atrocities and is deposed to in an affidavit, and the person alleged to have committed those atrocities is then not identified to the Court. You can cross-examine a witness, when you have he or she here, about her memory of that atrocity having taken place, about how well she knew the person who was supposed to have done it, but you cannot possibly stand up the accused in the dock and say: "Is that the person who has done it". That is going much too far.

The identification of the prisoners in the dock by the witnesses took place here under the most fair circumstances, and the prisoners were made to stand up one row at a time. If, in those circumstances, the witness fails to recognise a person, then it is surely a matter for comment by the Defending Officer concerned that here is an affidavit about an atrocity which is deposed to on oath as being committed by a person he says he knew very well, and yet in the Court they are not recognised.

There can be no question, surely, of cross-examining a witness on the matter of identification; surely we could not do that. That, I think, is one of the main points of discrepancy which we will wish to comment on in our speeches.

CAPTAIN PHILLIPS: I would like to support, in general terms, Major Cranfield's application. I do not know whether you want to know from us which particular affidavits we would like to have in?

THE PRESIDENT: No.

CAPTAIN PHILLIPS: As to the question of admissibility or otherwise, in my submission the short point is that these are, and must be, admissible under Regulation 8, whatever may be the practice of the Old Bailey or anywhere else. This Court acts under those Regulations and no other.

COLONEL BACKHOUSE: I would like to say a few words in reply to the points made by the other Defending Officers. So far as Captain Robert's point is concerned, when he says he wants to know who took the statements and who was the Interpreter and so on, he had ample opportunity of cross-examining on that if he wanted to, because the Defence were invited to and did ask me to bring certain people here who took the affidavits. I could have got more if they wanted them. Two they asked for and two they got, and they had an opportunity of cross-examining them.

If they are going to suggest any impropriety by any of those people then their proper time to do that is when those people are in the box.

So far as Captain Corbally's point is concerned, I am afraid I must entirely disagree with him. If he wants to say this affidavit is unreliable because in the affidavit the witness says - let us take somebody neutral - "I identify Kramer", and when he arrives here and looks round and does not recognise Kramer, you have got to take the risk and you have got to tell Kramer to stand up and ask the witness: "Now is that the man?".

You cannot say afterwards that because, when they looked round, they did not see somebody, that therefore the original affidavit was wrong. You can cross-examine on identification. The case for the Defence is probably that the affidavit is wrong, and also that if the affidavit is wrong then Kramer did not do the beating in that particular case. If you will not take the risk of letting him stand up and having a look at him, you must not come along and say afterwards that the witness could not have recognised him anyway. If you want to say that is wrong you cannot be heard afterwards to say that because somebody did not recognise someone in this Court amongst a group of 45 people and in the atmosphere of this Court, when they are brought down from the witness box and made to come along in front of the Court, that they are therefore lying or mistaken on a previous occasion

unless you put it to them properly and give them the opportunity of explaining. You must not keep quiet when the witness is in the box and after they have gone stand up and say: "Obviously their story is all wrong because they failed to recognise somebody". Maybe, as I pointed out to the Court at the time, and as Grese admitted today, some of them have changed their appearance quite a lot. In some cases I suggest it was deliberate and in other cases probably it was not deliberate at all. But if you want to suggest that they have got the wrong person, then the proper time to do it is when the witness is here and can give an answer.

So far as Captain Phillips' short point is concerned, he says: Well, the Regulation says so, and that is that. There is a proper time to put that. It is quite obvious that these affidavits could have been put in when the witness was in the box. That is the practice in any criminal court. If you cross-examine on an affidavit you put in the affidavit; if you cross-examine on a deposition you put in the deposition. But you cannot comment on it afterwards if you do not do that at the proper time, and these Regulations do not say anything about the proper time, the wrong time or any other time. I say there is a proper time and they have chosen, as a matter of tactics not to put it in at the proper time.

They have chosen not to remind the witnesses of the incidents of which they now want to complain, when those those witnesses were here. Having chosen not to do that, having chosen not to take the risk of the witnesses saying: "Yes, it is true", having chosen not to take the risk of the witnesses saying: "Yes, that is the man I mean", they now want to say: Well, the witness's stories are untrue. I say they have missed their opportunity; they have not taken the course they should have done, and in any case it would be of no value to the court whatsoever to have these depositions put in at this stage.

With regard to Major Munro's point, he cannot have it both ways. Either they go in for all purposes or they do not.

Captain Corbally was complaining that someone did not identify someone in the dock. If that goes in you will be able to look at the photographs and consider them with the witness and say: We have now got a very valuable piece of evidence against some particular man, if you think that is a fair representation of the man, and you may well understand why the witness did not identify him today. That is a risk which he has got to take if he wants them in.

I am not surprised that Major Munro supports, on general lines, my view that the Defence should not be allowed to cut their own throats.

THE JUDGE ADVOCATE: I think, sir, you will want to consider this very shortly, but I feel I ought to add something to what I have already said.

You and your members have taken an oath to try these accused according to the evidence, and the only evidence that you can have before you, as I see it, is the evidence of witnesses in the witness box or documentary evidence which is properly put before you. I do not see how you can deal with any documents which are not before you as exhibits. I do not see how you can deal with any evidence which has not been given to you through verbal testimony by a duly sworn witness.

I agree that the Defending Officers, if they wanted to question a witness who gave evidence on oath, should have questioned him when he was here, and I do not see that they would have been limited in any way to asking any questions about statements they had made before, and on that, if they had got the right answers, they could have founded any sort of argument as to the unreliability of those particular depositions, and then argued from that that the whole system of taking depositions was not sound, and

therefore, in the cases where they could not cross-examine anybody at all because it was merely a document, they would ask the Court to pay less weight to that particular document because of the way in which these documents as a whole had been taken. That seems to me common-sense.

Let us assume that the Defending Officers did miss their opportunity. What troubles me is: Are you then entitled to say, having regard to this Regulation - this is the point, I think, which Captain Phillips is taking - that although it is now possible to have the witnesses back and cross-examine them, they can use this Regulation 8 and say: "We want to put in a specific affidavit which is not before you because it is a document which can be so put before you in evidence under Regulation 8 and we want to comment upon it".

It seems to me the short point is this: Are you going to say that you cannot allow such affidavits to go in? If you do then that is the end of it. On the other hand, if you say: "No, we are prepared to allow the Defending Officers to attack the system under which the affidavits were taken, and we are going to allow them to put in as documents admissible under Regulation 8 affidavits which have never been before the Court," then that is a matter for your consideration.

I should suggest you close your Court and consider what you are going to do in regard to this application.

THE PRESIDENT: The Court is closed.

(At 1250 hours the Court is closed.)
(At 1337 hours the Court adjourns.)
(At 1430 hours the Court reopens.)

(The accused are again brought before the Court).

THE JUDGE ADVOCATE: Just before the adjournment the Court listened to a legal argument addressed to them and they have now had an opportunity of considering it, and they ask me to tell you what they feel about it.

If there are any witnesses who gave evidence in this Court personally and they were cross-examined in regard to affidavits that they had made, and those affidavits were not put in evidence, the Court will allow any Defending Officer to put in such an affidavit if he wishes during the course of his Defence, for the purposes of establishing the manner in which these affidavits may have been taken.

On the other hand, the Court feel that in the case of a witness who gave evidence in person and who was not cross-examined at all in regard to an affidavit, that they should not now admit such an affidavit because, in their view, it would carry no weight with them at all unless it was accompanied by a cross-examination of the witness so that they could appreciate exactly what her evidence would be in regard to the taking of that affidavit.

I think that ought to make it quite clear to the Defending Officers, and when they come to ask to put in a deposition they will no doubt indicate why they wish to do so.

Now, sir, I think the position was that Major Cranfield desired to tender in evidence some affidavit.

MAJOR CRANFIELD: I think in view of that decision I will tender the affidavits not now but later on in the Defence of my four accused, so that I have an opportunity of deciding which ones are admissible under the Court's ruling. In that event, that is all the evidence I have in the case of the accused Grese.

With your permission I would now like to say a few words about the defence of the accused Lothe and the accused Lohbauer, who I am taking together.

The accused Lothe and the accused Lobauer were both prisoners at both Auschwitz and Belsen, employed by the Germans in offices on authority over other prisoners. Lothe was employed as a kapo in charge of working parties and Lobauer was employed as an arbeitsdienst, which is the person responsible for telling off the working parties at the beginning of the day when the parties go off to their work.

Now they will both tell you that they were appointed to those positions and that they had no choice in the matter at all. They are charged here on both charges with committing a war crime at both Auschwitz and Belsen, and I want to suggest an analogy to their position.

The Court will remember the occasion when 50 R.A.F. officers were shot by the Germans for breaking out of a prisoner of war camp. That, in my submission, was a war crime. In that camp there was a senior British officer exercising authority over the other British officers in the camp, liaising with the Germans on their behalf and obviously facilitating the control of the other officer prisoners of war for the German authorities.

Now a war crime was committed by the Germans at that camp. This British officer was holding a position of authority over his fellow prisoners under the appointment made by the German authorities. At Auschwitz these two accused were appointed by the German authorities into positions of authority over their fellow prisoners. It is alleged that a war crime took place at Auschwitz. Could it be held that the senior British officer at this prisoner of war camp was responsible for a war crime of the German authorities in shooting 50 R.A.F. officers?

Now the evidence against the accused Lothe is contained in the evidence of two witnesses who have been called Gryka and Rozenwayg, and the affidavit of another young woman, Watinik.

The Court has heard how the accusation against Lothe arose at Belsen in June of this year; how these three young women met Lothe in the camp; how it came about that a charge was put in, and I do not propose to go into that any further now, but that is the charge which Lothe has to meet and the only one.

In the incident alleged she is stated to have been out with the accused Grese and, at the request of Lothe the accused Grese is said to have set her dog on a prisoner. You have heard the accused Grese deny the incident; you have heard other witnesses, both for the Defence and the Prosecution, say that the accused Grese never had a dog at Auschwitz.

Lothe will go into the witness box and tell you the accusation is untrue. She will tell you that she was never on an outside working party with Grese.

Two of the Prosecution witnesses Litwinska and Lasker, have spoken well of Lothe. I do not ask the Court to pay very much attention to what the witness Litwinska says because it is my case that her evidence, together with the other Prosecution witnesses of her type, is unreliable from beginning to end, and if it is unreliable against the accused, then it is unreliable for the accused.

I shall also put in documentary evidence, an affidavit by a woman called Bialek. There again, I do not ask the Court to pay very much attention to it. In my opinion it is no better, no worse, than the rest of the affidavits, but I dare say it will act as a counterweight against the affidavit of Watinik.

The other Prosecution witness who spoke well of Lothe was Anita Lasker, and I do ask the Court to pay some attention to what she said. In my view she is a far more reliable witness than the rest of the young women who came forward to testify for the Prosecution.

With regard to Lobauer, I would only ask the Court to notice that all the serious charges against Lobauer are documentary. Evidence given against her by the live witnesses who came here does not amount to a very great deal. More of them had nothing to say against her than the few who did put in an accusation, and you will see Lobauer in the box. She will deal with the specific allegations against her, and in particular she will deal with the story of the women in the water, which amounts to a charge of murder, and she will tell you what she has to say about that.

I will now call the accused Lothe.

THE ACCUSED ILSE LOTHE takes her stand at the place from which the other witnesses have given their evidence, and having been duly sworn is examined by MAJOR CRANFIELD as follows:

- Q Is your full name Ilse Lothe ? A Ilse Loth.
- Q Were you born on the 6th November, 1914 in Erfurt ? A Yes.
- Q Are you unmarried ? A Unmarried.
- Q Will you tell the Court what work you were doing in 1939 ?
A I was directed to work in a munition factory and because I refused to do so I was put in a concentration camp.
- Q What were you doing before you were directed to the ammunition factory ?
A I was working in a shoe factory.
- Q Why did you refuse to go to the ammunition factory ? A I should have have to take the train every morning to go to this factory. I did not like it, and I refused it.
- Q Which concentration camp did you go to ? A Ravensbruck.
- Q How long did you stay there ? A March, 1942.
- Q What happened then ?
A March, 1942, to Auschwitz.
- Q Which part of Auschwitz ?
A For four weeks in Auschwitz No. 1, then outside kommando to Budin.
- Q Where was Budin ?
A About 7 kilometres from Auschwitz.
- Q What happened there ?
A All sorts of digging, constructing a dam, a sort of dyke.

- Q. And how long were you there? A. June 1943.
- Q. Where did you go then? A. Berkenau.
- Q. How long were you there? A. Up to February 1944 I was working in the camp and then in February I became a kapo.
- Q. When you became a kapo which kommando were you in? A. No.6.
- Q. What did that consist of? A. 100 Hungarian Jewesses.
- Q. How long were you in that kommando? A. For four months; then that kommando was dissolved and I got another one.
- Q. What was that one? A. Anti-aircraft 305.
- Q. What did that consist of? A. 50 Hungarian Jewesses.
- Q. What was the work that kommando did? A. We built bunkers and prepared positions for guns.
- Q. How long were you there? A. Up to November 1944, and then I got another kommando, water works, 107.
- Q. What did 107 consist of? A. 30 Hungarian Jewesses.
- Q. What happened after that? A. Then the commandant took away my armlet and put me into a punishment kommando called Vistula; commandant Krause took away my armlet and I came to a punishment kommando called Vistula.
- Q. Do you mean that you were not any longer a kapo? A. Yes, in December.
- Q. How long were you in that punishment kommando? A. Up to January 1945.
- Q. What happened then? A. Then we went to Ravensbruck.
- Q. Why did you go to Ravensbruck? A. Our destination was Grossrosen, but that camp was overcrowded and so we continued to Ravensbruck.
- Q. How long were you there? A. Four weeks.
- Q. Where did you go after that? A. In the beginning of March a transport of pregnant women was sent to Belsen, I went with them.
- Q. Can you remember the date when you arrived at Belsen? A. The 4th or 5th March.
- Q. At Belsen were you a kapo? A. Yes, for three weeks I was ill, but then afterwards I became a kapo in the vegetable kommando.
- Q. What did that kommando consist of? A. Mostly Russians.
- Q. Were there any other nationalities? A. A few Hungarian Jewesses, a few Polish Jewesses.
- Q. How many, can you remember? A. 140, sometimes 120.
- Q. Now I want to go back to February 1944 when you first became a kapo. Will you tell the court how you came to be appointed a kapo?
- A. We were on parade in the morning and the arbiensdientsfuhrer, the man who was in charge of the working parties, he went along and looked at us, and suddenly he said: "You will take over from tomorrow on this kommando", and that is how I became kapo; I could not do anything about it.

- Q. Were you asked if you wanted to become a kapo? A. No, there was no question about asking, and there was no question about refusing, because if we would have done so ~~it~~ would have meant refusing work, and that means 25 strokes.
- Q. Now you have heard the allegations made of striking. I want to ask you about Auschwitz. Did you at Auschwitz carry any kind of a weapon? A. No.
- Q. Did you carry a stick? A. No.
- Q. Have you ever struck a prisoner? A. I have never beaten anybody with a stick, but sometimes I slapped their faces during distribution of food to keep order.
- Q. Have you ever knocked a woman down and kicked her on the ground? A. No.
- Q. Do those answers apply equally to Belsen? A. Yes.
- Q. At Auschwitz where did your kommandos work? A. No.6 worked at Budin; the anti-aircraft kommando there I was driven in a truck for an hour away from the camp, and 107 worked very near to the camp.
- Q. Apart from the anti-aircraft kommando what kind of work were they doing? A. In Butin we were doing drainage work, and in 107, the water works, there we carried sand and stones into the water.
- Q. What did kommando No.6 do? A. Drainage.
- Q. While the prisoners were working out of the camp were they allowed to speak to civilians? A. No, they were not allowed to do so, it was prohibited, but they did speak with civilians.
- Q. Was this work on kommandos unpleasant for the prisoners? A. Well, unpleasant - they did not like the work but they had to.
- Q. Now you heard about the selection parades for the gas chamber. Did you have anything to do with those? A. No, whenever a selection appel took place all the kapos were concentrated in one block and it was strictly prohibited for them to leave that block during the time.
- Q. Did any of your kommandos work inside the Berkenau camp? A. No.
- Q. When did the kommando leave the camp in the morning and when did it come back at night? A. 0700 hours in the morning and 1800 hours back.
- Q. Now you spoke just now of a punishment of 25 strokes. Have you been punished by the political department at Auschwitz? A. Yes.
- Q. How many times? A. Three times.
- Q. Can you remember what the punishments were for? A. Yes.
- Q. Tell the court, first of all, for what reason you were punished on those three occasions. A. The first time because I smuggled a letter out of the camp. The second time because I burned bed boards, the boards of the beds - I made a fire of them - and the third time because we organised some food and some smokes for us, cigarettes.
- Q. Will you tell the court what the punishment was and how it was carried out? A. The first time, because of the letter, I got 25 strokes on it is called Stalin-Schallkel, the balance of Stalin, and it is done in this way: the block comes between my knees and my two hands were also tied, and I was swringing to and fro and was beaten from both sides. It was a sort of balance and always when I swing from one side to the other I got a stroke; that was 25 strokes.

Q. What were you beaten with? A. With a rubber truncheon.

Q. Who beat you? A. Two S.S. men.

Q. Have you heard of other kapos being punished in this way? A. Yes.

Q. Was this the official punishment for misbehaviour? A. In the beginning Berlin was asked and gave the decision. Later on one did not bother to ask Berlin for it and the political department itself made the decision and they did what they liked to do.

Q. Now I want to ask you about the accusations made against you here by the witnesses Rozenwayg and Trieger. When those two women came into court did you recognise them? A. No.

Q. Were they ever in your kommando? A. No.

Q. Do you think that if they had been in your kommando you would have been able to recognise them? A. Certainly.

Q. Have you ever been out of camp with your kommando with the accused Grese?
A. I have never worked with Grese in the same kommando.

Q. When you took your kommando out to work did you have an S.S. guard?
A. With kommand No.6 I had two S.S. guards.

Q. Were they women? A. S.S. men.

MAJOR CRANFIELD: Now, Sir, I am going to start on the specific allegations. The first one is Rozenwayg, volume 10, page 17. (To the witness) A witness came into court and said that on a kommando you told the accused Grese to set a dog on to her, the witness, and the dog then bit her. Is that true? A. First this witness speaks about the date July 1943. At that time I would have never thought of becoming a kapo at all. Secondly, I have never worked with Grese in the same kommando and, thirdly, if Rozenwayg would ever have worked in my kommando I would certainly have recognised her.

Q. Is that accusation untrue? A. Completely untrue.

Q. The witness went on to say that you hit a girl called Wiedietz a blow, knocked her down and kicked her on the ground. A. Not true.

MAJOR CRANFIELD: Sir, I am going on now to the witness Gryka, volume 14, page 10. I am going to put the Rochla Grunwald accusation to her. (To the witness) A witness came here and alleged that on a kommando one day when a woman Rochla Grunwald wanted to go to the latrine you hit her on her head with a stick, as a result of which the woman fainted.
A. Not true.

Q. Will you look at the affidavit No.169, Sonia Watinik. Will you read paragraph 2. Can you remember any incident like that? A. No.

Q. Were you a kapo during the summer of 1943? A. In 1943 I never thought of becoming a kapo.

Q. I want you to read paragraph 5. I am going to leave out paragraph 3, because I have already put that once. What do you say about paragraph 5?
A. I never had a stick; I never beat somebody until he fell down and was unconscious and nobody had to go because of me into block No.25.

Q. Do you remember the occasion when you were arrested at Belsen? A. Yes.

Q. Will you tell the court how it happened? A. On the 22nd June I walked through the camp with a Polish Jewess. We passed six or seven Polish Jewesses. They started shouting at me, and they said: "That is a kapo from Auschwitz",

but for the rest they did not do anything, they just let me walk on. As I had gone a bit further on I turned round. I saw two British soldiers talking to these six or seven women asking them what had been going on. These Polish Jewesses shouted: "It is a kapo from Auschwitz", and then the British soldiers called me back. The British soldiers asked me for my papers and said I had to go with them to the office to a British officer. These Polish Jewesses accompanied me to the police and, well, they had to say something about me. I believe in the meantime they had made a fantasy about this story.

Q. Is the story told by these three, Rozenwayg, Gryka and Watinik true or untrue? A. It is untrue.

MAJOR CHANFIELD: I have no further questions.

MAJOR WINWOOD: No questions.

MAJOR MUNRO: No questions.

CAPT. ROBERTS: No questions.

CAPT. BROWN: No questions.

CAPT. FIELDEN: No questions.

CAPT. CORBALLY: No questions.

CAPT. NEAVE: No questions.

Cross-examined by CAPT. PHILLIPS.

CAPT. PHILLIPS: I have a question to ask on behalf of No.37, Herta Bothe. (To the witness) Can you tell me what duties the vegetable kommando did at Belsen? A. We took the vegetables and the potatoes from the places where they were stored to the kitchen.

Q. Was there any S.S. men or women supervising it? A. Yes, two aufseherin and one S.S. man.

Q. Do you know the names of the aufseherin? A. Yes.

Q. What are they? A. Lehmann, Friedrich and Lisiewitz (No.42).

Q. Did you know No.37 (Herta Bothe) at Belsen? A. Yes, she was working at the wood stores.

Q. Did she ever have anything to do with your vegetable kommando? A. Not with my kommando.

Cross-examined by LT. BOYD.

LT. BOYD: I want to ask a question about No.42 (Hilde Lisiewitz). (To the witness) You have told us that Lisiewitz worked on this vegetable kommando. When do you say that was? A. On the first day of Easter.

Q. Do you know what date that was? A. No, I could not tell.

Q. Which year is this? A. 1945. It was the end of March or the beginning of April.

LT. BOYD: I am told it is the 1st April. (To the witness) Did she work the whole of that day on this kommando? A. No, shortly before noon she went away because she felt ill.

Q. Is that the only time you have seen her on this kommando? A. During the time I was in this kommando, yes.

Q. On this day was she carrying a stick? A. No.

Cross-examined by CAPT. MUNRO.

CAPT. MUNRO: I want to ask a few questions on behalf of Johanne Roth (No. 43).
(To the witness) Did you know block 199 in Belsen? A. Yes.

Q. Did you ever live in that block? A. I have not been living in this block, but during the period of my illness I went to this block for some days every day to see the blockaltester.

Q. Do you know anybody in block 199 called Ida Freidman? A. Yes.

Q. What nationality was she? A. I believe a Polish Jewess.

Q. When did you last see Ida Freidman alive? A. Ten days after the arrival of the British troops I went to the hospital as a nurse and there Ida Freidman was taken to the hospital.

Q. Do you know why she was in hospital? A. I believe she had typhus.

Q. Did you know anybody else in block 199 by the name of Ida Freidman?
A. No.

LT. JEDRZEJOWICZ: No questions.

Cross-examined by COL. BACKHOUSE.

Q. To deal with the last thing first. You say the Ida Freidman you know was a Polish Jewess? A. Yes.

Q. That will not be the same one that Ehlert knows, who was a Frenchwoman?
A. I think it was the same, because she used to come to the blockaltester; we used to talk with her and she very often went to Ehlert for to tell the cards, partly for fortune telling.

Q. What language did she use to tell the cards in? A. She talked German.

Q. Surely you could tell whether she was French or Polish from her accent, could not you? A. No. I only know the blockaltester once told me that she was a Polish Jewess.

Q. Who was the blockaltester? A. Her name was Franken.

Q. Was she a friend of yours? A. No.

Q. What did you keep going to see her for? A. In our block there was a German girl who used to go to her, and during the time I was ill she used to take me with her. It was in the time that I was convalescing.

Q. About how many women were there in the block? A. 600 or 700.

Q. Do you know the names of any of the others? A. Yes.

Q. How many? A. Only a few girls who were being in my kommando at Auschwitz.

Q. Was Freidman ever in your kommando at Auschwitz? A. No.

Q. Who have you been sharing a room with whilst you have been here in Luneburg? A. I am alone.

Q. By yourself? A. Yes, I have a cell to myself.

Q. Tell me. When you first went to Ravensbruck how were you treated? A. We were treated very badly.

- Q. Were you beaten there? A. There was not very much beating in Ravensbruck, but they used to set the dogs on us.
- Q. Who used to set the dogs on you there? A. The aufseherin who had the working parties outside the camp.
- Q. Because Ravensbruck was where all these S.S. women went to learn their job, was not it? A. I cannot tell that. I only know that in Ravensbruck all aufseherin had a dog and a pistol.
- Q. Borman told us that she learned her work there; Volkenrath learned her work there; Ehlert learned her work there; Grese learned her work there. That is right? A. I have not seen Volkenrath in Ravensbruck. Ehlert was in charge of a block. I have seen Borman with a dog, and I do not know Grese from Ravensbruck.
- Q. Tell me about when you came to Auschwitz. How were you treated there? A. Very badly.
- Q. You have told us that the working party worked 11 hours a day. How were you fed? A. During the time I was at Butin the food was very bad; we had one litre of thin soup and our bread ration.
- Q. Was Butin at arbeitslager, or what was it? A. Yes, an arbeitslager.
- Q. Who was in charge of it when you were there? A. It was a kommandofuhrer called Schlager.
- Q. Is that his name or description of him? A. It was his name.
- Q. How were you treated there? A. Very badly; he beat us very much.
- Q. Are you sure that was his real name and not a nick-name? A. Yes, it was his real name.
- Q. Were there some aufseherin there? A. Not in the first period.
- Q. Were there some kapos? A. Yes.
- Q. How did they treat you? A. Well, they had to obey the orders of the kommandofuhrer and if they did not do it they were punished themselves.
- Q. How did they treat you was what I asked. A. They also beat us, but not so often; but if they had the orders of the kommandofuhrer they had to do it.
- Q. You had a very bad time there indeed, did not you? A. Yes.
- Q. Then you came into Berkenau in June of 1943? A. Yes.
- Q. How were you employed in Berkenau? A. I was in the masonry kommando.
- Q. What were you building? A. We built the new parcel store and we repaired the floors of some of the blocks.
- Q. What were they? Concrete floors? A. Made of bricks.
- Q. The floors were made of brick? A. Yes.
- Q. And you say you stayed at that work until you became a kapo? A. Yes.
- Q. Now you were a kapo in kommando No.6. You say you were working there, in Butin, on drainage; is that right? A. Yes.
- Q. Did you live at Butin or did you go to and fro night and morning? A. We went to and fro every day.

- Q. Can you remember who the guard was as you went to and fro? A. I do not know their names.
- Q. Did they have dogs? A. No.
- Q. Did you march that distance? A. Yes.
- Q. And the work you were doing there was digging, you say? A. Yes.
- Q. Digging and draining? A. Yes, we dug the trenches and the men made the rest of the work.
- Q. What period was it that you had these three punishments whilst you were at Auschwitz? When did you have that first punishment, the beating you have told us about? A. I was not a kapo for a long time then; it may have been April 1944.
- Q. What were the other two punishments you had? You never told us about those. The one for burning the bed boards, what did you get for that? A. I was put under arrest first and then I had 25 strokes with the stick.
- Q. When you say you were put under arrest first, what do you mean by that? A. I was put under arrest first and then they took me to the political department and there I received my 25 strokes.
- Q. What do you mean by the words "put under arrest"? A. That was a kind of building, a cell, where everybody was put who was under arrest, and we received food every third day. I was there eight days.
- Q. Did you ever have any sort of trial? A. No.
- Q. Now the third time when you were punished for organising some food and some cigarettes. A. I was brought to the political department. There they made enquiries how and where from I got the food and the cigarettes, and then I was punished with 25 strokes because I bartered with civilians.
- Q. You have told us that you had a very bad time at Butin. What was it like when you came back to Berkenau when you were working on this building. A. It was not as bad as in Butin.
- Q. Were people ever beaten in Berkenau? A. Yes.
- Q. By both the aufseherin and kapos? A. I believe all aufseherin did beating and the kapos, if necessary, as well.
- Q. Which lager were you in? A. Camp B.
- Q. Was Volkenrath in charge then? A. She was in charge

of the parcel office.

- Q Was Grese there then? A. At the time when I was there I did not see her.
- Q Did you never see her all the time you were there? A. I saw Grese only for the first time when I became a kapo and when she stood at the gate.
- Q What was she doing at the gate? A. I saw her only when she was talking to somebody.
- Q Were not your kommandos composed of Hungarian Jewesses all the time you were a kapo? A. Yes.
- Q Was not Grese in charge of the camp in which the Hungarian Jewesses were? A. Grese was in camp "C"; we were in camp "B". I had nothing to do with camp "C".
- Q Grese did not go to camp "C" until about the middle of 1944. Did you never see her before that? A. I did not see her.
- Q As a matter of fact were you not a kapo in the strafekommando which was commanded by her for a time? A. No.
- Q I suggest to you that you worked under her and that you beat people severely yourself? A. I have never worked with Grese there.
- Q The kapos had quite a few privileges, had not they? A. No; on the contrary we were punished much more severely than the others.
- Q You got more food, did not you? A. No, we had exactly the same rations as all the other prisoners.
- Q You had the distribution if it, did not you? A. Never the kapos, always the block altester.
- Q And best of all you did not have to go on selections for the gas chamber, did you? A. Yes, that is true, we never had selections.
- Q If there was a selection for the gas chamber all the kapos were sent into one particular block and had to keep out of the way, did not they? A. Yes, we had to stay in the block; it was prohibited to leave the block.
- Q Were you sent there before the selection started? A. There was a signal, there was a whistle blowing, and that meant that we had to go to the block and stay there.
- Q Was that before the selection started? A. Yes.
- Q Come back to this question of kommandos. You remember this girl Rochla Grunwald? A. No, I do not remember.
- Q Did you never see her at all? A. No.
- Q Do you say that when Rozenwayg and Gryka came into Court the other day you did not even know them? A. I do not know them.
- Q Do not you remember them getting you arrested at Belsen, even if you never saw them before that? A. I did not look at them so closely at that time.
- Q Did not you even look at the people who were accusing you? A. They were shouting but I continued to go and then later on with the police they were in another room, not in the same room as I was.
- Q They were shouting at you that it was impudent of you to be there at all because of the way you had treated them at Auschwitz, were not they? A. Yes.
- Q If they were never in your kommando at all why do you think they should pick on you? A. That day they never said they had been working in my kommando and in reality they never had worked in my kommando.

- Q They said you had beaten them and illtreated them at Auschwitz, did not they? A. One said that I had beaten her sister, I believe Rozerwayg is her name, and then the British came.
- Q I suggest it was not "sister" she said, but her friend? A. No, she said "sister".
- Q I do not propose to put all this in detail again, it has all been put, but I suggest to you, you know, that you are not telling the truth about this at all, that you in fact worked with Grese and these girls were under you and that you in fact did complain to Grese on the occasion when Grese set her dog on one of them? A. And I repeat I have never been working with Grese together; it is a lie; I have never been in that kommando.
- Q And I suggest to you that you beat Grunwald about the head with a stick to such an extent that she was taken away unconscious and eventually died?
- A I do not know anybody by the name of Grunwald; I never had a stick and I did not beat them.
- Q I suggest to you that the way in which you kept your position as a kapo was by beating? A. I have never beaten people with a stick; I had beaten them with my hands at the distribution of food, or on such occasions.
- Q What I am suggesting to you, you know, is this, that to save your own skin you were prepared to fall in with this system of beating and illtreating prisoners and to do it yourself at the behest of the S.S.? A. On the contrary I did not fall in with that policy, and, as a matter of fact, I was beaten much more frequently because I did not fall in.
- Q Why did you lose your armlet? A. Because I had a few cigarettes in my pocket.
- Q Where did you get them from? A. We organised it ^{on} outside work.
- Q And then you were sent to the Vistula kommando, were you? A. Yes.
- Q What was that like? A. Very bad.
- Q How far did you have to march from the camp? A. About three-quarters of an hour's march.
- Q What sort of a road was it? A. A bad road; through the fields, a field path.
- Q Were there S.S. guards with you? A. Police, and apart from that three S.S. guards with dogs.
- Q What were the dogs used for? A. They came with us.
- Q What were they really used for? A. Probably when prisoners tried to escape, or something.
- Q Just listen to the question and do yourself justice. What were those dogs used for? A. When a prisoner tried to escape or on the way
- Q It was just the same as Ravensbruck, again, was not it? A. The three dogs were not with us; they were round the working kommando.
- Q You got as far as "on the way"; now finish that sentence. What were those dogs used for on the way? A. When he tried to escape on the way.
- Q They were used to round up stragglers, were not they? A. No, the guards went in front of the working party and not behind them.
- Q Were not there some at the back with the guards? A. In the kommando Vistula those three guards with dogs were always in front,

- Q That seems a very odd place to be if you want to stop people escaping behind you, is not it? A. The police were in the back.
- Q Did you have a very steep hill to go up on the way? A. Yes.
- Q A lot of these women were very weak, were not they? A. Yes.
- Q Did not they find it very difficult to get up that hill sometimes? A. Yes.
- Q And were not they beaten up it? A. No; it was a very big working party of 1,000 women and when the first were on top of the hill they stayed and waited until the last arrived.
- Q And nobody encouraged them to hurry? A. The kommando fuhrer was sometimes furious about it if people were slow and he reprimanded them, and he may have slapped their faces, but there was no particular beating; the people on top waited always until the others arrived.
- Q It must have been nicer then in that punishment kommando than in the rest of the camp? A. It was not very nice because it was winter and it was very cold and we had to work very hard.
- Q What happened to the women who did not work very hard? A. They were beaten.
- Q And who was in charge of that kommando? A. Weingartner.
- Q No. 3 in the dock here? A. Yes.
- Q We have not talked very much about the selections for the gas chamber because you as a kapo were excused, but what usually happened to pregnant women at Auschwitz? A. They were sent to the gas.
- Q What used to happen to pregnant women at Ravensbruck, were they sent to Auschwitz? A. I do not know; I only know that when I came from Ravensbruck with this transport that was a transport consisting of pregnant women.
- Q And they were being sent to Belsen, were not they? A. Yes, those 36 pregnant women who came with me came to Belsen.
- Q And that was as late as the beginning of March? A. Yes.
- Q How long were you kapo of this vegetable kommando? A. From the 25th March until the 14th April.
- Q And you were taking vegetables and potatoes about from the stores to the kitchen, were you? A. Yes; not from the stores - they were in big piles and from those piles we fetched them and brought them to the kitchen.
- Q Who was the S.S. man who supervised? A. I do not know his name; it was an S.S. guard; every day they were changed over.

MAJOR CRANFIELD: There was a first answer. She said something first.

COL. BACKHOUSE: I said: "Who was the S.S. guard" and she said: "I do not know his name; it was an S.S. guard".

MAJOR CRANFIELD: She said something and then the interpreter spoke to her again.

THE INTERPRETER: The answer was: "It was an S.S. guard which was changed over every day; I do not know his name".

COL. BACKHOUSE: And you say that Lisiewitz was only on that kommando for the one day? A. Yes.

- Q Do you remember a woman called Almaleh? A. No.
- Q She says that she was one of the working party detailed to carry vegetables from the store to the kitchen. How did they carry them? A. With a sort of cart; I had seven carts under me.
- Q Hand carts? A. Well, these carts were with 15 pieces; I do not know what sort of pieces, prisoners.
- Q 15 pieces of prisoners? A. Yes.
- Q Do you mean they were carts which the prisoners pushed or pulled? A. Pulled.
- Q Of course you do not know whether Lisiewitz had been on this work before you came to it or not? A. I do not know.
- Q So all you really know is that all you saw of her actually on this job was on Easter Sunday? A. Yes, I remember that.
- Q Was Roth in fact employed in Block 199? A. Yes.
- Q Was she the night guard there? A. No, not night guard; stubedienst, responsible for the room - room orderly.
- Q I just want to ask you about Marta Bothe whom you mentioned. She was in charge of preparing wood for the kitchens, was not she? A. When I went with my kommando to the other camp I saw her standing there, and I do not know more.
- Q But she was standing there by the wood which was ready for burning, was not she? A. Whether it was ready and prepared for burning I do not know.
- Q What sort of wood was it then? A. Big branches of a certain tree; a pine tree which was brought in; large branches of pine trees brought in.
- Q What do you think they wanted branches of pine trees in there for? A. Well, they prepared that for burning.
- Q Why on earth did not you say that in the first place when I asked you what was the wood for? What you are trying to do is to avoid saying anything against the people in the dock and you are not even trying to think where the question leads to? A. No, I do not avoid anything and I have no particular regards for anybody.
- Q When you got to Belsen you were promptly made a kapo again, were not you?
- A I was sick for three weeks and then the oberaufseherin promoted me to kapo in the kommando dealing with these vegetables.
- Q Which aufseherin? A. Volkenrath.
- Q Because she had known you in Auschwitz, had not she? A. I do not know

whether she had known me.

Q And when you became a kapo in Belson, were the women who were working under you very very weak indeed? A No, I cannot say this. I had nearly all Russians and they were very strong.

Q Did they remain strong on the food they got? A The Russians were good in organising.

Q But you remained fairly strong, did you not? A I was also quite good in organising.

Q It was very easy for a kapo, was it not? A No, not only for kapos; for anybody who was good in organising, he could do it.

Q What you really mean is that you could take somebody else's share, is it not? A No, it was made in that way that those prisoners who were at the stores, for instance in the food stores, so if we had some sort of connections with them we could barter with them; we gave them something and they gave us something.

Q But you were the kapo of this party, were you not? A Yes.

Q And one of the jobs that you accepted as kapo was looking after the work of your party, was it not? A Yes.

Q Let me suggest to you that what you did was that you and your own little party fed all right at the expense of the rest? A Why at the expense of others?

Q Did you not allow your own party, some of your own party, your own favourites, to take food which they were not allowed to take? A My kommando was very good in organising, and apart from that they took potatoes which were in the cellar.

Re-examined by MAJOR CRANFIELD.

Q When you took the letters out of the camp at Auschwitz you knew you would be punished if you were found out, did you not? A I hoped that I would not be caught at it.

Q If you were caught you knew what the punishment would be? A I knew that I would be punished.

Q Was it one of the qualifications of a kapo that she had to understand and to speak German? A No, we had to have an interpreter for either Russian or Polish or Hungarian, because I myself I could not talk to these people at all.

Q Did not all the kapos speak German? A Yes.

Q When you arrived at Belson with your 36 pregnant women, what happened to them? A I do not know; they came to another block, I believe to the hospital, but I do not know.

Q When you were arrested in June, were there any other Germans in Belson then? A Almost none; nearly everybody was away, was gone.

THE JUDGE ADVOCATE: When you were punished for smuggling letters, were you a kapo? A Yes.

Q When you were punished for burning the bed boards, were you a kapo? A Yes.

Q And when you were punished for a third time for organising food and cigarettes, were you still a kapo? A Yes.

Q You had had quite a number of stripes, beatings, by that time, had you not ?
A Yes.

Q From the point of view of the German authorities you must have been a most unsatisfactory kapo, must you not ? A Yes. I have always done that that was prohibited.

Q And it was not until December, 1944, that Kramer took away your armlet; is that right ? A Yes. It was not Kramer, it was Kraus, but it was in December.

Q Do you think Volkenrath knew what an unsatisfactory record you had as a kapo at Auschwitz ? A I do not know.

Q And you were made a kapo again in March, 1945, by Volkenrath; is that right ? A Yes.

A MEMBER OF THE COURT: Where exactly were you between the 12th April, when the camp was taken over by the British, and the 22nd June, when you were arrested ? A First I worked as a nurse in the camp Belsen where the hospital is, and later on as a nurse in Bergen, which is very near to Belsen.

Q The barracks in Bergen is where the other internees were ? A Yes.

THE PRESIDENT: Have you any questions to ask on what the Court has put ?

MAJOR CRANFIELD: No.

(The accused leaves the place from which she has given her evidence).

MAJOR CRANFIELD: I will now read the affidavit of Regina Bialek.

THE PRESIDENT: Has that one been put in ?

MAJOR CRANFIELD: It is a different one.

THE JUDGE ADVOCATE: I have a record of two affidavits by Regina Bialek which are Exhibits "18" and "19". Is this still another one ?

MAJOR CRANFIELD: Yes, it is a third one.

(Further affidavit by Regina Bialek is marked Exhibit "127", signed by the president and attached to the proceedings).

MAJOR CRANFIELD: "Deposition of Regina Bialek (female) late of 16 Squadowa, Lodz, Poland, sworn before Captain Ronald Percy Bentham-Green, Royal Artillery, Legal Staff, No. 1 War Crimes Investigation Team.

"I am a Polish Jewess, aged 28. I was arrested in December 1939 in Warsaw by the S.S. I remained in the Police Prison in Warsaw until the middle of December, 1940, from there I was transferred to a Concentration Camp at Lublin. In December 1941 I left Lublin and went to various camps, arriving in December, 1942, at Auschwitz, where I remained until November, 1944. In November 1944, I came to Belsen.

"(2) I knew the accused, Ilse Loth, in Belsen. I met her about two months before the camp was liberated. She was a Capo in charge of the agricultural working party. I myself was working in kitchen No. 1 in the mens camp. I saw Loth every day and I never saw her beat anybody. The other Capos used to take food away from the internees for their own purposes. Loth never did that - in fact, she often asked me to get her something to eat as she herself was hungry.

"(3) There is nothing more I can say about her as I had no dealings with her outside the kitchen, but judging by her behaviour, I find it hard to believe that she would have treated the girls badly.

"Sworn by the said Deponent Regina Bialok at Bolsen this 12th day of July, 1945, (Sgd) Regina Bialek". That is certified as to translation in the usual way.

That is all the evidence I am calling on behalf of Ilse Lothe and next I propose to call Hilde Lobauer.

THE PRESIDENT: Then we will make it that Lobauer will be called first thing tomorrow morning.

(At 1712 hours the Court adjourns until 0930 hours on Thursday, 18th October, 1945).