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PROCEEDINGS

of a

MILITARY COURT FOR THE
TRIAL OF WAR CRIMINALS

held at

LUNEBURG, GERMANY

on

WEDNESDAY, 24 OCTOBER, 1945.

upon the trial of

JOSEF KRAMER

and

44 Others.

THIRTY-THIRD DAY

Transcript of the Official

Shorthand Notes.

(At 0930 hours the Court re-assembles pursuant to adjournment, the same President, members and Judge Advocate being present).

(The accused are again brought before the Court).

CAPTAIN FIELDEN: I would like to draw the attention of the Court to a typing error in the transcript of yesterday's evidence. It is on page 2, about a third of the way from the bottom. The question was: "Was that the 19th Infantry Regiment and did you stay with that unit until October, 1945". That should read, "until October, 1935".

THE PRESIDENT: Yes, I have that in my note, "October, 1935".

THE ACCUSED, WILHELM DORR is recalled on his former oath and the examination by CAPTAIN CORBALLY is continued as follows:

- Q Can you remember the date on which the march of the transport from Klein Bodungen started? A Yes, on the 5th April.
- Q How many prisoners were in the column? A 610.
- Q How do you know that exact number? A In the morning we had a roll call and we counted the prisoners before marching off.
- Q How far did you march on the first day? A To Osterode.
- Q When you reached Osterode, what arrangements were made for the prisoners to camp down for the night? A Hauptscharfuhrer Stofel and myself we went there before and spoke with the Lagerfuhrer of the Osterode camp, and he promised us to prepare a few barracks for our prisoners.
- Q And did the prisoners pass the first night in those barracks which you prepared? A Yes.
- Q Was your party of 610 joined by any other prisoners during that day or during the first night? A No.
- Q Now it has been said that some men joined your party on that first night and that you took these men who joined the party into a stable in Osterode and that you shot them. Is that true? A No.
- Q During that first day's march, were there any of the column who were unable to keep up with the column? A I do not know.
- Q Were there any men shot in Osterode at all? A No.
- Q What happened the next morning? A On the next morning the prisoners continued to march to Seesen.
- Q Did you go with them? A No.
- Q What did you do? A I stayed on in Osterode and waited for Stofel.
- Q Did you remain by yourself or were there some people there? A Sturnbann Kraft stayed with me and two S.S. women.
- Q What happened when Stofel arrived in Osterode? A We continued to load food on the truck and then we drove to Seesen.
- Q And did you all spend the night in Seesen? A Yes.
- Q What happened on the next day? A We continued our march to Salzgeitter.

- Q When you were in Salzgeitter can you say if the column of prisoners was still 610 strong ? A Yes.
- Q How can you say that ? A Because it was impossible that somebody should have escaped during the day.
- Q You spent the night in Salzgeitter. What happened the following morning ? A On the next morning we started to distribute food. Then we saw that the Lagerältester was missing, then we held a roll call and notice that four others, altogether five, were missing, all German prisoners in some position of authority. Those five had been seen the night before.
- Q Then did the column march off ? A Yes, to Rudingen.
- Q Was Rudingen the place where you spent the next night ? A Yes.
- Q Where did the next day's march take you to ? A To Ohof.
- Q And the next day ? A To Grosshehlen.
- Q What was the approximate distance of each day's march ? A Between 25 or 30 kilometres per day; sometimes maximum 35 kilometres.
- Q What sort of food were the prisoners getting during this march ? A In the morning they got their marching rations, 500 grammes of bread, then cheese or sausages or margarine, just whatever was available, or sometimes tins of meat.
- Q What about the evening ? A In the evening they had either a hot meal, for instance soup, or they got bread again.
- Q Were there any stragglers, people who could not keep up with the column ? A If somebody had sore feet, then during the day he was put on a handcart which the prisoners had with them, and the next day he was put into the ration truck where the rations were carried.
- Q Can you say on which day you started getting people whose feet were too bad to walk ? A On the third or fourth day.
- Q Were you yourself with the column the whole time during the day ? A Not always.
- Q How often, and for what reason during the day did you leave the column ? A How often I cannot say, and the reasons are I tried to see whether there is some water. I had some conversations with civilians about how the war is getting on and where the front line is and so on.
- Q When you went ahead of the column for those reasons, did you go by yourself ? A No, together with Hauptscharführer Stofel.
- Q When you were with the column, marching with them, was Stofel with you too ? A Yes.
- Q Now I want to come to the time you arrived at Grosshehlen. What happened there ? A We arrived on the 10th April, about 1800 hours, in Grosshehlen. There was a big barn where the prisoners were accommodated and we were just going to distribute the rations and then suddenly an officer of that field force which was stationed there arrived and had a conversation with Hauptscharführer Stofel. This officer gave orders that as this area is fighting area we should go away at once. Hauptscharführer Stofel said that we could not do this because we were just distributing rations and the prisoners were tired and anyway, we do not know our way about here, but early next morning we should continue our march. Then the officer went away.
- Q Did you in fact spend the night in Grosshehlen ? A No. This officer

came again and insisted upon our going away. Stofel said that he must decline every responsibility. Then I believe Stofel was called to the Commandant and afterwards an officer with about 25 or 30 soldiers arrived at the place. They started to chase the prisoners out of the barn and started shooting into the air and chasing them away.

- Q Were you there when this happened? A Yes.
- Q What exactly happened to the prisoners then? A They were chased away.
- Q Where did they go to? A They were chased in the direction of the main road opposite of Celle, and this officer commanding this company of 25 or 30 came on his bicycle and when he saw that I had a bicycle as well he took me with him and we went to an aerodrome.
- Q And what happened then? A Then we found a former P.O.W. camp and we got a key and opened that camp. Then on our bicycles we rode back towards the column, but we heard the whole time shooting and then we found the column in the neighbourhood of a house near a wood.
- Q And what did you do then? A Then we waited until everybody arrived and continued to this aerodrome.
- Q Did you spend the night in the aerodrome? A Yes.
- Q And on the next day? A The next morning we started to march towards Bergen.
- Q When you arrived at Bergen, what happened then? A When we arrived Stofel told me to try and get Hoessler so that he can report to him and report the prisoners. I could not find him although I went about the whole camp. When I returned Stofel had already contact with the office and reported the prisoners there.
- Q You say you arrived in Bergen. Can you tell the Court exactly where in Bergen you mean you arrived? A At the Wehrmacht training barracks.
- Q Did you find Hoessler? A No.
- Q What happened then to the prisoners? A They were distributed in a block, I believe block 90, but I do not know which block it was.
- Q Do you know how many prisoners you had in the column when you came to the Truppenubungsplatz in Bergen? A Later on I heard about 1,500.

THE JUDGE ADVOCATE: What did you ask him?

CAPTAIN CORBALLY: I think there has been a misunderstanding; I will clear it up. (To the witness): I mean in your own column from Klein Bodungen.

A 590. What I meant by that 1500 was a general number in the camp.

- Q How do you know that number? A Because when the prisoners were taken over, a roll call was held.
- Q Were you there when the roll call was made? A Yes.
- Q Are you quite sure it was 590? A Yes.
- Q Now I want you to look at the deposition of Grohmann, on page 27. A Yes.
- Q In paragraph 3 Grohmann says that 650 prisoners of mixed nationalities set out to march to Belsen. Is that correct? A No, we had never 650.
- Q He says also in paragraph 3 that you marched through Herzberg, Braunschweig,

Peine and Celle. Is that correct? A We did not go to Peine.

Q Then paragraph 4 and 5. He says that on the first night and the next morning you shot six men who had escaped from a party of prisoners from Nordhausen. Is that correct? A No. First, we had no prisoners coming from Nordhausen and second, in the camp in Osterode there were no stables.

Q He says in paragraph 6 that from then on you shot all stragglers, anybody who could not walk, could not keep up, you shot, and that you shot at least 46. Is that correct? A No, because he says, for instance, that that happened in the first two days. I have not been with them at all on the first two days, and anyway all that is a lie.

Q Will you now turn to the statement of Adolf Linz, page 93A? A Yes.

Q Adolf Linz says that you shot 13 or 14 prisoners only because they had bad feet or were suffering from other diseases and could not carry on. Is that right? A It is not true.

Q How long was the column of 610 prisoners? A It was a rather lengthy column; I should think 250 metres, perhaps, or 300 metres.

Q Now would you look at the deposition of Ernst Poppner, Nos. 257 and 258. Firstly, in paragraph 2, Poppner says there were 613 prisoners. A No, there were 610.

Q He says that you covered 51 kilometres on the first day; is that right? A No. On the first day we marched about 35 to 40 kilometres.

Q When you left Klein Bodungen, did you know where you were going? A To Herzberg.

Q And beyond Herzberg did you know? A In Herzberg we should have boarded a train, rumour said to Neuengamme, but the station was destroyed so we continued to Osterode.

Q Now in paragraph 8 Poppner says you shot somebody in Osterode, but you dealt with that. He also says that in a wood near Salzgeitter you and three other men took two prisoners into a wood and shot them; is that right? A No.

Q Do you know the three men who were supposed to have been with you, Berling, Zimmerman and Liebholdt? A Yes, I know those three, but they were prisoners.

Q Did those three or any one of them shoot people on the road? A No, they were prisoners; they had no weapons.

Q Now did you yourself shoot any of the prisoners? A No.

Q Did you see anybody else shooting any of the prisoners on the road? A No.

Q How do you account for the 20 prisoners who you say you lost between Klein Bodungen and Belsen? A Five, as I said before, escaped in Salzgeitter, I mentioned them before. As I heard from blockaltester Kahnert, four or five had been shot in Grosshehlen in that incident, and the others I understand escaped in Grosshehlen.

CAPTAIN CORBALLY: That concludes my examination.

MAJOR WINWOOD: No questions.

Cross-examined by MAJOR MUNRO.

Q I have one question on behalf of the accused Hoessler. Am I correct in understand from your evidence that when Stofel reported his arrival to the office in the Wehrmacht barracks you were not with him? A Not when he reported them, but during the roll call I was present.

MAJOR CRANFIELD: No questions.

CAPTAIN ROBERTS: No questions.

CAPTAIN BROWN: No questions.

CAPTAIN FIELDEN: No questions.

CAPTAIN MEAVE: I have no questions and Captain Phillips has none.

LIEUT. BOYD: No questions.

CAPTAIN MUNRO: No questions.

LIEUT. JEDRZEJOWICZ: No questions.

Cross-examined by COLONEL BACKHOUSE.

Q You say that you volunteered for the Army, but could not get in? A Yes.

Q Why could you not get in? A Everything was full up.

Q But in 1940 was not the S.S. supposed to be the elite of the whole outfit?

A Not in 1940 any more. Then the S.S. was under the command of the Wehrmacht.

Q Did you not have any conscription in Germany in December of 1940? A Yes, and I myself I was conscripted.

Q When were you conscripted? A I should have been conscripted in the Spring of 1941 for this German arbeitsdienst, P.A.D., but by volunteering already in 1940 I saved six months of this arbeitsdienst.

Q Of course, the S.S. was better paid than the Army, was it not? A No, the pay was equal in the S.S. and in the Army.

Q When you went to Oranienburg in 1941, what did you go there for? A I belonged to the field troops, but then I was sent to a hospital and then the doctors decided that I am not fit for front duties and therefore I was sent from Dresden to Oranienburg.

Q That is not quite what I meant. When you got to Oranienburg what did you do? A. It is an abbreviation U.V.D. which means Unterfuhrer Vom Dienst, a sort of orderly responsible for accommodation and for huts - an orderly corporal.

Q Oranienburg was one of the biggest concentration camps in Germany, was not it? A. I do not know.

Q And prisoners were treated just as badly if not worse there than in Auschwitz, Belsen, or Dora, were not they? A. I do not know; I had nothing to do with the camp. I belonged to the troops.

Q You were there from 1941 until January 1944 were you not? A. Yes.

Q You talk about the troops; what you really mean are the SS men guarding the camp, do not you? A. Yes.

Q I put it to you you were employed in that camp throughout that period ?
A. If it were so, I would not need to deny it.

Q In January 1944 you went to Dora, did you not ? A. Yes.

Q What was your employment at Dora ? A. That was the first time when I had anything to do with prisoners. I was there trained to become a block fuhrer.

Q Who trained you ? A. Those block fuhrers who were already there before. They told me all about the service, duties, and how to do them.

Q The treatment of prisoners in Dora was the same type of thing as that at Belsen and Auschwitz, was it not ? A. No.

Q The usual beatings were going on all the time, were they not ? A. That was prohibited in Dora because that was a labour camp.

Q You heard the affidavits read, did you not, the affidavit of Sulima (No.151) and the affidavit of Promsky (No.191) - - - -

CAPT. CORBALLY: This accused will not have those affidavits because they do not concern him. He has been furnished with the affidavits in German which concern him.

COL. BACKHOUSE: I will put it to him generally. (To the witness) I put it to you that this camp was like all the others; you had people regularly dying of a combination of overwork and underfeeding ? A. Not during the period when I was there.

Q Then you went to Klein-Bodungen ? A. Yes.

Q You had been such an apt pupil at Dora that you became second in command to Stofel, did you not ? A. I do not know what you mean by a good pupil. I cannot understand that.

Q Well, you told us that you went to learn your job at Dora; is not it true that you learned it to such purpose that you became second in command to Stofel ? A. I had no idea when I arrived at Dora about prisoners. I did not know anything about them. I was told when prisoners marched out to take their numbers and I had to take the strength, and when they came back to check them. All that was new to me. I did not know anything.

Q What was your rank when you left Oranienburg ? A. Unterscharfuhrer.

Q You say you left Klein-Bodungen on the 5th April ? A. Yes, we left Klein-Bodungen on the 5th.

Q Shortly before that in March do you remember catching any prisoners in the potato cellar ? A. No.

Q Did not you catch two prisoners hiding in the potato - - - - -

CAPT. CORBALLY: I wish to object to this line of cross-examination. The court have already ruled that they would not listen to this evidence when it was proposed to put it in as part of the prosecution's case. I do not see any reason why the prosecution should be allowed to cross-examine witnesses on it when they are in the box. It is a most unusual thing for a prisoner giving evidence on his own behalf to be asked if he has committed another offence somewhere else. It is only done when character is specifically put in issue. It is when he is giving evidence of good character either by himself or through somebody else that the prosecutor

is allowed to call evidence of previous convictions or of his having committed an offence somewhere else in order to disprove a prima facie case. This has not been done and I submit that cross-examination as to other offences should not be allowed if it prejudices the accused before the court.

THE JUDGE ADVOCATE: Sir, we had all this argument before, and I think you decided in criminal law it is well known that is the prosecution were attempting to prove a systematic course of conduct on the part of an accused they were allowed to do so, provided there was some offence of the kind before the court. As I understand the prosecutor, he is now (for what it is worth because he would have to take the answers of the witness) putting to Dorr that he was systematically behaving in the way which is the allegation against all the accused before the court. I should have thought it was right for the accused to be cross-examined but, of course, the prosecutor must take his answers, and if he denies them, then that is the end of it.

COL. BACKHOUSE: At the time the objection was taken to the affidavit it was taken on the ground that I had not proved that Dorr was at Belsen, and because of that I did not ~~desire~~ to make use of that evidence. Now that it is admitted he did go there with this transport, I think I am entitled to put it in and, if necessary, to put in the remainder of the affidavit.

(The Court confer)

THE PRESIDENT: Very well, Colonel Backhouse.

COL. BACKHOUSE: (To the witness) What I am putting to you is that you found two prisoners hiding in the potato cellar and that you ordered three other prisoners to beat them and they did beat them until they died ?
A. No; the whole thing is pure fantasy, because firstly the potato cellar was always locked; secondly, I do not see any reason why two prisoners should hide in the potato cellar; then I cannot understand why I should give an order to three prisoners to beat them and to allow the fourth to stand there and look at it.

Q Taking that by stages, first of all there was a potato cellar, was there ?
A. Yes.

Q Why was it kept locked ? A. There was ^a small working party working in this cellar, but even during the time of work the cellar was always locked. Stumbann Kraft had the key of this cellar.

Q That is no answer to what I asked you. I asked you why was it kept locked ? A. So that the prisoners should not steal potatoes or turnips or whatever was there.

Q Is not a very good reason why two prisoners should hide in the potato cellar because they were trying to steal potatoes or turnips which were kept there ? A. How should they get in.

Q As for letting other prisoners beat them, it became the common practice of the SS to make the other prisoners beat them rather than do it themselves, did it not ? A. In our camp there was no beating and I could not say and would not know why prisoners should have been beaten.

Q I suppose you never saw any beating at all by any SS or Capos at any time ? A. No.

Q Or any shootings either ? A. I did not see any shooting but I heard shots.

- Q But that, of course, you mean was by the Field Force and none of the concentration camp guards ? A. I have never been in a concentration camp except in Belsen, because Dora was a labour camp.
- Q Of course, Belsen was not a concentration camp either, was it ? A. Yes, I heard something like that, that it had been a concentration camp, but it was perhaps a convalescent home - I do not know.
- Q We will not call Dora a concentration camp if you prefer it - but it was full of prisoners who were kept there and made to work, was not it ? A. Yes.
- Q When it was being evacuated you took it for granted the prisoners would be going either to the concentration camp at Neuengamme or at Belsen, did not you ? A. Yes.
- Q Is not it rather silly to pretend that you did not know Dora was a concentration camp ? A. No, it was a labour camp.
- Q Auschwitz was a labour camp with "Labour makes free" written across the gate, was it not ? A. I do not know.
- Q Tell us about this first day when you started to march out from Dora; what time did you start in the morning ? A. 0700 hours or 0730.
- Q Do you remember this man Ernst Poppner ? A. No; I have never heard that name before until here when I heard about it.
- Q Had you very many German prisoners at Klein-Bodungen ? A. 30 to 50.
- Q Did not you get to know them fairly well ? A. No.
- Q You knew Berling, did not you ? A. Yes, he was a capo. I knew the capos; we had only about 10 or 15.
- Q And you knew Zimmerman, did not you ? A. Yes, he was working in the shoemaker's shop.
- Q And Liebholdt ? A. Yes, he was a camp carpenter.
- Q Is it right that Berling was a man of about 36, short, and heavily built ? A. This man was taller than I and larger in the shoulders than I.
- Q Did he wear a brassard with Capo written on it ? A. Yes, each capo had such an armlet.
- Q Was Zimmerman a man of about 30 ? A. I do not know.
- Q Did he wear a green triangle on his breast ? A. I do not know.
- Q What would it mean if he had a green triangle on his breast ? A. As far as I know a professional criminal who was punished before.
- Q Was Liebholdt a man of about 30 ? A. They were all about 25 to 40 or 45.
- Q Was he a professional cycle racer do you know ? A. I do not know.
- Q All three of them were what you would call functionaries in the camp ? A. The first, Berling, was a capo; the second was a shoemaker and the third was a carpenter.
- Q Most of the men wore wooden clogs, did not they ? A. Yes, wooden clogs with some leather on them.

- Q It is fairly clear that Mr. Poppner must have been in the party, is not it, from the description he has given up to now? A. I should think so, yes.
- Q When this column set off did you actually set off with it? A. I drove with Stofel together on a motor-cycle towards Herzberg. We went as the advance party.
- Q When you got to Herzberg you have told us that the station was not fit for use. Where did you go to then? A. We continued our journey on a motor-cycle, Stofel and I, to Osterode to see that the prisoners should be accommodated during the night.
- Q Who was the lagerfuhrer there? A. Hauptscharfuhrer Betz.
- Q Was he still there when you got there? A. Yes.
- Q Did not you know that the camp got orders to march out the same time as your own? A. Yes, I know that and he tried to get on the train, but he saw that it was impossible and on the next morning he left an hour or two after we left.
- Q You know, it was possible to get on the train in the earlier part of that day, was not it? A. On the 5th or 6th?
- Q On the 5th. A. We started out only on the 5th at about 0700 hours.
- Q I am not talking about you. I am talking about the camp at Osterode which was evacuated that day. A. I do not know.
- Q The earlier transports from Dora got through on the train all right, did not they? It was only the later ones that could not? A. I do not know.
- Q After you had seen about the accommodation, wherever it may have been, what did you and Stofel do then? A. We drove back on our motor-cycle but there was an air-raid and our motor-cycle was destroyed. So we got a lift in another car and drove into Herzberg, and there was again some sort of delayed bomb and we were thrown away about three or four yards.
- Q When you got to Herzberg did you wait there for the column to arrive? A. Yes, the column arrived just a little bit later.
- Q What did you do when the column arrived? A. We waited for a moment and just then the truck with the rations arrived. So I went with the truck to Osterode and unloaded the rations and the truck went back again with Stofel who continued to Klein-Bodungen to fetch some more rations.
- Q You were left at Osterode waiting for the column; is that right? A. Yes.
- Q As a matter of fact, that column had been joined by two men who had escaped from Nordhausen, had it not? A. No.
- Q And there were two men being pulled on a handcart, were not there, who had not managed to keep going on this 40 kilometres in wooden clogs? A. I do not know.
- Q Of course, you could not put them on the ration truck to take them as you say you usually did because the ration truck had gone away and Stofel had got it, had not he? A. If anybody would have had sore feet it is quite impossible that I would not have seen it, and the truck with rations went from Herzberg to Osterode and at that time the column had reached already Herzberg.

- Q Is what you are really saying this, that nobody had got sore feet when they got to Herzberg or Osterode ? A. Whether between Herzberg and Osterode two prisoners were brought in a handcart, I do not know.
- Q Anyway, there was no ration lorry available the next morning when they marched off to carry them, was there ? A. Nobody reported to me that he had sore feet.
- Q I put it to you that on that night, the 5th April, you shot the two men who had escaped from Nordhausen ? A. Firstly, how should these two prisoners from Nordhausen appear quite suddenly ? Secondly, it was quite late when we arrived on that first night and the witness says there was some barn or something there outside of Osterode and all that is not true.
- Q The next morning I suggest you shot at least three more men, that you made them kneel down and you shot two of them in the back of the neck first, and the other one tried to run away and you shot him too ? A. I say that is not true.
- Q Have you heard the expression "Neckschuss" ? A. I know that expression but I have never seen it.
- Q What does it mean ? A. I imagine that is a shot in the back of the head.
- Q That is a popular SS way of disposing of people, is it not ? A. No; that was strictly prohibited.
- Q Who prohibited it ? A. Reichfuhrer Himmler.
- Q Why did he have to prohibit it ? A. That was a general instruction on how to treat prisoners.
- Q A special instruction that you must no longer shoot them in the back of the neck ? A. My instructions which I received about how to treat prisoners were the following: Beating and ill-treating is prohibited. If somebody tries to escape and is shot then you leave the body lying there until the Gestapo arrives and makes some enquiries and takes photographs.
- Q What I am asking you about is this method of shooting people, called the "Neckschuss". Was not that the method of making a man kneel down and shooting him in the back of the neck ? A. Quite impossible.
- Q I suggest to you that that is what you did to these men that day ? A. I am only sorry that the witnesses are not here.
- Q I suggest to you that from then on when anybody began to straggle you took him on one side and you shot him ? A. Such things do not happen.
- Q And that you employed Berling, Zimmerman and Liebholdt as escorts when you took those people away ? A. No; that is not true.
- Q Do you remember another German prisoner called Adam Mocke ? A. No.

Q Do you know what he says ? You have read his affidavit, number 259, he says that he has read the affidavit of Poppner and can say from his own knowledge that what Poppner says is true, because he was there as well.

A. Then I cannot understand why nobody of those people who did arrive in Belsen came and reported: "This man has shot so many people". On the contrary when we were already the prisoners of the British troops the same people came and brought us food and cigarettes.

Q Poppner and Mocke were both Germans, were they not ? They were not any of the people whom your defending officers have been taking exception to.

A. There was no difference amongst prisoners whether German, Polish or Russian. They were all treated in the same way.

Q Some of the defending officers have been suggesting that some of these stories told about persons in the dock have been made up by either the Poles or the Jews against the Germans, but those two men are both Germans, are they not ? A. I do not know.

Q Grohmann, the other man who makes virtually the same statement about you, was a Czechoslovakian and he is not a Jew either. A. I can only say that these prisoners have been arrested by the German Government and now out of sheer revenge they simply think that they can make up some stories and tell things about us and then go home.

Q Why do you think that a Czechoslovakian making a statement about you on the 9th May and two Germans making a statement about you on the 29th April should all pick on a stable or a barn for the first night instead of the camp at Osterode, if you really stayed in this nice camp at Osterode ? A. The first thing I have four witnesses here who can testify that we were really at Osterode. Secondly I wish these other witnesses who say something about stables or barns would be here and that they could show the court where these stables or barns are, and, lastly, they should show where all these people who were killed are lying.

Q From where did these two SS women suddenly appear about whom you have told us ? A. Those two SS women on the 4th April were in a hospital C.R.S. at Mittelbay, and I believe they were evacuated as well, and they asked us, as they had the same road, whether they could travel with us.

Q Did they travel all the way with you? A. Sometimes they were marching and sometimes they were riding in the truck.

Q Who were these two women? A. Nauman and Steinbusch.

Q When was the first time you mentioned these two women to anybody? A. I mentioned them as witnesses because of these accusations against me.

Q Did Kraft know they were riding with you? A. Naturally he knew.

Q It is strange that he never mentioned them in connection with this truck, is not it? A. As far as I know Kraft is only indicted concerning Auschwitz.

Q That has got nothing whatsoever to do with it. Kraft gave us an account of this and was asked who was in the truck and said who was in the truck. Did he know these women were there all the time? (A pause) Did he know or did not he know? It is quite a simple question. A. He knew, because they went with Kraft as an advance party to Herzberg.

Q Went with him to Herzberg? A. They went to Herzberg.

Q Where did you find the women originally? A. I said in the C.P.S. at Mittelbau.

Q Where did you actually find them; where did you pick them up on that day?
A On the 4th April in Mittelbau.

Q You picked them up the night before, did you? A. With a ration lorry we went to Nordhausen to fetch some rations, that was the day before, and then we went to Mittelbau as well, and that is where the two girls asked us whether they could have a lift.

Q Did Stofel know you had these two women with you? A. Yes.

Q He was asked who was on the truck. He never mentioned them either, did he?

THE JUDGE ADVOCATE: I have a recollection of some witness mentioning about two S.S. women on this journey, but I cannot remember how I heard it. I have heard it somewhere. I am in the hands of the defending officers, but I do remember there were two S.S. women somewhere on this journey.

COL. BACKHOUSE: You may be right. I will not challenge your recollection, but I have no recollection of it.

THE JUDGE ADVOCATE: I do not know myself, really.

COL. BACKHOUSE: It is on page six of yesterday's transcript. "Q. Did you meet anybody in Osterode, anybody to show you the way, where they had gone? A. Dorn was there, two from the administration and some prisoners were working with the stores, with the rations". Then you, sir, asked: "What do you mean by 'there'". Capt. Corbally replied "Osterode" and asked the witness: "Do you mean, when you say you met the two people from the administration, Osterode or Seesen?" and the witness replied "Osterode". There is no suggestion of any women being in the party at all. I may be wrong, but if the defending officers can point out to me where somebody has spoken about two women I will withdraw any questions I may have put about it in respect of that witness.

THE JUDGE ADVOCATE: Nobody, except myself, seems to recollect it so I should go on.

COL. BACKHOUSE: Only Stofel and Kraft have spoken about this journey. If Capt. Corbally can point out where it is I will immediately withdraw the question. I am merely challenging the fact that all these three are telling different stories. I am not challenging that they did carry women

in this truck; I am only saying that they did not see fit to say so.
(To the witness): Did these women come all the way to Bergen with you?

A Yes.

Q Who looked after them? A. Well, we did not bother very much about them.

Q Did they stay with you and Stofel or did they stay with the column when you kept going away from them? A. Mostly in the ration lorry.

Q So Kraft would have seen them all the time, would he? A. There were two lorries; Kraft had one and Kunz had one also, but in which they rode I do not know.

Q But the two lorries drove along all the way, did not they? A. Yes, at night they not again.

Q Were these women with you at Grosshehlen? A. Yes.

Q What view did the S.S. officer take of their presence? A. He had nothing to say in that; it was not his affair.

Q You have been in the S.S. a long time now, have not you? A. Yes.

Q Did you want to become a guard at a concentration camp? A. No.

Q Why did you do it? A. Because I was found not fit for front line duties and then in the camp in 1942 I volunteered again to go to Poland as sonderfuhrer for agricultural work.

Q But why did you take on this job then if you did not want to do it? A. I never did guard duties because I was excused guard duties and I could not refuse to do orderly corporal's duties because that was an order which I as a soldier had to obey.

Q But when you found yourself actually being taught to be a blockfuhrer why did not you say: "I won't do it"? A. That did not exist.

Q What do you mean, that it did not exist? A. That did not exist, to refuse an order.

Q What would have happened to you if you had done? A. I cannot say whether imprisonment, but, anyway, heavy punishment; of course, in the front line it means death. Mittelbau is home front.

Q Now tell me what happened to Stofel when he refused to obey the order of the S.S. officer at Grosshehlen. He did not even put him under arrest?

A This officer belonged to another unit and he was not the direct superior officer of Stofel.

Q Of course there you really were in the front line, were not you, where the punishment for disobedience is death?

THE INTERPRETER: He wants to speak of the prisoners.

COL. BACKHOUSE: At that time you were really in the front line, were not you?

A I did not see any front line, but I heard gunfire.

Q The whole objection to your staying there was because you were in the fighting area, was not it? A. Yes, that is what he said, we had to leave the camp.

Q Are you seriously suggest that Stofel refused to obey the order and the front line troops stopped their fighting and came along and took the prisoners away for you? A. Where should we have gone? We could not leave the prisoners in the open.

- Q How many S.S. men had you on this trip? A. I believe 45.
- Q Let me suggest this to you, that this Grosshehlen incident, the suggestion that your prisoners were taken away from you by the Waffen S.S., is purely made up and nothing else to explain the fact that you arrived with a good many short? A. Then I would like the prosecuting officer to go to Grosshehlen and really make enquiries there.
- Q What I am suggesting to you is that the people who were missing on that transport, with the except of five who genuinely escaped, were shot by you as you went along the road? A. I can only say that if I had shot anybody I would not have stayed in Bergen of my own free will, but I would have disappeared to Hamburg where nobody knew me and I would not be here.
- Q There was no question of staying in Bergen of your own free will. You were either detailed to stay or you were detailed to go into the firing line?
- A I am not afraid to go into the firing line; I am a soldier.
- Q That was the choice you had, was not it? A. I did not know anything about the front line; I knew only about going to Neuengamme.
- Q There is just one last thing I want to ask you about. You took some rations away when you started, did you? What rations did you take? (No answer)
- Q When you started out on this journey what rations did you take? A. Rations for all or rations for myself?
- Q For all? A. Bread, margarine, cheese, sausages.
- Q You went to collect the rations, did not you? A. No, that was Kunz from the administration who was in charge of that.
- Q I thought that was when you picked up these two women when you went to collect the rations? A. Yes, that is true, but Kunz went to Nordhausen and got the things, the rations.
- Q For how long did you draw rations? A. I know only that we had so much that when we arrived in Bergen we had still the remnants of the rations and we left them there; we handed them over.

(At 1155 hours the Court is closed.)

(At 1205 hours the Court is re-opened.)

(The accused are again brought before the Court.)

CAPT. CORBALLY: There is one application I would like to make before we carry on, that the witness Frau Schreirer who was here in Court yesterday is very anxious to be allowed to see her son for a short time and I wondered if you would grant permission for her to see her son.

THE PRESIDENT: I will do that, but I would like to see you later regarding it because of certain regulations.

COL. BLACKHOUSE: There is one application I would like to make. The cinema people are very anxious to remove their apparatus as it is used for entertaining troops. I do not want it any more and I know the defence do not and unless the Court want to use it again possibly it may be removed?

THE PRESIDENT: Yes, certainly.

THE ACCUSED, DOR, resumes his place at the witness stand and is re-examined by CAPT. CORBALLY as follows:-

- Q It was put to you by the prosecutor that in the camp at Klein Bodungen prisoners were badly treated, they were beaten, and they were generally treated badly and that you yourself took part in the illtreatment. Were there any of the prisoners on the 5th April who were unable to undertake the march? A. No.
- Q It has been put to you by the prosecutor that when Stofel refused to move the prisoners out of Grosshehlen he should have been shot because that was in the front line. Was the officer who interviewed you and Stofel at Grosshehlen connected in any way with the transport of the prisoners? A. No.
- Q Did he know how many prisoners you had in that column? A. No.
- Q Did he know where you were taking them to? A. No.
- Q If Stofel and you had been shot then who would have been in command? Who was left to command that column of prisoners? A. The guard company.

THE JUDGE ADVOCATE: You were in training to become a blockfuhrer in Mittelbau from January, 1944, to about September, 1944; is that right? A. One cannot call it training really because it lasted only for a day or two.

- Q And then you were in Klein Bodungen for another six months, were you not? A. Yes.
- Q Were the people working under you both Jews and Germans? A. No, we had no Jews. We had all nationalities but no Jews - French, Poles, Russians.
- Q Were these nationalities known by name or did they have a number? A. On their left breast they had a number.
- Q Had they any numbers tattooed on their bodies? A. No.
- Q When you started out from Klein Bodungen did not you even have a nominal roll of the numbers of the various people that constituted that transport? A. We had orders to destroy all nominal rolls, all personal documents, and everything concerning the prisoners.
- Q Did not you think it would be necessary when you reported to your superior officer to be able to tell him specifically the numbers of the men who had died on the journey? A. We did not know the names; we had no nominal rolls.
- Q Do try and follow the question. You are a German N.C.O. and you had a duty to get this party to Belsen. What I am putting to you is: is not it common sense that when you reported to your superior officer you ought to have been able to tell him which of these particular men had died on the way so that some record could be made of it? Is not that common sense? A. Yes.
- Q Have you got any tattoo marks on your body? A. My blood group under my left arm.
- Q When was that put on? A. Either 1941 or 1942; I do not remember.
- Q In what circumstances was it put on? A. When I arrived from Oranienburg we had all to go to the M.O. and our blood group was certified again. I had my blood group already certified in the field unit where I was and in Oranienburg it was examined again and then it was tattooed under my left arm.
- Q Have you served in the Wehrmacht as a soldier? A. No.

Q When you arrived at Belsen did Hoessler question you about some rumour that was going about then that on this journey you had just come that people had been shot? A. Yes, he asked.

Q When was this, about? A. It was before the 16th; before we were captured. I do not know exactly the date.

Q Is not it obvious that as early as the 16th April somebody must have been alleging that there had been shooting on that convoy? A. Stofel reported to Hoessler about it.

Q Do you know that Hoessler has said that you denied it as well as Stofel? A. Yes, we denied that we shot the prisoners.

Q Do you say you told him the story about the shooting by the field unit? A. Yes.

THE PRESIDENT: I want you to explain something to me about Grosshehlen. You got there at 1800 hours on the 10th April and the prisoners were by the barn and you commenced issuing rations. That is, I understand, what you have said? A. Yes, the rations were just being distributed, but not by me.

Q What I want to know is this: what did the S.S. guards who had moved with this column do when the other field troops came along to the prisoners? A. Some of them were just having their meals, some of them were washing, some of them were shaving, some of them without their boots, and everything went so quiddy that before they realised what happened the others had taken the prisoners away and then they simply tried to get after them as quiddy as possible, that was the only thing left. It was almost like an attack.

Q But there must have been some on guard. What did they do? A. There were only two guards on duty and I really cannot remember what happened; everything was so fast and it was just like a beehive - they were running from one side to the other and I do not remember.

Q Am I clear -- two guards to 600? A. Yes, because there was some sort of fence of that height round the court. (Indicating)

A MEMBER OF THE COURT: What were you actually doing yourself during this time? A. I was shaving.

Q With the other S.S. guards, were you? A. I was in the court.

Q With the prisoners? A. Yes, in the vicinity because it was dark and in the open air it was still light.

Q How did the officer find you? A. I was quite alone in the court because all the prisoners had gone so I prepared my few things and I took my bicycle and in that moment the officer came to me and asked me whether I belonged to that group so he said "Well, then, come along".

Q You said that in the early stages of this march you went about on a motor-cycle with Stofel? A. Yes, in the beginning.

Q I take it one was driving and the other was riding pillion? A. Yes.

Q Who was the driver? A. Stofel.

Q And then you said that the motor-cycle was destroyed by air action? A. Yes, from Osterode to Herzberg.

Q Can you tell us how it happened? A. When we were on the road there was a car there and people standing around and they told us to stay put because there was some air activity and they pointed into the sky. So we stopped, we went into the wood and left the motor-cycle on the road and then the car and the motor-cycle were both destroyed.

Q By what? A. Machine gun.

THE PRESIDENT: Are there any questions on that?

CAPT. CORBALLY: No.

(The accused leaves the place from which he has given his evidence.)

CAPT. CORBALLY: I will now call Gertrud Neumann.

GERTRUD NEUMANN is called in and, having been duly sworn, is examined by CAPT. CORBALLY as follows:

- Q. What is your full name? A. Gertrud Neumann.
- Q. When and where were you born? A. 19th February 1922 in Tacha, in Saxonia.
- Q. Are you married or single? A. Single.
- Q. How did you come to be an S.S. woman? A. I was drafted into the S.S. on the 10th January 1945.
- Q. Had you any occupation before that? A. I worked in a munition factory.
- Q. At the beginning of April this year where were you? A. I started to march towards Belsen on the 4th April.
- Q. What I really want to know is where you served before you started that march. A. I was sick and I was in the hospital at Mittelbau.
- Q. How did you come to go on the march from Klein Bodungen to Belsen?
- A. The camp at that time was evacuated and everything came very suddenly, so the doctor said we should try to rejoin our unit. My unit was the frau kommando in Grosswerhter.
- Q. What steps did you take as a result of that advice? A. We tried to get a lift, but it was very difficult to get one, and then a lorry stopped and that was a lorry belonging to the work kommando of Klein Bodungen. Then this lorry took us to our destination, Grosswerhter. There the kommandofuhrerin told us that they are also quite ready to leave and we should proceed to Belsen.
- Q. Where were you when you first met this lorry? A. In the camp at Mittelbau.
- Q. Did the lorry set off straight from Mittelbau towards Belsen on that day, or what happened? Did you start straight off from Mittelbau or did you go somewhere else first? A. Stofel and Dor told us: "Well, you can just carry on with us and come with us", and as we were still feeling not good we thought that a good idea.
- Q. I asked you if the lorry started off from Mittelbau or whether you went first of all to another camp and started your journey from there.
- A. We went to Klein Bodungen, and on the next morning the truck was loaded and then we continued our journey.
- Q. You started on this journey on the next day. Where did you go to on the next day? A. Osterode -- no, Herzberg.
- Q. Where did you spend the night, and what time? A. In Osterode.
- Q. Did you spend the night in a sort of camp in Osterode, or what sort of a place? A. Yes, it is a small camp.
- Q. Were there any other people who started off from Klein Bodungen the same day and spent the night in the camp in Osterode? A. Yes, another S.S. woman.
- Q. What was her name? A. Ilse Steinbusch.
- Q. Apart from yourself and Steinbusch and one or two other people who travelled in the truck were there any other persons who left the same time as you the camp at Klein Bodungen and who spent the night in the camp at Osterode?
- A. The prisoners and the guards.

- Q. Did anything unusual in the way of shooting take place while you were in Osterode? A. No.
- Q. What happened the next morning? A. The prisoners left before us. We stayed on and Stofel or Door, I do not know which one of them, tried to get some transport for us.
- Q. You have spoken of two people, Stofel and Door. What had they got to do with the transport? A. Stofel was in charge of the transport, and Dor was an unterscharfuhrer.
- Q. Can you recognise these two men in court? A. Yes.
- Q. Take a look at the prisoners and tell the court which two they are. (The witness goes into the well of the court) A. No. 27 is Dor and No. 25 is Stofel.
- Q. You have said that the prisoners marched away from Osterode before you did on the second morning. Did you hear any shooting before the prisoners marched off? A. No.
- Q. Did you see any burial parties dig a shallow grave before they marched off? A. No.
- Q. Was there a stable anywhere in this part of the camp in Osterode? A. No. I do not know.
- Q. What happened to yourself on the next morning? Did you eventually get a truck? A. It lasted until the afternoon before we got transport, a truck.
- Q. Where did you spend the next night? A. In Seesen.
- Q. Were you also with the prisoners on that night? A. Yes, we were near the prisoners but not in the same barn where they were.
- Q. Did you spend every night either in the same camp as the prisoners or near them until you arrived in Bergen? A. We stayed two nights in Seesen because we could not get transport the next day. But the other nights we were near the prisoners, and there were also some with us, seven or eight prisoners; some of them belonged to the cookhouse personnel and some of them I believe were ill.
- Q. At the various staging camps on your journey have you ever seen any of the guards of the prisoners shooting any of them? A. No.
- Q. Have you ever heard any shooting during the night? A. One time at night in Grosshelen; it was the last night before we came to Bergen.
- Q. Tell the court what you heard there. A. We arrived in our truck in the afternoon. We unloaded the rations and waited for the prisoners. They arrived at about 1900 or 2000 hours. Before that we had noticed already that there were some troops of the Waffen S.S., the fighting S.S., in the village. We started to distribute the food to the prisoners, and we had not finished this and then somebody came - I do not know if it was an officer or a soldier of the S.S. unit - and he told Stofel that the prisoners had to leave the village because it was a defence position. Stofel said immediately that he could not take responsibility for that because his guards and the prisoners had made the march of 36 kilometres already. They then left and told Stofel to come, it may be the commandant or any other officer who was there, I do not know, to see him, and he went. He came back and he was very excited and he said: "It won't help us, we have to leave and we have to go a short distance further on." Just as he said this reinforcements arrived, troops of that Waffen S.S. unit, and they started chasing the prisoners away. They immediately gave an order for the prisoners to line up, and they then shouted and they fired some shots in the air, and of course this caused a panic amongst the prisoners.

COL. BACKHOUSE: I do not want to interrupt, but the witness has something in her hand.

THE JUDGE ADVOCATE: It is a handkerchief she has there.

COL. BACKHOUSE: It is a paper. I would like to know what it is.

THE JUDGE ADVOCATE: (To the Interpreter) What is the thing she has in her hand.

THE INTERPRETER: It is a handkerchief.

THE WITNESS: The prisoners were lined up then. Those who were wearing striped prison uniforms were in front and those who were wearing civilian suits were behind them. Then the prisoners were marched off by these S.S. people, the fighting unit, and these S.S. people looked quite fresh, but our prisoners looked tired. They could not go so fast as the S.S. people wanted them to go. The rations stayed behind. When they were taken away there were quite a few shots fired. My friend, Ilse, and some of the guards tried to catch up with the column, but the distance between the column and us became every time larger. We saw some dead prisoners lying by the side of the road.

CAPT. CORBALLY: Did you eventually catch up with the column? A. Yes, because the prisoners were allowed to have a rest; they were permitted to sit down by the side of, but they had to keep in their ranks.

Q. And did you spend that night with the prisoners? A. Yes, in the same camp.

Q. Did any of the prisoners say anything to you about what had happened to any of them when they were chased out of Grosshelen? A. We saw everything ourselves.

Q. You told the court that you saw some bodies which had been shot. How many in fact did you see? A. If I say eight it is not too little.

Q. You mean you in fact did see eight? A. Yes.

Q. Was this in the village or outside the village, or whereabouts did you see these bodies? A. No, it was not in the village; it was on the road; there was a wood on one side and fields on the other side.

Q. And did you see these bodies while you were trying to catch up with the column? A. Yes.

CAPT. CORBALLY: That concludes my examination.

MAJOR WINWOOD: No questions.

MAJOR MUNRO: No questions.

MAJOR CRANFIELD: No questions.

CAPT. ROBERTS: No questions.

CAPT. BROWN: No questions.

Cross-examined by CAPT. FIELDEN.

Q. Do you know where Stofel spent the night of the day that you arrived at Osterode?

THE JUDGE ADVOCATE: Who are you on now?

CAPT. FIELDEN: Stofel. (To the witness) Do you know where Stofel spent the night of the day that you arrived at Osterode? A. I did not see him in Osterode that night.

Cross-examined by CAPT. NEAVE.

- Q. I am going to ask some questions concerning No.35. (Klara Opitz) Do you recognise this woman? (Indicating the accused No.35) A. Yes.
- Q. What is her name? A. Klara Opitz.
- Q. On this journey from Klein Bodungen when did you finally arrive at Bergen? A. On the 13th April.
- Q. Is that the first time you went to Bergen? A. No. We arrived with the transport on the 11th, but we had to go to Neuengamme on the 12th, and we came back on the 13th.
- Q. When you came from Neuengamme to Belson on the 13th was Klara Opitz in the same transport as you were? A. Yes.
- Q. Was that the first time she had arrived at Belson? Had she been there before? A. No. She was in the same arbeitskommando as I was. I saw her for the first time in the Sudetenland, south of Dresden.

THE JUDGE ADVOCATE: What has all this got to do with it?

CAPT. NEAVE: She did not answer my question. (To the witness) Do you know if that was the first time that Klara Opitz had been in Belson, when you arrived there and she was on the same transport on the 13th April?

A. Yes, it was the first time.

CAPT. PHILLIPS: No questions.

LT. BOYD: No questions.

CAPT. MUNRO: No questions.

LT. JEDRZEJOWICZ: No questions.

(At 1318 hours the court is closed)

(At 1430 hours the court is reopened)

(The accused are again brought before the court)

Cross-examined by COLONEL BACKHOUSE.

- Q. This morning when you were in the witness box you had something in your hand, had not you? A. Yes.
- Q. And you were asked to come into the court and try and recognise people in the dock, were not you? A. Yes.
- Q. Who supplied you with a list of the accused with the numbers of them on? A. I did not get it only now; I had it already a few days ago.
- Q. Who gave it to you? A. The accused Charlotte Klein.
- Q. And who gave you the typewritten copy of what you were to say about Klara Opitz? A. From the defending officer of Klara Opitz.
- Q. You had that in your hand while you were in the box, had not you? A. No, I had it in my pocket.
- Q. Then you slipped them into your pocket, did not you? A. No, I had it in my pocket.
- Q. How long have you had this typewritten document telling you what you were to say about Klara Opitz? A. On Saturday or Sunday.
- Q. When did you see Charlotte Klein? A. Not through her directly, but through a warder in the prison.

Q. Who actually gave it to you? A. A warder from the prison gave it to me.

Q. These are the two documents, are not they? (Handed) A. Yes.

COL. BACKHOUSE: I want these to go in as exhibits.

(Two documents are marked Exhibit 138, signed by the President and attached to the proceedings)

CAPT. NEAVE: Might I be allowed to say a word. I am representing Klara Opitz and I was going to call as one of the witnesses in her defence the witness who is in the witness box at the moment. With that end in view I took a preliminary statement from Gertrud Neumann, and as is our practice in Scotland I merely made it out as what we normally call a precognition, and in order to check her statement up when I saw her again I had that typewritten and supplied her with a copy.

I would like to assure the court it was a complete surprise to me today when I found that Gertrud Neumann was being called as a witness by another defending officer. It was merely a statement which she made to me and which I had typed, and there was nothing ulterior about it at all.

COL. BACKHOUSE: I am not suggesting my friend had any ulterior motive, but whatever may be the practice in Scotland, the practice in England is not to supply a witness with a typewritten proof of their evidence. No doubt the learned Judge Advocate will remember the Snow case in Birmingham, where a police inspector got into considerable trouble for having done it, for very obvious reasons. What we want to hear is the witnesses recollection and not something from a typewritten statement. I did not make that allegation this morning without first sending someone round to see if she had a paper, and it was as a result of that I asked for her pockets to be searched when she went out, and there was, first of all, the list which gives the numbers of the accused, so any form of recognition becomes a farce; secondly, this typed statement in her pocket.

THE JUDGE ADVOCATE: I suggest for the future that if any defending officer has indicated to his colleague that he is calling a witness no other defending officer should call that witness without telling his colleague and arranging who is going to do it. That might meet one of the difficulties that arose in this case. Col. Backhouse, I think this has been sufficiently ventilated.

COL. BACKHOUSE: I think so. I am sure the defending officers will realise it is not a proper thing to supply witnesses with typewritten proofs before they come into court, and if a witness is supplied with the numbers of the accused it is a farce to bring the witness into court.

CAPT. NEAVE: In my original list of witnesses I have got this girl down.

COL. BACKHOUSE: I agree she is your witness, but apparently somebody else has called her.

THE JUDGE ADVOCATE: I think the defending officers have heard what the prosecutor has said, and what has been done cannot be undone, but the court ask you to see that nothing of this kind arises in the future, so that we do hear the spontaneous testimony of a witness and not anything she sees by refreshing her memory from a form of a statement or precognition, or whatever you like to call it.

COL. BACKHOUSE: (To the witness) Where is this place Grosswerhter you are talking about? A. Eight to ten kilometres from Nordhausen.

Q. That was where you were stationed before you went into hospital, was it? A. Yes.

Q. Were you an aufseherin in there? A. Yes.

Q. And when the hospital at Mittelbau was being evacuated the doctor told you to go back there, did not he? A. Yes, he gave us a certificate as well.

- Q. How did you first get in touch with this lorry? A. We were told we should ask the motor transport unit, but they had so much to do there was no question of their sending a truck with us to Grosswerhter.
- Q. I will repeat my question. How did you first get into touch with this lorry? A. We asked whether they could take us. They asked "Where to?" I said: "To Grosswerhter." They answered: "Well, we can take you a little bit."
- Q. Where did that happen? A. In the camp in Mittelbau, near a barracks.
- Q. Who is "they"? A. That is the driver, Stofel, Dor, Kunz and one or two others.
- Q. This was on the night of the 4th, was it? A. In the afternoon of the 4th.
- Q. Was Grosswerhter on the way between Nordhausen and Klein Bodungen? A. Yes.
- Q. When they left that night from Mittelbau did they go back to Klein Bodungen? A. We left in the afternoon and we arrived in Grosswerhter, but continued the journey immediately and arrived in Klein Bodungen where we spent the night.
- Q. Do you really mean to say that when you got to your own unit the Lager aufseherin sent you on with these two men to the men's camp at Klein Bodungen? A. She gave us the order to go to Bergen-Belsen.
- Q. Did they say they were going to Bergen-Belsen and would take you? A. Yes.
- Q. Do you know at that time, according to their story they had no idea they were going to Bergen-Belsen? A. I do not know.
- Q. Anyway, you had orders to go to Bergen-Belsen and they said they were going there and would take you; is that right? A. Yes.
- Q. Did they say how they were going? A. No.
- Q. Did they say they would take you in their truck? A. Yes.
- Q. Where did you stay the night at Klein Bodungen? A. In the hut with the men, in their barracks where the guards sleep.
- Q. Was the woman Steinbusch with you? A. Yes.
- Q. Then the next morning what time did you set off? A. About 9.
- Q. Who did you travel with? A. Steinbusch, Kraft and the driver.
- Q. Did they tell you where they were going to? A. To Herzberg.
- Q. Did they go to Herzberg? A. Yes.
- Q. What happened when you got to Herzberg? A. In Herzberg the truck was unloaded, because it had to go back and fetch the other portion of the rations.
- Q. Whereabouts in Herzberg was it unloaded? A. At the station.
- Q. What happened to you? A. I stayed and waited until the truck returned.
- Q. Where did you stay? A. On the station.
- Q. Was the station still there? A. When we arrived everything was all right and quiet, then came a dive bombing attack and then the station started burning.
- Q. Did you see Stofel and Dor that day? A. Yes.
- Q. Where were they? A. I saw them after the attack. I do not know whether they came on the motorcycle. I know the motorcycle had been destroyed, but whether it was before or after I do not remember.

Q. How did you go from there to Osterode?? A. When the truck returned it was full, and even prisoners were sitting there, but they made room for us and we drove to Osterode.

Q. Who were the prisoners who were sitting in it? A. A few who worked in the cookhouse.

Q. What was it full of? A. The second truck was loaded mostly with bread.

Q. What did you do with the food that had come in the first truck?

A. That remained in Herzberg and it was fetched later on when the truck was unloaded in Osterode.

Q. You went on then to Osterode, did you? A. Yes.

Q. Where did you spend the night at Osterode? A. Again with the guards; in the barracks of the guards.

Q. Who was in charge at Osterode? A. Hauptscharfuhrer Paitz - maybe it is a bit different but it sounds like Paitz.

Q. He let you two women stay the night in there with the men? A. In the room of the orderly corporal.

Q. What time did you get up the next morning? A. I do not remember the time, but it was early.

Q. Where did you feed? A. From the rations which we had, bread and tins of meat and so on.

Q. Then what time did the prisoners march out? A. About 10 or 11 in the morning.

Q. What had happened to your truck? A. That truck was only borrowed from this place where this labour camp was - I do not remember the name now - so we had to see about a new truck.

Q. And who looked for a new truck? A. I believe Stofel.

Q. Stofel was not there, was he, he had gone back to Klein Bodungen in the old truck?

Q. I was not interested very much because I was not in charge of that.

Q. Did not Stofel come back from Klein Bodungen in the old truck?

A. I do not know.

- Q Well, what did you do all day when you were waiting for transport ?
A Nothing , only waiting.
- Q Where did you wait ? A In the canteen where all the food and where all the bread was stored.
- Q Who waited with you ? A Kunz and Dor, and a few prisoners.
- Q Did Kraft wait with you ? A I do not know.
- Q If there are only about four of you, surely you know whether he was there or not ? A Yes, I believe he was there.
- Q Who marched the prisoners off in the morning ? A I do not know.
- Q Did you see them go ? A Yes.
- Q Were there any other prisoners at Osterode ? A Yes, they marched off a few hours later.
- Q Then who came in the truck with you when you set off ? A Stofel.
- Q And who else ? A I do not know.
- Q The next night did you sleep the night in a barn ? A Yes.
- Q Was there another barn close to it, where the prisoners slept ? A Yes.
- Q And some stables by it ? A Yes, there were stables there.
- Q By that time were some of the prisoners getting pretty worn out ?
A I do not know.
- Q Did you see the prisoners arrive that night ? A No.
- Q Where were you when the prisoners arrived ? A In the other barn.
- Q Where were Dor and Stofel ? A I do not know.
- Q Did you stay two nights at Seesen ? A Yes.
- Q Did the prisoners stay two nights there ? A No..
- Q They marched on, did they ? A Yes.
- Q Who stayed with you ? A Kraft, Kunz and a few prisoners. I do not know whether they were ill or whether they belonged to the cookhouse and helped to cook, but they stayed with us.
- Q What happened to Stofel and Dor ? A I do not know.
- Q Did they stay with you or did they go on ? A They did not stay with us.
- Q Why did you not go on when the prisoners went on ? A Because we were told a truck is going to arrive and we shall follow the column.
- Q Did any truck go with the column ? A No, the prisoners had handcarts where they put some belongings on.
- Q What happened to the food ? A We waited the whole day for the truck to arrive, but it did not arrive. Kraft and Kunz tried their very best to get a lorry somewhere in Seesen but they did not succeed either.
- Q So if the prisoners arrived at Salzgeitter the following night they would have

neither the cook, the ration storeroom, nor the ration; is that right?

A The prisoners had their ration always for a few days in advance. For instance, they got a loaf of bread. Well, they had to cut it in such a way that it would last them for a few days.

Q But Kraft was not really with them all the time at all then. He stayed an extra night at Seesen with you. Is that right? A Yes.

Q And the rations which they would be expecting to arrive that night did not arrive? A No, only the next day.

Q Where did you pick up the prisoners again; where did you find them? A In Salzgeitter.

Q Did you know they were going to Salzgeitter? A Yes.

Q What time of day did you pick them up in Salzgeitter? A About noon.

Q And they were still in Salzgeitter? A Yes.

Q How far did they march that day? A I do not know.

Q How far is it from Salzgeitter to Grosshehlen? A I do not know.

Q How far is Ohof? A Salzgeitter, another station, and the next is Ohof. The second station from Salzgeitter.

Q What time did you get to Ohof? A About 8 o'clock. I know it because I marched with the prisoners.

Q Did Stofel and Dor march with the prisoners? A Yes.

Q Who had gone on to see if there was any accommodation at Ohof? A I believe Stofel and Dor.

Q How did they go? A Either on bicycles; I am not sure whether they did not get a lift in a car.

Q What happened to Kraft? A Kraft remained with the truck with the rations.

Q Why did you walk? A The truck was too full up and I felt quite all right on that day, and therefore I marched.

Q Had you been collecting stuff in the truck as you went along? A Once the truck was big and once the truck was small.

Q What happened when you got to Ohof; where did you stay there? A Kraft, who went in front of us, he prepared accommodation and prepared also some food with those people who were in the truck with him.

Q How did you get from Salzgeitter to Ohof? A Ohof is the second station after Salzgeitter.

Q Then how did you get from Ohof to Grosshehlen? A In the truck.

Q Who came in the truck with you? A Kraft, Kunz and the prisoners, and also Steinbusch.

Q What happened to Dor and Stofel? A I do not know.

Q At any rate, they did not come with you? A No.

Q In fact, except for this very short journey when you started at midday and

- just marched two stations, you were never with Stofel and Dor when they were with this transport, were you ? A Over night.
- Q And they could have shot half the transport along the road and you would never have known, would you ? A Well, yes, and anyway I was not interested in it, because I was still ill.
- Q When you got to Grosshehlen you arrived there first with Kraft and company, When did Stofel and Dor arrive ? A In the evening with the prisoners.
- Q They had not gone ahead and chosen the accommodation then ? A They went very often and saw about accommodation.
- Q I am talking about the day you got to Grosshehlen. A I do not know.
- Q Were they in the truck with you that day, or were they not ? (After a pause). Have you the slightest idea ? A I do not know.
- Q When you got to Grosshehlen where were you accommodated ? A A barn again.
- Q Was that the same barn as the prisoners ? A That was the same barn, and that was where we were supposed to sleep, but it came otherwise.
- Q The S.S., the prisoners and yourself were all going to sleep together in the same barn, were you ? A Yes.
- Q When the prisoners arrived, what was the first thing that happened ? A Food was distributed.
- Q Who guarded the prisoners whilst it was being distributed ? A The first thing the prisoners went into the barn, all of them, and there they sat down because they were very tired, and then one after the other was let out of the door and got bread and arralade, or whatever there was.
- Q What happened to the S.S. ? A They sat down and then a duty roster was prepared for guard duties, because during the night guards were also put round the camp.
- Q At what period of all this did the officer come up ? A After about half an hour or three-quarters of an hour.
- Q Where were the S.S. all this time ? A Those who had guard duties were on guard. The others sat down and sat with the prisoners or were eating.
- Q How many were guarding ? A I do not know.
- Q Were the prisoners all inside the barn again ? A They were sitting on the grass. I am not quite sure whether all of them had their rations, or whether some of them were still inside in the barn.
- Q And where were you sitting ? A In the vicinity of the prisoners.
- Q Who were you sitting with ? A Steinbusch.
- Q Anybody else ? A Yes. We were also for a time at least in the neighbourhood where prisoners were playing; they had an orchestra and they made some music.
- Q How was it you came to over-hear what was said between Stofel and the officer ? A I was there standing in the vicinity, nearby.
- Q Did you not get a terrible shock when you heard an S.S. man tell an S.S. officer that he would not do as he was told ? A I do not know. I did not know that he was an officer. Anyway, I believe there were two and I did not look very close at him

- Q An S.S. officer wears quite a different uniform, does he not? A Yes, that is possible, but I did not look.
- Q Did not Stofel jump to his feet and click his heels? A I do not know.
- Q When an S.S. officer arrives, S.S. other ranks pay some sort of mark of attention, do they not? A Yes.
- Q Did not Stofel come to attention at least when he spoke to these officers? Did he not call his other S.S. men up? A I do not know.
- Q Then did Stofel go away with the officer? A I know he went, but whether he went with the officer, I do not know.
- Q Were you not watching all rather excited about this, that you might have to pack up and move off at that time of night? A Yes. We were already excited that we had to move again, and to pack, well, there was nothing to pack.
- Q Were there not a lot of rations to be packed? A That was left behind. The prisoners had to fall in and then the rations were brought afterwards.
- Q What did all the S.S. guards do when the prisoners fell in? A The S.S. guards had to fall in as well.
- Q They all fell in too, did they? A I do not know how many stayed behind. I know that Kraft and Kunz stayed behind.
- Q But did the majority of them fall in when the prisoners did? A Yes.
- Q Did they go off with the prisoners? A Most of them went behind them, because they were unable to keep up the pace with the prisoners.
- Q What, the S.S. could not keep up with the prisoners? A Well, the S.S. men had to carry their rifles and the prisoners they had, apart from the two blankets, hardly anything at all, because anything what they had of personal belongings was thrown away during the journey.
- Q What did Dor do? A I do not know.
- Q What did Stofel do? A In the beginning he remained with us, but later on, when the interval between the prisoners and us became too big, then he started to walk quickly.
- Q You set off as well then, did you, when the S.S. men did? A Yes.
- Q Now if someone were to say that the S.S. men were not in the same barn as the prisoners at all, but were at least 50 or 60 yards away and that the prisoners were taken away without the S.S., that would be wrong, would it? A Yes, that is completely wrong.
- Q And, of course, if you were following behind, and the S.S. men, or the greater part of them, had gone on in front, you do not know who was firing rifles and who was not, do you? A The Waffen S.S. came immediately and shot into the air and created through this a panic amongst the prisoners.
- Q But when the prisoners went rushing off up the road, too fast for the poor S.S. men to catch them, and the S.S. men running behind them, and you were walking further back with Stofel and passing corpses as you went, how did you know who shot them? A It was not necessary that the S.S. men - I mean our S.S. men from our transport - should walk so very quickly, because the Waffen S.S. guards were with the prisoners.
- Q But you have told us that your S.S. men fell in at the same time as the prisoners, and followed the prisoners off down the road? A Yes, but

the prisoners were too quick for the S.S.

- Q And you say Stofel walked down the road with you ? A Yes, but then later on he went a bit quicker.
- Q How far down the road did he go with you ? A About half the distance.
- Q That is about half of the distance before you found the prisoners, do you mean ? A Yes.
- Q When did he hurry on after the prisoners to try and catch them up ? A Yes.
- Q Of course, that was away from the Commandant and the Waffen S.S. party, was it not ? A Yes, away from them.
- Q And it is quite untrue if he says he went back to ask the Commandant for a truck and so on ? A I do not know.
- Q You know, as a matter of fact, did you ever see any Waffen S.S. there at all ? A Yes.
- Q When were you first asked to give evidence about this ? A Here in prison in Lundburg, one Sunday. Sunday week - about a fortnight ago.
- Q Who asked you to give evidence about it ? A One officer here, one Defending Officer with an interpreter.
- Q I just want to ask you one last thing, and that is about Kraft. How often were you with Kraft in this journey ? A Nearly all the time.
- Q Do you know Kraft has never mentioned you to the Court at all ? A I do not know.
- Q How much of the time were you with Stofel ? A The evenings, and the mornings before they marched off.
- Q Do you know Stofel has never mentioned you to the Court at all ? A I do not know whether Stofel, Kraft and Dor knew that I was available, that I was here.
- Q Let us leave this party altogether and go on to the question of Klara Opitz. Forget anything that you may have seen written down and just tell me this. Why do you say that Klara Opitz was never at Bergen-Belsen before you got there ? A I arrived on the 13th with Klara Opitz with a transport in Belsen.
- Q You told us that before, but what I want to know is this. Of course you had been to Belsen before, on the 11th, had you not, and then left on the 12th ? A Yes.
- Q Who did you report to when you got there that night on the 11th ? A We met Hoessler immediately. He came in his car and we reported at once to him.
- Q Where did Hoessler come to in his car ? A On the road towards Bergen.
- Q Is that down by the station ? A Yes, quite near to the station.
- Q Did you halt the column there and have a talk with him ? A No, the prisoners arrived at Belsen before us. Steinbusch, myself, and another unterscharführer were walking near the ration lorry.
- Q Why were you walking ? A Because we got only a horse driven car then,

and that was much smaller so that we could not get in at all; it was full.

- Q Where were Stofel and Dor at this time ? A I saw Stofel later on in the Panzer School training barracks, but then no more.
- Q Had you not seen him at all during that day ? When did Stofel leave the place you slept the night at Grosshehlen ? A I saw Stofel on that day for a short while. I believe he left Grosshehlen with the prisoners.
- Q What did you say to Hoessler when you met him ? A We reported our arrival and asked him whether the other aufseherin from my arbeits working kommando had arrived in the meantime.
- Q Who were they ? A The same aufseherin as I.
- Q Did they arrive ? A A few had arrived but continued their journey towards Neuengamme, and others were wounded through air-raids.
- Q Where did Hoessler tell you to go to ? A He told us to come later and see him and then he would discuss how we should get to Neuengamme.
- Q Where did he send you to in the meantime ? A He did not say anything and we carried on to go near this ration lorry to the Panzer Wehrmacht barracks.
- Q Where did you spend the night ? A There were some barracks where troops slept and there were some rooms on the first floor, and I just wanted to lie down when Steinbusch came and told me that we had to go on immediately and report to Oberaufseherin Volkenrath.
- Q Did you go and report to Volkenrath ? A Yes, we went, but Volkenrath was asleep and she had a deputy who was awake, but we did not want to wake Volkenrath for that matter because our transport which was to go to Neuengamme left only in the morning, so in the morning we went and saw Volkenrath.
- Q And who was Volkenrath's deputy ? A Gollasch.
- Q At what time did you start the next morning ? A We had to get up at 4 or 5 o'clock and then, when we got out from the barracks, there were several aufseherin and they were ready with their luggage.
- Q So on the night of the 11th/12th, your total stay in the barracks was from after Volkenrath went to bed until 4 o'clock the next morning, was it ? A Yes, from about midnight until about 4 or 5 o'clock.
- Q And the next morning, whilst it was still dark, you were put into trucks and taken off to Neuengamme; is that right ? A There came several cars which were already full, but still they made room for us and we continued our journey in those.
- Q This being at 4 o'clock in the morning, in the dark ? A Yes.
- Q Then how on earth do you know whether Klara Opitz was ever at Bergen-Belsen before you came back on the 13th. You only saw the place for a few hours in the dark ? A I have seen Klara Opitz in Grosswehrtter and for the first time after Grosswehrtter I saw her in Neuengamme.
- Q When had you last seen her in Grosswehrtter ? A On the 22nd or 23rd March, 1945, just before I fell ill.

Re-examined by CAPTAIN CORBALLY.

Q You said that you were given a typewritten paper on which was typed what you were going to say about Klara Opitz. Have you received any such paper telling you what to say about Dor ?

A No.

Q Or Stofel ?

A No.

Q Have you ever been told what to say in this Court about either Dor or Stofel ?

A No.

Q When you were interviewed by the Defending Officer who you saw a fortnight ago, did he tell you to say in this Court anything which was not the truth ?

A No.

Q Now you said that when Dor and Stofel picked you up in this truck at Klein Mittelbau they said they would take you to Belsen.

COLONEL BACKHOUSE: I am afraid she did not say that. She said they would take her to Grosswehrter. When they got to Grosswehrter the oberaufscherin said, "We will take you to Mittelbau". She was not going to Belsen.

CAPTAIN CORBALLY (To the witness): You said that Dor and Stofel told you at Grosswehrter they would take you to Belsen because that was where they were going ?

A They just said: "You can come along with us," because we were not able to walk that distance.

- Q Did they in fact say that they were going to Belsen ? A. I cannot remember exactly what they said, but I suppose so because otherwise we would not have gone with them.

THE JUDGE ADVOCATE: I do not understand all this. I have a note that when they took this girl back to the place she wanted to go to she was then told to go to Belsen. Then I understood Stofel and Dorr said: "We are going to Belsen and we will take you".

COL. BACKHOUSE: That is quite right. I think the defence are just trying to make sure it does not remain so.

CAPT. CORBALLY: (To the witness) In fact was the column proceeding in the direction of Belsen at that time ? A. I did not know where Belsen was situated and how to get there, so I left everything to the men.

- Q You said in answer to the prosecutor that Ohof was the next station but one from Salzgeitter. Will you explain what you mean by the next station but one ? Are you speaking about railway stations ? A. No; the distance between Salzgeitter and Ohof is, I believe, about 60 kilometres, and about half way was a village where we had a rest. The village was burnt down for the larger part of it.

- Q When you say you had a rest in this burnt out village, do you mean you spent the night there ? A. Yes.

- Q It has been put to you by the prosecutor that Dorr and Stofel could have shot prisoners in their column all day long and you would not have known anything about it because you were not with the column during the day. If prisoners were shot at night time would you have known ? A. No.

CAPT. CORBALLY: I think the witness does not understand. I tried to say if any of the prisoners had been shot would she have known.

THE PRESIDENT: She got hold of the wrong thing. I think you said: "If any prisoners had been shot at night would you have known".

CAPT. CORBALLY: Yes, but my interpreter tells me that the sentence in German when translated was: "Do you know if any prisoners were shot at night".

THE PRESIDENT: Put the question again.

CAPT. CORBALLY: (To the witness) The question was: if any of the prisoners had been shot during the night time, would you have known about it ?
A. Certainly.

- Q Or at any time before the marching column moved off and while you were with the transport and were still in the staging camp the night before ? A. Yes; I know that in one of these places some of the prisoners escaped. It was the Lageraltester and some other prisoner.

- Q Did not you in fact spend every night except one with the prisoners ?
A. With the exception of the night at Soesen.

- Q I am now going to ask you one or two questions about Grosshelen. After they had to report who made the prisoners fall in on their way to Grosshelen ?
A. They were the men of the SS of that Field Unit.

- Q Who were the people who were firing shots in the air ? A. The same.

- Q Who were the people who made prisoners march out and down the road so fast that you could not keep up with them ? A. Also the same people of this SS Field Unit.

Q What did you think when you saw these bodies - - - -

COL. BACKHOUSE: The opinion of the witness can hardly be of importance to the court on a question of fact. I must object to that question.

THE JUDGE ADVOCATE: I do not think she should be asked that, Captain Corbally. You can put it some other way, but we do not want to know what was in her mind.

CAPT. CORBALLY: (To the witness) When you saw these dead bodies lying on the side of the road outside the village, were your comrades from the SS with you or with the prisoners? A. They were still with us.

THE JUDGE ADVOCATE: About what time of night was it you saw these eight dead bodies? A. It was about eight o'clock. It was getting rather dark and when we caught the column up again it was quite dark.

Q Were they all dead? A. Yes, I am quite sure they were dead.

Q Did anybody examine them or try to see if they wanted any assistance if they were wounded? A. No, I do not know.

Q Did you bother to stop a moment and see whether you could assist any of those people at all to make sure they really were dead? A. Only the sight of them with their brains smashed made us feel quite ill.

Q Did you hear of a single person having been wounded that night? A. I do not know.

Q That is not an answer to my question. I am going to put the questions to you until you answer them. Did you hear from anybody that night that any of the prisoners had been wounded? A. No.

Q So far as you know, did Stefel or Dorr make any enquiries to see whether any of the people for whom they were responsible had been wounded? A. I do not know.

Q Do you think it was possible in the conditions of that night that firing could have taken place without some people being wounded as well as others being killed? A. It is possible that somebody has been wounded or some have been wounded, but I have not seen anybody.

Q So it comes back to this that every person you saw who had been shot on that night had died and had not been merely wounded? A. Yes, they have been killed.

A MEMBER OF THE COURT: Did I understand you to say they were all shot in the head? A. As far as I have seen, yes.

ANOTHER MEMBER OF THE COURT: Could you tell us a bit more about the shed at Grosshelen? Was it a shed with open sides or was it enclosed? A. It was a stone building with one large gate and inside there was a second floor.

Q Did it have a door or a gate and did the walls reach up to the roof? A. There was a large gate in the middle of the wall and then there were two small doors at the two ends of the wall, and the walls were going up to the roof, except on one side where there was a small second floor.

CAPT. NEAVE: Before the witness withdraws, as far as I am aware one of the exhibits which the learned prosecutor handed in early this afternoon was a document in German, and, as the learned Judge Advocate has pointed out to the court, as far as he is concerned this document means nothing. Therefore, with your permission I should like to read out the English version of that document and hand in the English translation as an exhibit.

THE PRESIDENT: Very well.

CAPT. NEAVE: "Statement by Gertrude Neumann. I was born on 19th February 1922 in Tancha near Leipzig. I am a German subject and unmarried. During the war I worked in a munition factory - first in Leipzig until May 1944, and then the factory was transferred to Murchonston in the Sudeten Gao, south of Dresden. I was there until 9th January 1945 and on the 10th of January I was forced to join the SS. I was then sent on a course of instruction to Langenhilan. The course lasted three weeks. After the course I went back to the factory in Murchonston. I met Klara Opitz at that time - the beginning of February. On the 9th or 10th of March the whole factory staff and internees had to move to Gross Werhter. I went sick there and was sent to hospital at Mittelbau, Nordhausen. I should have been operated on there, but the camp was bombed and I was sent back to Gross Werhter. From Gross Werhter I was sent in a car to Nordhausen. From Nordhausen I was sent to Belsen and arrived there in the evening of the 11th April 1945. At 0400 hours on 12th August we were all ordered to go to Neuengamme. At Neuengamme I met Klara Opitz again. On the 13th I travelled back to Belsen in the same transport as Klara Opitz. I never saw Klara Opitz beat anyone". It is in my own handwriting.

THE JUDGE ADVOCATE: Exhibit 138 will become three documents instead of two.

THE PRESIDENT: Have you any questions on the points raised by the court?

CAPT. CORBALLY: No.

(The witness withdraws)

CAPT. CORBALLY: I will now call my next witness Erika Cecconi.

ERIKA CECONI is called in and having been duly sworn is examined by CAPTAIN CORBALLY as follows:-

- Q What is your full name? A. Erika Cecconi.
- Q Where and when were you born? A. On the 10th March 1918 in Grossshohlen near Cello.
- Q Are you a German? A. Yes.
- Q Are you married or single? A. A widow.
- Q Where were you living on the 10th April of this year? A. In Grossshohlen.
- Q Were you living in any particular house in Grossshohlen? A. I am living in an inn Zurlinde.
- Q Were there any German troops quartered or billeted in your guest house? A. Yes.
- Q Do you know what units they belonged to? A. No.
- Q What type of troops were they, infantry or what? A. I do not know, they were SS and infantry, but I do not know.
- Q Were these the troops who were billeted in your guest house? A. I do not know; there were several different units there.

- Q Do you mean to say there were several different units who had a room in your guest house? A. I cannot say because in the village there were different units. There were infantry, SS, and Panzer units; they came and went, and I cannot say.
- Q You have told us that there were several different types in the village, but I am speaking about your own house, troops who were billeted in your house or who had an office there. A. SS Troops and Wehrmacht troops.
- Q Do you remember any large body of people arriving in the village of Grossshohlen on that evening? A. I have seen prisoners from concentration camps.
- Q Did you actually see them marching into the village? A. No, I saw them only when they were marching off.
- Q Had you seen anything of them after they arrived in the village and before they marched off? A. Yes, I heard them playing music and then I went out and looked at them.
- Q Where were they when you looked at them? A. Opposite there was a barn.
- Q Do you know the circumstances in which they left Grossshohlen that night? A. I do not know.
- Q You said you saw them leaving; can you describe how they left? A. They were in good order, but they seemed very tired, and I had never seen prisoners from concentration camps before and I was very deeply moved and shocked.
- Q Did you see anything of the guards with the prisoners? A. No, I do not know of any guards.
- Q You say the prisoners were tired; were they walking slowly, quickly, or what? A. It was a sort of normal pace, but I had the impression that they were tired.
- Q Before they started marching out of the village had you heard any noises while they were getting ready to go out? A. Yes, during my stay in the house I heard two shots, but I do not know what they were.
- Q Do I understand you rightly when you say you saw none of the guards at all? A. No, I have not a very great idea about guards, and I do not know even who would be a guard or who was a guard. I do not know.
- Q Were there a large number of SS in the village or just a few? A. I do not know about that.
- Q After the prisoners had gone did you notice the direction in which they went? A. I do not know. I saw only how they passed our house. I did not look further.
- Q Is your house in the main road? A. Yes.
- Q Let me put it this way; were they marching towards Celle or away from Celle? A. Away from Celle, and I believe towards Bergen, but I cannot say because after my house there are some cross-roads and one road leads to Munster.

Q Did you have occasion to walk up that road in the direction of Bergen that evening? A. I did not.

MAJOR WINWOOD: No questions.

MAJOR MUNRO: No questions.

CAPT. FIELDEN: No questions.

CAPT. PHILLIPS: No questions.

LT. BOYD: No questions.

CAPT. MUNRO: No questions.

LT. JEDRZEJOWICZ: No questions.

Cross-examined by COL. BACHHOUSE.

Q What moved you and shocked you^{so} when you saw these prisoners? A. Because they made a very tired impression, and then the uniform which they were wearing, I had never seen that before, and then the whole attitude of their walk or their movement.

THE JUDGE ADVOCATE: Did you have to leave your house at all because of fighting round about that time? A. No.

Q Was there an aerodrome or a prisoner of war camp, or any sort of a camp, anywhere near your village? A. No.

Q Do you know anywhere in that neighbourhood where there is an old Russian prisoner of war camp, an aerodrome? A. No.

A MEMBER OF THE COURT: Did you hear the two shots fired just before the prisoners passed or afterwards? A. No, I think it was just before the prisoners marched off.

ANOTHER MEMBER OF THE COURT: About what time would that be? A. I do not know exactly; it might have been seven or it might have been eight; I do not remember.

Q What was the light like; was it getting dark, or what? A. I do not remember exactly; it must have been about dusk.

Q The farm is inside the village? A. Yes, it was inside and it was nearly opposite our house, an old farm which was not inhabited - a deserted farm.

Q Did you see any cotillion while the prisoners were there? A. There was anyway a cotillion already before in the village, and when the concentration camp prisoners started to play some music of course children gathered around and the cotillion grew bigger.

Q What about when the prisoners moved off? A. I did not see very much only when they marched past; I went out and looked for a little while and then went in again so I did not follow it up very closely.

ANOTHER MEMBER OF THE COURT: If there had been a prisoner of war camp or an aerodrome within, say, ten kilometres of your village do you think you would have known about it? A. There is an aerodrome in the neighbourhood of Houstelt, which is about eight kilometres.

Q Is there a prisoner of war camp there? A. I do not know, I have never been at this aerodrome.

Q In which direction is Heustedt? Is it towards Celle or away from Celle?
A No, it is away from Celle in the direction of Linsten.

THE PRESIDENT: Are there any questions on that?

CAPT. CORBALLY: No.

(The witness withdraws.)

CAPT. CORBALLY: There is another witness from Grossshohlen who was unable to come here, I am afraid, but my friend, Capt. Fielden, saw him last night and administered the oath to him and took a statement from him. I had not intended, actually, to put it in, but as one of the things which this statement proves is that there was an aerodrome and that the person who made the statement saw the prisoners there, I think it is really an important thing in my case and I would like to put it in.

THE JUDGE ADVOCATE: It seems to me that there should be some limit (I do not know where it should be drawn) when we can have a written document in substitution for a witness. It seems unfortunate that a witness who was here in the flesh yesterday is not here to-day. There may be some reason for that, but it is much more satisfactory for him to be here. If he was in Lunenburg yesterday why is he not here to-day?

CAPT. CORBALLY: I am afraid I have not explained this very clearly to you. The witness has never been here at all; Capt. Fielden went to Grossshohlen.

THE JUDGE ADVOCATE: Why cannot he come here?

CAPT. CORBALLY: Possibly Capt. Fielden can explain that.

THE JUDGE ADVOCATE: I do not think the Regulations were intended to say that if a witness was not available and could not be got because of his own personal inconvenience that the Court should always accept in lieu of that a statement. The trouble has been in most cases that in spite of all the efforts which have been made the witnesses could not be got here and it does seem to me, if it is an important witness, he will have to come and give his evidence unless there is some very good reason for not coming.

CAPT. CORBALLY: We have had an enormous number of affidavits before the Court and it has not been proved in every case that the witness was unobtainable.

THE JUDGE ADVOCATE: I thought we had an undertaking from the prosecutor that he had done everything possible to get the witnesses and that they were not here because his resources would not bring them here. That was the general undertaking he gave to us.

COL. BLACKHOUSE: Not only that, but you will remember that one witness was here and went away and I did not put her affidavit in in the grounds she had been here. It seems quite ridiculous if the witness is just round the corner he cannot be brought here and be cross-examined.

THE PRESIDENT: Capt. Fielden, you took this statement?

CAPT. FIELDEN: Yes, and I asked him afterwards if he would come along to-day to give evidence. He was willing to do so, but he is a farmer and has to deliver milk in Celle and he could get no one else to do the job for him. That was the explanation he gave me.

COL. BLACKHOUSE: There is no difficulty in bringing him here. It is only a matter of telling the Military Government to fetch him and that is the end of it.

(The Court confer.)
THE PRESIDENT: The Court feel that if there is a witness who can give evidence he must be made available, if you wish to prove the evidence.

(At 1705 hours the Court is adjourned until 0930 hours Thursday 25th October, 1945.)