

A The Russian word I cannot tell you, because they'd say something like "Gefangener" -- it was a German word.

Q In other words, the man did not tell you in his own language that he was a prisoner of war?

A If I couldn't understand him in Russian then he would tell me in German, and he then mentioned this word "Gefangener" -- I didn't understand that word, so I asked any comrade who did understand German and he explained to me what it meant.

DR. LASCHKE: I have no further questions.

EXAMINATION

BY THE PRESIDENT:

Q I would like to ask the witness a question -- if what he said was what I understood generally. Did he throw any light on the reason why these Jews were beaten up?

A Perhaps he stole something from somebody, or did something wrong when he worked at the machine -- then the supervisor beat him or called an SS man or a soldier.

Q I didn't catch the last, Mr. Martin.

A Either the superior beat him himself or called one of the SS men or soldiers.

Q Well, the point was -- the reason or excuse for the beating was for some infraction of the rules or failure to perform the work properly?

A Yes, he worked improperly because he didn't know how to work with these machines.

Q Now one further question. With what were the beatings administered -- some kind of instrument, or whip, or the hands, or what?

A Sometimes with the hands, and sometimes the supervisor used a whip made of wire with rubber, and some times the soldier beat with the butt of a gun.

Q Do you know what type of work the Russian prisoners of war did?

A I don't know that.

THE PRESIDENT: That's all. You may be excused.

(The witness was excused)

MR. PAGLAND: Your Honor, we will next come to Document Book No. 36. I think the Secretary General has this book in hand. Mr. Beuler present this book.

DR. MASCHKE: May it please the Tribunal, I would like to make one comment on the proceeding. It would facilitate the proceeding considerably for the Defense if the Prosecution could possibly inform us on the previous evening as to the document books they are going to submit the following day, if they are to be submitted outside their ordinary sequence. At the moment, for instance, practically none of the Defense counsel have the Document Book 36 with them, and therefore they will find it very difficult to follow the proceedings. Therefore, perhaps the Prosecution would not find it an additional burden to tell us in advance as to the introduction of such books.

THE PRESIDENT: I feel sure that the Prosecution will cooperate with you to that end. I imagine it is due to the confusion here of these witnesses.

MR. RAGLAND: Yes, it is, your Honor, and insofar as possible we have given full information the day before; also at least a considerable notice has already been given with regard to Book 36. We spoke to Dr. Pohle who advised us that he would inform all the other Defense counsel that that Book would be put on this afternoon. That was after, or before, the recess this afternoon.

THE PRESIDENT: Well, it is obvious why this point is made from the standpoint of the Defense.

MR. RAGLAND: I appreciate it fully, your Honor. We will do what we can. I think in general a day's notice has been given with regard to our presentation. Some change is necessary on occasion.

THE PRESIDENT: Well, some times, of course, the outline of your program breaks down because of the absence of a witness or any other condition and so on. Those things are just unavoidable, but try to avoid them as much as possible.

MR. RAGLAND: We will try to avoid them, Your Honor, as much as possible.

DR. MASCHKE: Your Honor, perhaps there is a misunderstanding.

Dr. Pohle has told us that Books 33 and 34 were to be discussed this afternoon. The Book 36 was not mentioned - and it was only during the recess when the defendants had no possibility of getting their books this Book 36 was mentioned. However, of course it is quite sufficient if the Prosecution agree to stick to this kind of procedure. We are very grateful for the help.

JUDGE WILKINS: Well, apparently it was Dr. Pohle's fault and not the fault of the Prosecution. You can't expect the Prosecution to notify every Defense counsel of the book -- he assumes that Dr. Pohle who is one of the chief counsel would pass that word along to the rest of the Defense counsel.

MR. RAGLAND: Your Honor, I think you may have misunderstood Defense counsel. He stated he was told by Dr. Pohle at recess time relative to Book 36 but that that was not sufficient notice for their purposes.

JUDGE WILKINS: I understood from you that you had given notice to Dr. Pohle either this morning or yesterday.

MR. RAGLAND: We had given notice, yes, as to our contemplated procedure. We informed him at the recess this afternoon it was intended to put on Book 36 which was a bit out of order.

JUDGE WILKINS: Well, I misunderstood you.

MR. BOULER: If the Court please, at this time the Prosecution wishes to offer in evidence documents appearing in Document Book 36. These documents, about thirty in number, will deal with conditions under which the prisoners of war employed by the firm of Krupp in Essen lived; that is as relates to their condition in respect to nourishment, living accommodations, air raid shelters, and medical care. These documents will also be offered to show the knowledge of the defendants concerning these conditions.

The prosecution wishes to offer as Exhibit No. 895 Document No. NIK-6113 appearing on page 1 of the English and page 1 of the German. This

is a report dated 11 December 1941 of Lehmann to Dr. Beusch via Ihn concerning the complaints of several Krupp shops about the insufficient food of the prisoners of war. The first paragraph indicates that: "A large number of plants have approached us lately with complaints about the insufficiency of the food rations for the prisoners of war." Later we see the possibility of the escape of French prisoners due to the very low amount of food and the food conditions they are receiving. And paragraph 3 refers to three original letters from three different shops and he calls it to the attention of Dr. Beusch via Ihn.

The Prosecution wishes to offer as Exhibit 896 Document D-164 which appears on page 2 of the English and page 2 of the German. This is a letter dated 25 February 1942 from one Schilling who was the office superintendent of a locomotive factory to Hupe who was the director of the locomotive factory concerning the inadequate food for Russian prisoners of war, and carries an endorsement by Theile concerning Lehmann's rejection of a plan for improvement of food conditions for the Russian prisoners of war. The first of these lengthy documents recounts the efforts of Schilling to improve food conditions for certain Russian prisoners of war and he describes the difficulties encountered with the officials of the Labor Front, and in this report he states on page 2 of the English and page 2 of the German: "On the 16th of this month 23 Russian prisoners of war were allocated to the boiler construction shop. These men came to work in the morning without bread or tools. During the two breaks the prisoners approached the German workers seated in the vicinity and plaintively begged for food pointing out that they were hungry."

On page 3 of the English and page 3 of the German at the top of the page he continues; "The men were starved, and were unable to carry out the heavy labor in our boiler construction plant for which they were intended. Sick personnel were only a burden to us and of no use in production. To this Mr. Prior" -- who is chairman of the Labor Front--"replied that if one was no good the other one might be; the Bolsheviks were people without souls and if 100,000 perished the next

hundred thousand were available to take their places."

He continues half way down the -- I beg your pardon -- the endorsement signed by Theile, then, who is the deputy shop leader for the boiler shop, endorses that and he says: "After the Russian prisoners of war had been allocated to us by the Labor Allocation Office on the 16th of this month I immediately got in touch with Dr. Lehmann to settle the question of feeding them. I then learned that prisoners each received 300 grams of bread between four and five a.m. and I pointed out that it was impossible to exist on this bread ration until 1800 hours; whereupon Dr. Lehmann told me that the Russian prisoners of war must not be allowed to get used to Western European ways of feeding. I replied that the prisoners could not carry out the heavy labor required in the boiler construction shop on these rations and that it would not serve our purposes to keep these men at the works under these conditions. At the same time, however, I requested that if the Russians were to continue to be employed they should be given a hot mid-day meal and that, if possible, the bread ration should be divided, one half being distributed early in the morning and the other half at the time of our breakfast break. This proposal of mine has already been put into effect with French prisoners of war and has proved effective and expedient. To my regret Dr. Lehmann did not agree with my proposal, however, and on this account I was again obliged to settle the matter within the plant in my own way."

MR. BOWLER: Prosecution wishes to offer --

THE PRESIDENT: Now wait a minute. Who is the man? Have you said who this man is?

MR. BOWLER: Theilo, Your Honor, is identified in Prosecution Exhibit III.

THE PRESIDENT: Identified as who? What position did he have?

MR. BOWLER: He was Deputy shop leader in the boiler plant.

THE PRESIDENT: At what plant?

MR. BOWLER: The boiler construction shop.

THE PRESIDENT: Yes, I know. Didn't it have some name? It has been referred to as Grusonwerk, and each plant has a specified name. That is what I am trying to keep track of.

JUDGE WILKINS: You are referring to the plant at Essen, are you not?

MR. BOWLER: Yes, I believe the boiler construction shop was a subdivision of the locomotive factory, and that was under the direction of Hupe.

THE PRESIDENT: All right. Go ahead.

MR. BOWLER: Prosecution wishes to offer as Exhibit 897 Document NI 3991, which appears on page 4 of the English and Page 4 of the German. This is a letter dated 14 March, from the Krupp Machine Building Workshop to Hupe through Mr. Koch, and it concerns the lack of food for Russian workers. Over on one side it bears the initials of Dr. Franke. Dr. Franke is identified in a previous document as assistant to Dr. Lehmann, in the personnel office. It also bears the handwritten notation that it was to the attention of Mr. Ihn. This document says:

"The food of the Russians working here is so pitifully bad that they are getting weaker and weaker every day.

"Investigations have shown for example that some Russians are not strong enough to tighten down a turning bit sufficiently for lack of physical strength.

Conditions are exactly the same at all the other places where Russians are employed."

Prosecution wishes to offer as Exhibit 898 Document D 310, appearing on Page 5 of the English and page 5 of the German. This is a letter dated 16 March, 1942, from one August Grollius to Herman Koelsch, concerning the lack of food and poor sanitary conditions of Russian civilian workers. A subsequent document will show that August Grollius is some sort of SS supervisor of Russian civilians on the night shift of the car repair shop. Mr. Grollius points out:

"I got food this evening after Mr. Balz telephoned, but I had quite a struggle with the people responsible in the camp before I got anything at all. They always told me that the people had already receive day's rations and there wasn't any more. What the gentlemen understand under a day's ration is a complete puzzle to me. The food as a whole was a puzzle, too, because they ladled me out the thinnest of an already watery soup. It was literally water with a handful of turnips and it looked like washing up water. Please tell Mr. Balz again definitely so that the matter is finally cleared up, that we cannot continue having people perish here at work."

He continues:

"I have seen a few figures in the camp and a cold shudder actually ran up and down my spine. I met one there and he looked as though he'd got Barber's rash. It was not to be wondered at when they get no soap and filth cannot be removed by water alone. If this continues we shall all be contaminated."

JUDGE WILKINS: Excuse me, did you say it would be shown that Grollius was an SS supervisor?

MR. BOWLER: Yes, Your Honor, in the next document, which we offer as Exhibit 899. This document is E-318, appearing on page 6 of the English and page 7 of the German.

5 Feb. 48-A-GJ-25-3-Rushnell)-
Court 3 case 10

This is a letter dated 20 March, 1942, from one Dinklager to Herr Ihn, enclosing the former letter from Grollius, concerning inadequate food for Russian workers. The enclosure is D 310, introduced as Exhibit 898. "He states therein to Mr. Ihn:

"I am enclosing herewith a copy of a letter from our foreman, August Grollius, who as SS Scharfuhrer, supervises the Russia civilians working on the night shift."

He continues:

"The Deputy Works Manager, Mr. Hustin, who also employs a number of such Russian workers and who is quite satisfied with their performance, went to the Camp in Kraemerplatz on my inducement and had a talk about the food with Mr. Weiberg, the Camp Commandant. Mr. Hassel from the works police --- "Mr. Hassel was a subordinate to Mr. von Buelow --- "who was present at the time, butted in and declared that one should not believe what the people said. Also that one was dealing with Bolsheviks and they ought to have beatings substituted for food."

Mr. Dinklager, who is the author of that letter, I believe, was the foreman at the car repair shop.

Prosecution wishes to offer as Exhibit 900 Document NIK 3992, which appears on Page 7 of the English and Page 8 of the German. This is a letter dated 20 March, 1942, from the Krupp railroad engine construction shop to Mr. Hupe, via Winters, who apparently is a subordinate, concerning the inability of Russian laborers to work due to lack of equipment. He states, on page 7 of the English. 8 of the German, in the fourth paragraph:

"The difficulties encountered at the beginning of their employment in providing bread and lunches in good time as well as in sufficient quantities have now been overcome. The quality of the food for the night-shift, however, leaves much to be desired."

The Russians have often been given a rather watery soup which they refused on 13 and 17 March. The manageress of the kitchen, Weidkampstrasse, Miss Block, says that better meals cannot be provided with the rations at her disposal.

These meals are not sufficient to keep the Russians going. On March 18, for instance, a Russian had to be sent back to the camp who was unable to clamp a piece of work into a three-jaw chuck although the spanner was lengthened, whereas a German colleague could easily get the job clamped on tightly without any lengthening of the spanner. Men had also to be taken away from heavy machines and put on smaller machines as they had not the necessary strength for securing the work in chuck of the heavy machines."

Prosecution wishes to offer as Exhibit 901 Document P 297, which appears on page 9 of the English and page 11 of the German. This is a letter dated 26th of March, 1942, from Theile to Hupe, via Winters, concerning the inability of Russian workers to perform even the lightest work, due to the lack of food. It is to be noted in the second paragraph:

"The Russian prisoners of war employed here are in a generally weak physical condition and can only partly be employed, on light fitting jobs, electric welding, and auxiliary jobs. 10 to 12 of the 32 Russians here are absent daily on account of illness."

Then he goes on in the fourth paragraph:

"The reason why the Russians are not capable of production is, in my opinion, that the food which they are given will never give them the strength for working which you hope for. The food one day, for instance, consisted of a watery soup with cabbage leaves and a few pieces of turnip. The punctual delivery of the food leaves a good deal to be desired too. This week, for instance, the food arrived at 1400 hours, one day, and 1315 hours another, so that the working time is cut by the long dinner break.

Complaints about these unpunctual deliveries have been made more than once to Mr. Hahn of the Cooperative Store."

Mr. Hahn was in charge of the Cooperative Store at the time.

Prosecution to offer as Exhibit 902 document NI-1067, which appears on page 11 of the English and 12 of the German. This is a letter dated the 4th of May, 1942, from the Special Commission "M" of the Speer Ministry to the Friedrich Krupp A.G., concerning the necessity of raising the rations of the Ukrainian civilian workers to the standard of the German workers and to remove the barbed wire from their camps. To this document there is a notation which goes to Director Dr. Mueller, and a pencil notation indicates it was signed by Mr. Lehmann.

Prosecution wishes to offer as Exhibit 903 document No. NIK-5008, which appears on Page 13 of the English and 14 of the German. This is a report dated 9th of September, 1942, by Dr. Wiele to Dr. Heinz, with copies to him, concerning the poor health of Russian workers, due to undernourishment. This document also bears a handwritten notation to Dr. Loeser: "Please return" This document deals generally with the sickness rate of workers in the Essen area. In the third paragraph we find:

"The experience made here at the hospitals with walking patients and above all with patients under observation proved that persons in normal condition mainly have the following symptoms: headache, giddiness, exhaustion and need of sleep. It was also noticed that the blood pressure figures were subnormal."

It continues:

"Since the food supplied to the Eastern workers has been and is still is insufficient the plant manager often need two Russians to do the work of one strong normal worker."

Prosecution wishes to offer as Exhibit 904 NIK 12356, which appears on page 16 of the English, and page 19 of the German.

This is first a memorandum dated the 15th of October, 1942 concerning a telephone message of Colonel Breyer, of the German High Command of the Prisoner of War Division, to Mr. von Buelow, relating to reports of mishandling and short rations of the prisoners at Krupp. Also, with this document we find a note dated the 16th of October, 1942, of von Buelow. He refers to the matter to Lehmann's attention. The first paragraph which is von Buelow's note to Dr. Lehmann, says:

"Attached please find a file note of my secretary, Herr Stemmer, about yesterday's telephone call by Colonel Breyer of the Supreme Command of the Armed Forces."

The attached indicates that Breyer wanted to talk to von Buelow and requested Stemmer to pass on the following to von Buelow.

"The Supreme Command of the Armed Forces has lately received from their own offices and recently also in anonymous letters from the German population a considerable number of complaints about the treatment of prisoners of war at the firm Krupp, especially that they are being beaten, and furthermore that they do not receive the food and time off that is due to them. Among other things the Prisoners of War are said not to have received any potatoes for six weeks. All these things would no longer occur anywhere else in Germany. The Supreme Command of the Armed Forces has already requested times that full food rations should be issued to the prisoners. In addition if they have to perform heavy work, they must also get corresponding time off, the same as the German workers. Colonel Breyer also informed me that the conditions at Krupp would be looked into either by the Army District Command or by the Supreme Command of the Armed Forces themselves.

You will note the observation by Stemmer on page 17 of the English, page 20 of the German:

"I told the Colonel Breyer that I could not judge the conditions but would pass on his information to Herr Buelow immediately."