

SECRET.

UNITED NATIONS WAR CRIMES COMMISSION.

C. 150.  
October 15th, 1945.

REPORT ON VISIT TO WIESBADEN

October 7th - 12th, 1945.

The party, consisting of the Chairman, Lord Wright, General de Baer, Colonel Hodgson, Dr. Szerer and Lieut.-Colonel Wade, arrived on October 7th at Wiesbaden where they were accommodated, and hospitably entertained, as guests of the United States Forces. The programme included: attendance at the Hadamar Trial; visits to the War Crimes Branch Documentation Centre; and a visit to Nuremberg by two members of the party.

I. THE HADAMAR TRIAL.

(From notes and Press cuttings;  
a fuller narrative will be written  
when the transcripts are available.)

This trial was held in the Court Room of the Landeshaus at Wiesbaden before a special United States Military Commission, consisting of six officers, appointed by General Eisenhower. The prosecutor was Colonel Jaworski of the American Army, Chief of the War Crimes Branch, Trial Section.

The defence was conducted by three American officers, assisted by four prominent Wiesbaden lawyers, MM. LATERNER, KUPTER, STEMPER and KAUFMANN: Polish and Russian observers were watching the proceedings; Colonel Scott Barrett, Judge Advocate General for the British Army of the Rhine, was also present during part of the trial.

American military interpreters translated the questions of counsel and answers of witnesses. Arguments between the American counsel on points of law and procedure were not, as a rule, translated.

The indictment was worded as follows:

"Charge: Violation of International Law.

"Specification: In that Alfons KLEIN, Adolf WAHLMANN, Heinrich RUOFF, Karl WILLIG, Adolf MERKLE, Irmgard HUBER, and Phillip BLUM, acting jointly and in pursuance of a common intent and acting for and on behalf of the then German Reich, did, from on or about 1st July 1944 to on or about 1st April 1945 at Hadamar, Germany, wilfully, deliberately and wrongfully, aid, abet and participate in the killing of human beings of Polish and Russian nationality, their exact names and number being unknown but aggregating in excess of 400, and who were then and there confined by the then German Reich as an exercise of belligerent control."

The following additional details concerning the accused were given in the Press:

"Alfons Klein, administrator of the Hadamar Heilanstalt where the systematic killings are alleged to have taken place. He was an SS officer and chief executive of the sanatorium.

"Dr. Adolf Wahlmann, medical director of the institute, was accused of working out the technique and falsifying death certificates.

"Heinrich Ruoff, chief male nurse, was accused of supervising and administering the injections.



"Karl Willig, Ruoff's assistant and later chief male nurse, was also an active Nazi party member.

"Adolf Merkle, chief clerk of the asylum, was charged with falsifying records to legitimize the deaths.

"Irmgard Huber, 45 years old, chief female nurse of the institute, was charged with administering the fatal doses to many of the Russian and Polish women patients.

"Philipp Blum was the busiest man at the hospital, according to the prosecution. As the institute's undertaker he had charge of collecting valuables from the victims before burying them in mass graves."

Evidence for the prosecution, given by former nurses of the Hadamar asylum, was reported in the Press as follows:

"Minna Zuchow, practical nurse at the hospital, was first witness. She said she saw a group of Polish women including two children aged one and four received at the hospital in August 1944. She had been instructed by Chief Nurse Irmgard Huber to prepare three rooms for them. Later, she said, she saw male nurse Heinrich Ruoff inject them with hypodermics. Their bodies were removed one or two hours later. 'No one who went into the room came out alive,' she said.

"Edith Thomas, second witness, was secretary to Adolf Wahlmann, 69 year old Heidelberg graduate. She testified Wahlmann and Adolph Merkle, office manager, falsified death certificates for all foreign workers who came there. She identified records and the 'death book.' She said that although workers were killed upon arrival, records, made out weeks later, indicated they died from pneumonia."

According to statements made voluntarily, before the trial, by Klein the administrator, and Ruoff, chief male nurse, orders had been given in 1940 by German higher authorities for mental patients to be killed and cremated; more than 50,000 persons, it was said, had perished in this way; Russians and Poles were not medically examined on admission, and they had all died within a few hours of arrival.

In his evidence before the court, Klein contended that he was not responsible for these murders, as he had merely transmitted the orders of Bernotat (who has since died). Huber, the chief female nurse, who also gave evidence, said she had never had anything to do with the Poles and Russians beyond arranging for their accommodation on arrival.

Some evidence, which has an interest outside the limits of this trial, was given by Dr. Quambusch, a former prosecutor for the Wiesbaden area. His Chief Prosecutor, at Frankfurt, told him that he and other prosecutors had been invited by "the Minister" (presumably the Minister of Justice, Thierack) to Berlin; they were taken to his private room, where he showed them a photostat of an order by the Führer, authorising the killing of mental patients "in certain circumstances"—which were never defined. That order, Quambusch said, was not a law but an Administrative Regulation; in cross-examination he said it only applied to mental cases, not to other sick persons.

The case was still proceeding when the members of the Commission left Wiesbaden.



SOME LEGAL POINTS.

As soon as the charge had been read the defence asked that it should be dismissed on the ground that there was no body of international law under which the defendants could be tried; that the Commission was only competent to try crimes committed during—not prior to—the Occupation, and only against American nationals. Further, that Poland was conquered, not occupied, territory, governed by German legislation; and that, as regards the treatment of Russians, Germany was not bound, as towards Russia, by the Geneva Convention. The Prosecutor opposed these arguments, founding himself, *inter alia*, on the clause of the Hague Convention which compels an Occupying Power to respect the "lives" of the inhabitants, and likewise on the American and German Manuals concerning the Laws and Customs of War. He also contended that, in addition to written law, a great body of unwritten international laws had been established by custom and usage among nations.

The defence more than once tried to introduce evidence as to the killing of Germans as well as of members of the United Nations, with a view to showing that the acts of the defendants were part of a regularized system. The Prosecution successfully opposed these attempts, and evidence was confined strictly to the murders of Poles and Russians.

An objection by the Prosecutor to the cross-examination of his witnesses on matters not arising out of their evidence was upheld by the President, subject to the right of the defence to call these witnesses for the defence. On the other hand, it was ruled that this limitation did not apply to the interrogation of accused persons by the Prosecutor.

REACTIONS OF THE PUBLIC.

The immense scale of the killings at Hadamar had, it appears, shocked the local inhabitants; complaints had been made about the stench from the crematorium, and this had led to the adoption of burials in mass graves.

Evidence given at the trial showed that some people had been arrested by the Gestapo for talking about what happened at Hadamar. Klein, the administrator, was stated, in court, to have been more in fear of the public than of the invading troops, when the district was liberated.

Before the trial opened the Prosecutor had announced that 200 seats would be available for the public, that the Chairman of the United Nations War Crimes Commission, besides Russian and Polish observers, would be present at the trial, and that all "thinking Germans" were invited to attend and see how justice was done.

The public responded fairly well to this invitation. Some figures given in court concerning the numbers who had been killed made an evident impression. When a witness was being questioned on this subject a man in the audience shouted out: "More than 40,000." He was at once removed by the military police. For the rest, the general attitude of the German part of the audience was apathetic; this may, however, have been due to want of familiarity with the procedure, and to the acoustics of the building.



## II. THE WIESBADEN DOCUMENTATION CENTRE.

(See R/G/18/9 G)

The address of this Centre at Wiesbaden is:

Records Subsection of the U.S. Army,  
War Crimes Branch for Wiesbaden,  
Centre: A.P.O. 757.

The Third U.S. Army has likewise a Documentation Centre.

### SOURCES.

The chief sources of documents which reach the office of the J.A.W.C.B. (Judge Advocate, War Crimes Branch) at Wiesbaden are:

War Department : Washington, D.C.  
Camp Ritchie : Maryland.  
M.I.R.S. (now called L. .D.C.) : London.  
E.D.S. (Evaluation Dissemination Section) : London  
G.P.C.C. (Group Production Control Commission) : Berlin.

Depending on the G.P.C.C. are:

Ministerial Collection Centre, Kassel, Germany.  
Foreign Office Records, Marburg, Germany.

U.S.F.E.T., Oberursel.

Depending on the latter are:

Third Army, Freising Centre..  
Seventh Army, Heidelberg Centre.

### ACCESSION LISTS.

In order to receive "accession lists," i.e., lists of documents recently acquired by the above sources, application should be made, on the high level, to:

AC of S G2 3rd U.S. Army, A.P.O. 403.

AC of S G2 7th U.S. Army, A.P.O. 758.

### ABBREVIATED TITLES OF REPORTS.

Reports received in documentation centres bear the following code names of the units which issue them.

M.I.I.	Military Intelligence Interrogation.
+ I.P.W.	Interrogation of Prisoners of War.
D.I.C.	Detailed Interrogation Centre.
C.S.D.I.C.	Combined Services Detailed Interrogation Centre.
+ M.F.I.U.	Mobile Field Interrogation Unit.
F.I.D.	Field Interrogation Detachment.
A.P.W.I.U.	Air Prisoners of War Interrogation Unit.
P - WXX	American Detachment within C.S.D.I.C.

+ Now combined as A.I.C.



The "Office of Chief of Counsel" (Justice Jackson's Organisation) has a liaison officer, who maintains continual touch with the Wiesbaden Records Subsection, and knows what documents they receive and possess.

The Wiesbaden Records Subsection receives a very large number of documents and reports. It has a most complete and well-staffed system of filing and indexing documents. A concise summary is made of each document, as it comes in, showing the nature of its contents, and this summary is circulated for information within the Judge Advocate's branch.

The file of these summaries constitutes, in itself, a useful reference index.

### III. ATROCITIES AT DACHAU AND BUCHENWALD.

The Judge Advocate General's War Crimes Branch Staff at Wiesbaden are collecting material concerning Dachau atrocities in preparation for a trial, and welcome information on this subject. They were interested in the United Kingdom charge UK - G/B 102, which was shown to them; and they are endeavouring to obtain the evidence of one of the British officers mentioned in it.

Material for a trial concerning atrocities at Buchenwald is also being collected.

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