

## MILITARY GOVERNMENT COURT

## CASE RECORD.

Legal Form No. 8

FLOSSENBURG

Case No. ....

~~\*Summary~~  
~~\*Intermediate Military Court.~~  
 \*General

Place DACHAU, GERMANY

Date 30 October 1946  
0900 - 1700 Hours~~Members of Court~~

## WITNESSES:

THEODOR RUMRICH  
 FRIEDRICH KARL NILL  
 KARL HAENSEL

Pages 5857 - 5919 Incl.

Prosecutor .....

Defence Counsel .....

Interpreter .....

Reporter .....

Accused FRIEDRICH BECKER, ET AL

Address .....

Sex .....

Age .....

	First Charge	Second Charge
Pleas		
Findings		
Previous Convictions		

Sentence	{	Imprisonment	{	Term .....
			{	Beginning ..... 194.....
		Fine	{	Amount .....
			{	To be paid before ..... 194.....
				or in case of default of payment to serve a *further
				term of
				imprisonment.

Charge Sheet and Record of Testimony are annexed hereto.

(Signature of member of court.)

## REVIEW

Action of Reviewing Authority .....

(Signature of reviewing authority)

\*Strike out words not applicable.

Case 12345, Germany  
20 October 1946

**RECORD OF TESTIMONY**  
in trial of  
**THE UNITED STATES** Versus **FRIEDRICH BROKER, ET AL.**

by  
GENERAL MILITARY GOVERNMENT COURT  
tried at

**DACHAU, GERMANY** **BEGINNING 12 JUNE 1946**

**30 October 1946** 0900 - 1700 hours **Pages 5857 - 5919 incl.**

**TESTIMONY**

**WITNESSES:** **Direct Cross Redirect Recross Court**

**HUMPHICH, THEODOR** 5857 5865 5866 5871 5867  
5874 5875 5872  
5879 5879 5876  
5885 5893

**WILL, FRIEDRICH KARL** 5894 5897 5901 5902 5902  
5904 5904 5911  
5911 5906  
5912 5908  
5912

**Huensel, Karl** 5914 5917

**EXHIBITS**

No.	Description	Marked	Rec'd in Evidence
D-37	Statement of Paul Toerner	5860	5861
C-4	Hospital statement re Toerner	5872a	5872a
P-78	Questionnaire of Karl Will	5905	

Q. Now did you meet...  
A. Yes, I met...  
Q. How old are you?  
A. I am...  
Q. Are you married?  
A. Yes.

(Direct - Direct)

Camp Dachau, Germany  
30 October 1946

MORNING SESSION

(Whereupon the court reconvened at 0900 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: May it please the court, let the record show that all the personnel of the court are present; all the personnel of the prosecution are present, with the exception of Mr. Pinter, who is absent on business of the prosecution; all the personnel of the defense are present, with the exception of Mr. McKay, who is absent on business of the accused; all the accused are present, with the exception of Neye, Eisbusch, Oswald, Glachewski, Jakubith, Lipinski, Matske, and Neupach, who are sick and whose interests are being taken care of by counsel. If there are any spectators present in the courtroom who expect to be called as witnesses, they will please leave the courtroom.

PRESIDENT: The court has appointed John G. McDonald as reporter. He will be sworn.

(Whereupon John G. McDonald, U. S. civilian, was sworn as court reporter.)

DEFENSE: The defense calls as the next witness Dr. Theodor Rumrich. He is going to testify on behalf of the accused Pawliczek.

DR. THEODOR RUMRICH, called as a witness by the defense, being first duly sworn, testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY DR. WACKER:

Q Doctor, please give us your full name.

A Dr. Theodor Gustav Rumrich.

Q How old are you?

A I was born on the 1st of February, 1906; that is, I am forty years old.

Q Are you married?

A Yes.

(Rumrich - Direct)



Q Where is your residence?

A In Kreibitz.

Q Where are you presently living?

A In Cage No. 1.

Q Are you being held prisoner by the Americans?

A I am a civilian internee.

PRESIDENT: The court desires to advise you that, should you be asked any question which might tend to incriminate you, you have the right to ask the permission of the court to refrain from answering that question. Do you fully understand?

THE WITNESS: Yes.

PRESIDENT: Proceed, Doctor.

QUESTIONS BY DR. WACKER:

Q What is your profession?

A I am a doctor.

Q Did you pass your medical examinations?

A Yes.

Q Where?

A In Prague.

Q At the University of Prague?

A Yes, at the University of Prague.

Q Do you practice your medical profession?

A Yes.

Q Were you used as a physician over here at Dachau?

A Yes.

Q Where?

A As regimental physician in the war crimes cage and as doctor in the bunker.

Q Do you know Paul Toerner?

A Yes.

(Rumrich - Direct)



Q Did you treat Paul Toerner as a physician?

A Yes.

Q Please ask the court's permission to make a statement as to the medical treatment of Toerner.

A I ask the court's permission to be allowed to make a statement as to the medical treatment of Paul Toerner, due to the fact that according to the law I am not allowed to make any statements in this matter except with the permission of the court.

PROSECUTION: May it please the court, unless it is a matter that is of the utmost importance to this court in the trial of this case the privilege that exists between patient and physician should be observed. There has been no consent given on the part of the patient at all.

PRESIDENT: The court will grant you permission to reply.

Colonel Wilson.

DEFENSE: In the War Crimes Manual, page 109, section 270, subsection (f), there is no notation of the physician and patient relationship being privileged. Furthermore, Underhill's Criminal Evidence --

PRESIDENT: Just a minute. Give that citation again.

DEFENSE: Page 109, section 270, subsection (f). That, sir, is the change dated August 15, 1946. Unless the court has that change the text might not be the same.

PRESIDENT: The court will be closed.

(Whereupon at 0925 hours the court was closed until 0935 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: May it please the court, let the record show that all the personnel of the court are present; all the personnel of the prosecution are present, with the exception of Mr. Pinter, who is absent on business of the prosecution; all the personnel of the

(Rumrich - Direct)

defense are present, with the exception of Mr. McKay, who is absent on business of the accused; all the accused are present, with the exception of Neys, Kisbusch, Oswald, Olaschewski, Jakubith, Lipinski, Mataka, and Reupach, who are sick and whose interests are being taken care of by counsel. If there are any spectators present in the courtroom who expect to be called as witnesses, they will please leave the courtroom.

PRESIDENT: The court grants the request of the witness as indicated by Dr. Wacker. At the same time, in order to protect this particular witness from a professional standpoint, the court directs that this particular witness testify relative to the case of Paul Toerner. Do you fully understand, Doctor?

DR. WACKER: Yes.

PRESIDENT: Proceed, Dr. Wacker.

DR. THEODOR RUMRICH, called as a witness by the defense, resumed the stand and being reminded that he was still under oath testified further through an interpreter as follows:

DIRECT EXAMINATION (continued)

QUESTIONS BY DR. WACKER:

Q When did you treat Paul Toerner?

A In April 1946.

Q Where was this medical treatment given?

A In the hospital of the special camp.

DR. WACKER: I hand this paper to the reporter and ask that it be marked Defense Exhibit No. 37 for Identification.

(The paper referred to above was marked Defense Exhibit No. 37 for Identification.)

Q Dr. Rumrich, I now hand you a document which has been marked Defense Exhibit No. 37 for Identification and ask you what that is.

A That is a statement which at that time had been signed by the patient Paul Toerner when he was in the hospital of the special camp. He took a cure, with the final result to withdraw from opiates

(Rumrich - Direct)

and narcotics.

Q Please read this statement.

PRESIDENT: Just a minute, doctor. Do you desire to present this Defense Exhibit 37 in evidence?

DR. RACHER: Yes.

PRESIDENT: The court does not desire that this witness endeavor to read it until it has been presented in evidence and accepted by the court.

DR. RACHER: I herewith offer Defense Exhibit No. 37 for identification into evidence.

PROSECUTOR: No objection.

(Discussion off the record.)

PRESIDENT: Subject to objection by any member of the court the court will receive Defense Exhibit No. 37 in evidence and give it such weight as the court sees fit.

(The document heretofore marked Defense Exhibit 37 for identification was received in evidence as Defense Exhibit No. 37, is attached hereto, and is made a part of the record.)

QUESTIONS BY DR. RACHER:

Q Dr. Ruerich, I now ask you to read this statement to the court.

A (Whereupon the witness read Defense Exhibit No. 37, statement of Paul Toerner, as follows:)

"Statement

"I, Paul Toerner, born on the 1st of December, 1912, herewith state that I turned all the opiates and narcotics which were in my possession over to the doctor of the hospital of the war crimes cage and that I am willing to take a cure to withdraw from opiates which has been exactly established in all details.

"Signed: Paul Toerner, Dachau War Crimes Cage,  
9th of April, 1946."

PRESIDENT: You indicated that was being done voluntarily, didn't you, interpreter? The copy that I have here states "in that I submit voluntarily".

INTERPRETER: Yes, that is right.

(Ruerich - Direct)



PRESIDENT: Proceed, Doctor.

QUESTIONS BY DR. WACKER:

Q What were the reasons for this statement which you just read?

A On the day before the signature was affixed to this particular document the doctor of the hospital of the war crimes cage reported to me that there was a patient in his hospital who repeatedly took morphine injections. I asked him to bring this patient to me. I examined Paul Toerner and had a prolonged discussion with him. I found out that he had taken injections consisting of opiate tincture of one percent several times a day, and he asked me whether I would not supervise a cure in this matter. I made a report about this to the German camp physician and chief physician, and after discussion we decided that Paul Toerner would submit to a cure.

Q Was this cure then actually carried out?

A Yes. It was performed under the constant supervision of a psychiatrist.

Q Why do you need a psychiatrist for this?

A I considered it necessary due to the fact that the place where the cure was performed did not seem appropriate to me, and I therefore preferred to have a psychiatrist supervising it.

Q Did Toerner tell you anything about how long he had taken morphine injections or opiates?

A He told me that he had taken these injections during the last week.

Q Do you know that Paul Toerner testified under oath here in court that he never took such injections?

PROSECUTIONS: Just a minute. I object to that, may it please the court, as being immaterial and irrelevant to the issues of this case. It is immaterial and irrelevant to any treatment that may have been performed on Paul Toerner.

PRESIDENT: Just a minute, Doctor.. Before you start to  
(Rumrich - Direct)

answer an objection you must get the permission of the court. All right, the court will give you an opportunity to answer. Make it short.

DR. WACKER: I would like to bring out by this witness whether or not you can rely on the statement and the testimony of Paul Toerner or whether he deliberately made false statements.

PROSECUTION: May it please the court, that is nothing more than an argument between this witness and Paul Toerner. It has nothing whatsoever to do with the testimony of Paul Toerner before this court and the treatment that Paul Toerner received in April 1946. The court knows what Paul Toerner testified to here, and I submit that what Paul Toerner told this doctor has absolutely no bearing on what the witness Paul Toerner testified here.

PRESIDENT: The objection of the prosecutor is overruled. The court will be closed.

(Whereupon at 0950 hours the court was closed.)

REMARKS: The objection of the prosecutor is sustained.  
DR. JONAS RUMFISH, a witness for the defense, resumed the stand and further testified, through an interpreter, as follows:

(Direct Examination (continued))

QUESTIONS BY DR. WACKER:

Q Doctor, did Paul Toerner tell you anything about his profession?

A He told me he had been a medic.

Q Did he tell you he had studied?

A No.

Q Please give the court a very brief description of the studies which a medical student must perform before he can take the first state medical examination.

A I studied in Prague. In Prague it is necessary to take three examinations.

(Rumfisk - Direct)

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Camp Dachau, Germany  
30 October 1946

MORNING SESSION

(Whereupon the court reconvened at 10:00 hours)

PRESIDENT: The court will come to order.

PROSECUTION: May it please the court, let the record show that all the personnel of the prosecution are present; all the personnel of the defense are present with the exception of Mr. McKay and Dr. Engelhorn, who are absent on business of the defense; all the accused are present with the exception of Swalt, Olschewski, Jakubith, Lipinski and Watske, who are ill and whose interests are being taken care of by counsel. Let the record show that Winkus has left.

The witness is reminded he is still under oath.

If there are any spectators in the courtroom who expect to be called as witnesses in this case, they will please leave the courtroom. Now what Paul Toerner's physical condition was on the 24th and 25th day of July 1946.

PRESIDENT: The objection of the prosecutor is sustained.

DR. THEODOR HUMRICH, a witness for the defense, resumed the stand and further testified, through an interpreter, as follows:

Q Do you know what his condition was on the 24th and 25th day of July 1946?

DIRECT EXAMINATION (continued)

QUESTIONS BY DR. WACKER:

Q Doctor, did Paul Toerner tell you anything about his profession?

A He told me he had been a medic.

Q Did he tell you he had studied?

A In April 1946.

A No.

Q In other words, he hadn't received any treatment from you?

Q Please give the court a very brief description of the studies which a medical student must perform before he can take the first State medical examination.

A Yes, that's right.

PROSECUTION: No further questions.

A I studied in Prague. In Prague it is necessary to take three examinations.

(Humrich-direct)

QUESTIONS BY DR. WACKER:

Q In order to get your medical studies in Prague,

do you have to take a physical?

(Humrich-redirect)



Q Doctor, do you know anything about the examinations necessary in Germany?

A No.

DR. WACKER: No more questions.

PRESIDENT: Cross examination.

PROSECUTION: May I have just one moment, sir, before we begin this?

PRESIDENT: The court will take a short recess in place.

(Whereupon the court took a short recess in place.)

PRESIDENT: The court will come to order.

PROSECUTION: Let the record show that Eisbusch has left the courtroom.

#### CROSS EXAMINATION

#### QUESTIONS BY PROSECUTION:

Q Doctor, do you know what Paul Toerner's physical condition was on the 28th and 29th of July of this year?

A No.

Q Do you know what his condition was on the 26th and 28th day of August 1946?

A No.

Q Prior to the 28th day of July 1946, when was the last time that you treated Paul Toerner?

A In April 1946.

Q In other words, he hadn't received any treatment from you then, from April 1946 up until July 28, 1946, is that right?

A No. That's right.

PROSECUTION: No further questions.

PRESIDENT: Redirect.

#### REDIRECT EXAMINATION

#### QUESTIONS BY DR. WACKER:

Q In order to get you to complete your medical studies in Prague, do you have to take a physical? 5865  
(Rumrich-redirect)

A I know what the defense counsel means. He means the first examination, that's called the first reigorsom.

PROSECUTION: May it please the court, I object to this line of questioning with respect to the examination that must be taken in Prague. That has no bearing on the examinations that must be taken in Germany and if it constitutes an attempt at impeachment, the proper predicate has not been laid for such a procedure.

DR. WACKER: I withdrew my question.

DEFENSE: May it please the court, let the record show that Eishusch has returned to the dock.

PRESIDENT: Proceed, Doctor.

Q How many semesters does a German student in a German university need before he can take his examination.

PROSECUTION: I object to that because it is irrelevant and immaterial and if it precedes an impeachment, the proper background for impeachment has not been laid.

DR. WACKER: I would like to say that Paul Toerner here testified he made his physical examination after studying four semesters, therefore the predicate for this is already in the record.

PRESIDENT: Doctor, the court, before acting upon this objection of the prosecution, would like some definite information as to whether or not this witness ever practiced medicine in Germany. The court is not referring to any operations on the part of the witness or the practice of medicine in the Lager.

Q Doctor, where do you practice your profession?

A In the camp here

Q I mean in civilian life.

A In the war I performed my practice as a military doctor.

Q And before that?

A As a civilian practitioner.

Q In what country?

A In Dreibitz.

Q Where is that located?

A In the former Sudetenland.

Q Do you have the necessary knowledge about the studies of a physician in Germany?

A No.

DR. WACKER: Then I'm finished with my questions.

PRESIDENT: The objection of the prosecutor is sustained.

Any further redirect, Dr. Wacker?

DR. WACKER: No, thanks.

PRESIDENT: Any further questions on the part of the defense?

DEFENSE: No, sir.

PRESIDENT: Recross:

PROSECUTION: Nothing further, sir.

#### EXAMINATION BY THE COURT

#### QUESTIONS BY PRESIDENT:

Q Doctor, you have testified that Toerner made a statement to you to the effect he was a medic. What did he mean by that?

A The assistant of a physician.

Q He further mentioned to you, according to your testimony, that he had been a student of medicine. Did Toerner amplify that particular statement?

(Rumrich-court)



A According to my testimony he didn't say that he had been a student of medicine, he merely said he was a medic.

Q Then you don't know anything about the background of Toerner from a straight collegiate course or a medical course?

A No.

Q Doctor, Defense Exhibit No. 37 indicates that Paul Toerner turned over certain opiates and narcotics in his possession to the doctor of the hospital. Were those narcotics and opiates turned over to you directly or to some other doctor in the hospital?

A They were given to the doctor of the hospital in the camp where the people have to stay in bed.

Q Are you referring to the hospital in Dachau or where?

A No, that's a hospital where people have to stay in bed in the special camp.

Q In the special camp in Dachau?

A Yes, in Dachau.

Q Do you know the name of the doctor to whom these narcotics and opiates were turned over?

A Yes, as far as I remember that was Dr. Knahl.

Q Is he in Dachau at the present time?

A No, he's been released.

Q Have you any definite knowledge, Doctor, of just what these opiates and narcotics consisted?

A Tincture of simplex opium.

Q How much?

A About 50 to 60 cc. and a hypodermic needle.

Q Were there any other opiates and narcotics turned over by Toerner outside of what you mentioned?

(Rumrich-court)

A No, that's all he turned over.

Q Do you have any knowledge of how those various narcotics and opiates came into the possession of Toerner?

A No.

Q You can't tell the court then whether or not they were actually prescribed by some doctor?

A No.

Q The amount that you have mentioned, some 50 or 60 cc., how many injections would that afford?

A 60 injections.

Q Would it be a usual practice for a doctor under normal conditions to prescribe that amount for one individual to be kept in that individual's possession?

A No.

Q What would be the normal amount prescribed?

A A doctor never prescribes tincture of opium for injections.

Q During the practice of your profession, doctor, you have had considerable experience with opiates and narcotics, haven't you?

A Yes.

Q I wish you would tell the court the effect upon the individual of the use of a narcotic, as you mentioned.

A The main effect of the use of opium is that after a certain period all pain ceases.

DR. WACKER: Doctor, you speak about morphine?

WITNESS: Morphine, not opium.

Q Now, this drug that you have mentioned which had been turned over by Toerner to one of the doctors in the camp, was that in the nature of an opiate or a narcotic?

(Ruehrich-court)

A Tincture of opium.

Q From your experience in the practice of medicine, what effect would the use of that tincture of opium, that opiate, have upon the mental and physical condition of the individual?

A It has a similar reaction to morphine. It has an effect of killing pain and it also has a congested effect upon the intestine.

Q What about the continual use of an opiate of that nature, what effect would that have upon the mental and physical condition of an individual?

A I don't feel myself competent to answer that question. I believe a specialist would have to answer that particular question.

Q Doctor, have you had enough experience to tell the court whether or not there would be a certain amount of degeneration as far as the mental and physical capacity of the individual is concerned?

A No.

Q Doctor, do you have any definite knowledge whether or not Toerner continued with the use of drugs after April 26, 1946, the time you last had the opportunity to observe him?

A I don't know that.

Q Did he actually take the cure?

A Yes.

Q How long did that last?

A One week.

PRESIDENT: Any further questions by members of the court?

QUESTIONS BY COLONEL JACKSON:

Q How long had Paul Toerner been addicted to the use of narcotics?

QUESTIONS BY PROSECUTION:

(Barrish-court)  
April, tincture of opium, is used in the treatment of diarrhea and dysentery, is it not?



A According to his statement, several weeks.

Q Had he been administering the narcotics himself?

A Yes.

Q How many injections a day?

A I can't remember exactly, I believe six to eight injections per day.

Q If he had been using narcotics in 1943 and 1944 continually, can you tell the court what effect that would have on his mental condition?

A No.

Q You say he took treatment for a week in April 1946?

A Yes.

Q Was he pronounced cured when he left the hospital?

A Whenever a person who is addicted to morphine takes a cure like that it is always hard to say whether the cure was completely effected.

COL. JACKSON: That's all I have, just one more question.

Q Is it customary for a doctor to have a patient administer a narcotic himself, that is, the patient himself administer it?

A No.

COL. JACKSON: That's all I have.

PRESIDENT: Any further questions by members of the court?

Apparently not. Redirect?

DEFENSE: No.

PRESIDENT: Recross?

#### RECROSS EXAMINATION

QUESTIONS BY PROSECUTION:

Q This drug that Toerner is alleged to have turned over in April, tincture of opium, is used in the treatment of diarrhea and dysentery, is it not?

A Yes.

Q In other words, tincture of opium is not used with a needle for the purpose of injecting it into the skin, but used to be taken internally for the treatment of diarrhea and dysentery, is it not?

A Yes.

PROSECUTION: No further questions.

PRESIDENT: Dr. Wacker?

DR. WACKER: My attention has just been called to a mistake in interpretation and I would like permission to ask another question. How long did this cure last?

WITNESS RUMRICH: One week.

EXAMINATION BY THE COURT (continued)

QUESTIONS BY COLONEL JACKSON:

Q At the time Paul Toerner reported to you for treatment, did you make an examination of his body?

A Yes.

Q Did the skin show any punctures from this narcotic?

A Yes. There were a number of spots where injections had been made on his forearm.

QUESTIONS BY PRESIDENT:

Q Doctor, did I understand you to say that Toerner also turned over needles?

A One hypodermic needle, complete with tip.

QUESTIONS BY MAJOR LANHAM:

Q I notice here in Paul Toerner's testimony, the 27th of August 1946, the question was asked him "Has any doctor treated you for drug addiction." His answer was, "No." In view of that are you sure that he was treated for drug addiction?

(Rumrich-court)

A He was treated by taking this cure in the special camp.

Q Do you know the date of that treatment, Doctor?

A It was in April. I don't know the exact day.

Q I note this statement which he signed here is dated the 9th of April 1946. Was the treatment taken before or after that, do you know?

A After this date.

Q Then in April, according to your recollection?

A Yes, in April. It was immediately after this signature.

Q Wouldn't the hospital record, here in the Leger, show the date of that treatment?

A Yes.

Q That record, I assume, is available over there. It can be produced, can it not?

A Yes. I have a copy of it here with me.

PRESIDENT: The court would like to see that copy, Doctor.

Q Is that a copy of the record of the hospital record, Doctor?

A That's the original copy of the record of the cure we made at that time.

Q Is that in English or German?

A In German.

LAW MEMBER: I ask the reporter to mark that as Court

Exhibit No. 4 for identification.

(Whereupon the reporter marked the document referred to as Court Exhibit No. 4 for identification.)

PRESIDENT: The court will check that from the standpoint of identification.

(Whereupon the document, Court Exhibit No. 4 for identification was shown to the court.)

PRESIDENT: The court will receive Court Exhibit No. 4 in evidence and give it such weight as the court sees fit.

(Whereupon the reporter marked in evidence Court Exhibit No. 4)

DEFENSE: Let the record show that Eistusch has left the camp on account of illness.



LAW MEMBER: Ask the witness to read that record.

INTERPRETER: May it please the court, would you like me to take that complete, after he is finished?

PRESIDENT: Let him read the whole thing and then you can go through it.

(Whereupon the witness read the document marked Court Exhibit No. 4 after which the interpreter translated the document as follows:)

"Fifth Regiment  
Office of the Doctor of the Fifth Regiment  
Dachau

9 April 1946

Concerning Paul Toerner, born December 5, 1912, in regard to his taking the cure.

A discussion took place on the 6th of April 1946 with the German chief doctor of the Camp, Dr. Feirlings, and the German camp physician, Schneider. This letter is directed to the German camp doctor, Dachau.

The doctor of the Fifth Regiment is undertaking a cure with Paul Toerner after discussing the matter with both of the doctors of the staff, Dr. Feirlings and Dr. Schneider. Paul Toerner is an inmate of the special camp. We are attempting to carry out this cure for opiates. The cure begins at the present day and will be carried out according to the following system:

On the 9th of April at noon,	1 cc. of mo. and 0.02 mg
In the evening	1 cc.
On the 10th of April	2 cc.
In the evening	1 cc.
and twice daily cardiacs, which is a medicine for the heart.	
On the 11th of April	2 cc.
In the evening	2 cc.
and twice a day cardiacs	
On the 12th of April	2 cc.
In the evening	2 cc.
and twice a day cardiacs	
On the 13th of April	2 cc.
In the Evening	2 cc.
and twice a day cardiacs	
On the 14th of April, in the evening	2 cc.
twice a day cardiacs	
On the 15th of April	luminal 0.3, twice a day cardiacs

Toerner has explained that he has turned over all the opiates and  
(Rumrich-Court)



narcotics in his possession, together with the injection needle. I can only carry out this cure if Toerner is examined and observed at least once a day by a psychiatrist, therefore, I beg that you approve this matter.

/s/ Dr. Eumrich  
Chief Physician, Staff, and  
Physician of the Regiment."

QUESTIONS BY LAW MEMBER:

Q Is that your signature attached?

A Yes.

Q Was that cure actually carried out, doctor?

A Yes, the cure was carried out.

QUESTIONS BY COL. JACKSON:

Q On the 27th of August Toerner was asked this question, "How many injections would you say you had received in the past nine months", and the answer was, "Eight or nine times." Would you consider that a correct statement, the truth?

A I don't believe so.

PRESIDENT: Any further questions by the members of the court?

Apparently not. Redirect?

REDIRECT EXAMINATION

QUESTIONS BY DR. WACKER:

Q Please explain the difference, doctor, between an opiate and morphine.

A The whole works is called *opiates* in the nomenclature of the pharmacist.

Q When the word "opiate" is used in this document, according to general usage, is morphine understood by that?

A No. You understand various narcotics under the name, opiate.

Q The thing that Paul Toerner turned over, was that morphine or some other preparation?

(Eumrich-redirect)

A That was tincture of simplex opium.

Q Does it have any different effect from morphine?

A It has a somewhat different effect than morphine but it has the same power of killing pain as morphine has.

PRESIDENT: Any further redirect?

DEFENSE: No.

PRESIDENT: Recross?

RECROSS EXAMINATION

QUESTIONS BY PROSECUTION:

Q Doctor, did you know whether or not Paul Toerner suffered with gallstones?

A I didn't know anything about that, no.

Q Did you make any inquiry to determine anything concerning his past medical history?

A At that time, when we first took up this cure?

Q Yes, at that time.

A Yes.

Q And did you make any inquiries as to any source of pain that he may have been suffering from at that time?

A He didn't tell me anything about any pain or anything like that at that time.

Q Is morphine ever used in the treatment of gallstones?

A Yes, they use it.

Q What about atropine.

A Yes, atropine.

Q In other words, when a man is suffering from gallstone colic, I ask you to state, based on your experience as a practicing physician, is it proper to treat the patient with morphine, atropine or some other narcotic?

A Yes, that's the correct treatment.

Q Is delontine also used in the treatment of gallstone colic?

A You mean dolontine. Yes, but that's no narcotic, that's no form of opiate but it's a means of killing pain.

Q Do you maintain records over in the hospital there of the treatment that is given to patients who come to the hospital?

A You mean the people who are turned into the hospital?

Q Yes. Do you maintain permanent records on those people?

A Not in the hospital there.

Q Where are those records kept, Doctor, of treatment that is given to the various prisoners who report there?

A In the hospital.

Q If Paul Toerner had been suffering with gallstone colic and had been treated for gallstone colic, would a record have been made of that fact?

A Only when he was confined to the confinement hospital itself.

Q In other words, unless he was retained in the hospital itself as a patient no record would have been made of it, is that correct?

A Yes, that's right.

Q In other words, if Paul Toerner was suffering with an attack of gallstone colic and went to the hospital complaining of gallstone colic, he would be given some treatment and unless he was retained in the hospital, no record of that treatment would be made, is that correct?

A That's right.

PROSECUTION: No further questions.

EXAMINATION BY THE COURT (continued)

QUESTIONS BY PRESIDENT:

Q Doctor, you have just mentioned that morphine and atropine might be prescribed by a physician for the treatment of gallstones.

A In order to stem the force and pain of the attack which begins a gallstone colic. The attack is very violent.



Q Would that treatment be in the form of injections?

A Yes.

Q Would it be the usual procedure for that treatment to be under the direct supervision of a physician?

A Yes.

Q In other words, the court understands then that these injections would be made by a physician?

A Yes.

Q And not by the individual patient?

A No.

Q Doctor, in talking with Foerner, did you learn the source of supply of his opiates and narcotics?

A No.

PRESIDENT: Any further questions by members of the court?

QUESTIONS BY COL. JACKSON:

Q On the 27th of August, Mr. Foerner was asked the following question, "Have you ever subjected yourself to the use of narcotics", and his answer was, "Only when I got them from a physician, prescribed because of my gallstones." From your examination of him in April 1946, would you say that answer was true or not true?

PROSECUTION: Just a minute. I object to that question, may it please the court, on the grounds it calls for a conclusion of this witness that invaded the province of the court in the first place, and in the second place, there are so many ramifications that would go into making up a proper answer to that, that this witness is not in possession of, as has been shown by his examination. In short, no proper predicate has been laid that would qualify him to answer such a question.

PRESIDENT: The objection of the prosecution is overruled. The court is after facts. Repeat the question.

(Whereupon the reporter read the last question.)



A You mean that question was asked him in August?

Q It was asked on August 27, 1946, this year.

A Since April 1946 I didn't treat Paul Toerner anymore.

Q During your interview with him, did he tell you whether or not he had administered or injected himself with a narcotic?

A Yes.

Q Did he tell you whether or not it had been prescribed by a doctor?

A No. He said that he had injected them himself. That is what he told me.

PRESIDENT: Any further questions?

QUESTIONS BY LAW MEMBER:

Q At the time he asked you to give him the treatments for taking dope, did he ask you for any treatment for gallstone?

A No.

Q When was the first that you knew that Paul Toerner had gallstones?

A I can't remember exactly when I found out about it. It was probably about two months ago.

Q When you give morphine or some opiate for a gallstone, do you follow that up with some treatment for the purpose of removing the gallstone?

A That all depends upon the particular case.

Q You say that the first you knew about the gallstone was about two months ago. What was your source of information?

A I found that out by talking to a physician.

Q You mean a physician here in the camp?

A Yes.

Q And Paul Toerner asked him for treatment for removal of a gallstone?

A No.

(Kusrich-Court)

A No.

Q Do you know how he found out about it?

A You mean in regard to the gallstones?

Q Yes.

A I heard that later on, after he had made this cure, Paul Teermor was treated for gallstones in the hospital here, in the Prisoner of War Hospital.

Q You mean the treatment was subsequent to the cure or before the cure?

A After the cure.

Q He made no complaint about the gallstone at the time of the cure?

A No.

PRESIDENT: Any further questions by members of the court?

Apparently not. Redirect?

REDIRECT EXAMINATION, (continued)

QUESTIONS BY MR. HALL:

Q What quantity of opiate would you administer to ease the pain of a gallstone?

A 0.02 grams.

Q How many grams in a cubic centimeter?

A Morphine is always in small ampules, that is 1 cc. contains 0.02 or 0.01 morphine.

PRESIDENT: Further redirect?

DEFENSE: No.

PRESIDENT: Recross?

RECROSS EXAMINATION (continued)

QUESTIONS BY PROSECUTION:

Q Doctor, while it is not the common practice to have the patient administer a narcotic to himself, there may be circumstances where the  
(Rumrich-recross)

patient, if he is a medic, may administer the drug to himself, is that not so?

A That was never common among us.

Q I say it isn't common, but it's not impossible that such a situation should arise where there is a shortage of personnel, is that not so?

A A doctor must be particularly careful in the use of morphine and actually should never let it get out of his hand.

Q That's the general case, doctor, but I'm talking about now, where circumstances may alter that general rule.

A It happens sometimes that a nurse or a medic can administer morphine to a patient under the supervision of a doctor.

Q And that patient might just as well be the nurse or the medic himself, can it not?

A That could also happen.

Q For all you know, Paul Toerner may have been suffering from gallstones prior to April 1948, is that not so, doctor?

A I only know about his statement and in his statement he didn't say anything about that.

Q You never asked him, did you, doctor?

A Yes, I asked him exactly what his complaints were as I always do.

Q Didn't you state a moment ago you did not inquire as to the source of any pain that would cause him to desire the use of an opiate?

A In April the only thing he stated to me was that he made use of opiate injections.

Q Doctor, do you recall having been asked the question here this morning as to whether or not you made any inquiry of Paul Toerner to determine the source of his pain that would make him desire the use of narcotics?

(Rumrich-regress)



A I can only remember the question in regard to the source of his supply of these opiates.

Q Well, I'll ask you again. Doctor, did you make any inquiry of Paul Teetmer when you interviewed him in April 1946, to determine the source of any pain he may have had?

A He was investigated, he was examined a number of times.

Q At that time no mention was ever made of his suffering with gallstones, is that correct?

A He didn't mention it to me.

Q Did you examine him to determine whether or not he was likely or probably suffering from gallstones?

A I didn't search him especially for gallstones, no.

Q What type of examination did you perform in April 1946?

A A normal physical examination, including questions.

Q Did you take any x-rays of his kidneys?

A No.

Q Did you take any x-rays of his chest?

A No.

Q As a matter of fact the only thing you did do was ask him some questions, is that true?

A No, I also examined him.

Q To what extent did you examine him. Describe the examination to the court.

A First of all I asked the patient questions.

Q Did you go beyond the question stage?

A Then I examined him.

Q What did you do?

A I had him strip down to the waist and then I had him strip down completely.

(Rumrich-recross)



Q What else did you do?

A The main thing I was looking for were spots where injections had been made.

Q Is that all?

A That's all.

Q So that at no time there did you make any examination to determine whether or not there was any physical abnormality that would produce the basis for the use of morphine?

A I asked him specific questions, exact questions, and then I gave him a physical examination. I checked over his body to see whether he could take the cure without having any complaint.

Q Doctor, in giving a man a cure for the use of opiates, isn't it necessary for the success of the cure, to remove what is either the real or the apparent reason for the taking of these opiates by the patient?

A I don't quite understand your question, Dr. Wacker. Do you mean where the opiates came from?

(Whereupon the reporter read the last question.)

A I myself didn't carry out this cure.

Q I didn't ask you that, Doctor. Just answer my question, please.

A At that time he didn't state to me any reason, any cause why he used these narcotics.

Q Please answer my question.

(Whereupon the reporter reread the question as follows:

"Doctor, in giving a man a cure for the use of opiates, isn't it necessary for the success of the cure, to remove what is either the real or the apparent reason for the taking of these opiates by the patient?"

(Rumrich-Secross)

A As a doctor, when someone reveals to me that he is using morphine and wants to take this course, I feel myself obligated, as a doctor, to see that this cure is carried out.

PRESIDENT: The court will adjourn until 1:30 this afternoon.

PROSECUTION: May it please the court, I would like to have this witness instructed not to consult with anyone concerning his testimony already given or his testimony in the future.

PRESIDENT: For the benefit of the witness, that is the usual procedure and the court has so ordered that in past cases. I think that is thoroughly understood.

PROSECUTION: Yes, but I don't want him to go back and start discussing his testimony with people in the hospital.

PRESIDENT: The witness is so instructed. He will not discuss any of the matters covered in the testimony this morning until he resumes the stand this afternoon. You fully understand?

WITNESS: Yes.

(Whereupon the court recessed at 1200 hours.)

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AFTERNOON SESSION

(Whereupon the court reconvened at 1330 hours.)

PRESIDENT: Court will come to order.

PROSECUTION: May it please the court, let the record show that all of the personnel of the court, all of the personnel of the prosecution are present, all of the personnel of the defense are present with the exception of Mr. McKay and Dr. Wacker who are absent on business for the accused, all of the accused are present with the exception of Gswalt, Matske, Olenewski, Lipinski, and Jakubith who are ill and whose interests are being taken care of by counsel.

If there are any spectators in the court room who expect to be called as witnesses in this case they will please leave the court room.

PRESIDENT: Court will take a short recess in place.

(Whereupon the court recessed in place.)

PRESIDENT: Court will come to order. Court will take a recess due to the fact that the defense witness previously on the stand this morning is not available at the present time. Please notify the court when the witness is available.

DEFENSE COUNSEL: Yes, sir.

(Whereupon the court recessed at 1345 hours.)

(Whereupon the court reconvened at 1410 hours.)



PRESIDENT: Court will come to order.

PROSECUTION: May it please the court, let the record show that all the personnel of the court, the prosecution and the defense are present, all of the accused are present with the exception of Oswalt, Matzke, Olchowski, and Jakubith who are sick and whose interests are being taken care of by counsel.

The witness is reminded that he is still under oath.

If there are any spectators in the court room who expect to be called as witnesses in this case they will please leave the court room.

MR. MCKAY: I would like to have permission to take the accused Retzlaff in conference.

PRESIDENT: The request is granted. Proceed, Mr. Denson.

DR. THEODOR HUMRICH, called as a witness by the defense, being reminded that he was still under oath, resumed the stand and testified further through an interpreter as follows:

RE-CROSS-EXAMINATION (Continued)

QUESTIONS BY PROSECUTION (Continuing):

Q Now Doctor, in giving a man a cure for the use of opiates is it not necessary for the success of the cure to remove what is either the real or the apparent reason for the taking of these opiates by the patient?

A A person who uses morphine is one who has this craving and there doesn't have to be any direct reason.

(Humrich - Recross)



Q That's the reason why I asked you, doctor, if it isn't necessary to remove either the real or the apparent reason if there is an apparent or a real reason there then that reason would have been removed, so that it is necessary then, is it not, doctor, for the success of a cure to remove either the real or the apparent reason for the taking of opiates by the patient?

A In this case I didn't see any reason at all that had to be removed.

Q I didn't ask you that, doctor. Please answer my question.

A I don't believe that it is necessary to remove this reason before you make a cure with someone who uses morphine.

Q And that is the practice that you have followed in the past while you were practicing medicine as a physician, is that true?

A The only cure I ever made in my life was this single one and I didn't do that alone. I did it in conjunction with the psychiatrist.

Q Is it not a fact, doctor, that if there had been injections of tincture of opium or opiates taken by Paul Toerner prior to the time that you looked at him the tissues surrounding the location of these injections would have been highly inflamed and swollen?

DEFENSE COUNSEL: The question is argumentative. The witness has already testified that there were marks of the needle in the patient's forearm.

PRESIDENT: Objection overruled.

A I noticed inflamed reactions at these spots where Paul Toerner had made injections.

Q To what extent were they inflamed?

A You could call it a light, a mild inflammation.

Q And was it swollen?

A Yes.

Q To what extent was it swollen?

A Mild -- light.

Q And that would indicate that he had received these injections approximately how long before the time you made this examination?

A Several hours before.

Q At the time that you examined him was that the time of the greatest inflammation and the greatest swelling that he would have had had he taken these injections of tincture of opiate?

A Several of these spots had already reached the highest point of inflammation and swelling and several others had already started to go down again.

Q And those that had started to go down again showed evidence of having been inflicted within a few hours of the time you examined him, is that not correct, prior to the time that you examined him?

A Yes.

Q Now doctor, is it possible for a person to take six or seven shots of this tincture of opiate in that period

of time and survive?

A Yes, if he's a morphinist, a man who takes morphine.

Q And over what period of time would he have to be a morphinist in order to be able to react in the manner that you have described?

A That is a question which only a specialist doctor could answer.

Q And isn't it also a question only a specialist doctor can answer, that he would have survived if he had been a morphine addict?

Q And you really don't know, do you, doctor?

MR. HALL: If the court please, counsel has gotten the answer out of the witness that he wanted and I don't see that it's proper for him to start impeaching him at this time.

PRESIDENT: Objection overruled.

PROSECUTION: Please read the question.

(Whereupon the reporter read the question.)

Q You really don't know now, doctor, whether or not Paul Toerner was a morphine addict or not, is that not so?

A I know whether he was one. I know that.

Q All right, what were the physical signs that you observed that denoted that Paul Toerner had been taking narcotics over a long period of time?

A I could tell it by looking at the spots where the injections were made, the spots which I saw.

Q Do you consider a period of several hours a long period of time, doctor?

A These injection spots could have been made one or two days before according to the local appearance of them.

Q Well then, doctor, I'll ask you this. Do you first base your conclusion that he was a morphine addict on the spots that you observed on his body?

A Yes, and the fact that he brought me this hypodermic needle and the morphine and gave it to me.

Q Anything else beside those facts that you have already related to the court?

A And also according to the statements which Paul Toerner made to me when I was talking with him and when I was investigating him.

Q All right, what were the statements that he made to you that led you to the conclusion that he was a morphine addict?

A He said that one day he would inject himself with six to eight injections of tincture of opium, that is six to eight cubic centimeters a day.

Q And did he tell you over what period of time he had been doing that?

A Yes, several weeks.

Q And did he tell you anything else?

A No, not that I know of.

Q So that you base your conclusion that he was a morphine addict on the statement that he made that he had used



this tincture of opium for several weeks before and the fact that he was in possession of tincture of opium and a hypodermic needle and the spots upon his body, is that correct? Well, well, determines the length of time that a

Q Yes, on these spots where the injections were made and the fact that he told me himself that he had made these injections, it depends on the repeated usage of opium.

Q And you have now related to the court everything upon which you base your conclusion that he was a morphine addict, is that correct? Yes, as far as I can remember.

Q Yes, as far as I can remember.

Q How frequently does a person have to take morphine, doctor, in order to become an addict? Well, the opiate used.

A How much -- that varies a great deal.

Q With respect to what? Well, in order to become a

A It depends on the amount especially.

Q And what would be the amount that would constitute the longest time that he would have to take it in order to become an addict and what would be the amount that he would have to take in the shortest period of time in order to become an addict? Well, that's a question that I can't say.

A I don't understand this question.

Q Do you understand the language that is used,

doctor? A man who drinks morphine uses various amounts of

A Yes, but I don't understand this question.

Q Did you state that in order to determine what length of time that a man must be exposed to the use of a drug in order to determine whether he becomes an addict or

not it depended upon the quantity of the drug that he'd take?

A I say that the amount, the quantity, is very varied.

Q Well, what determines the length of time that a man must be exposed to the drug in order to become an addict of that drug?

A It depends on the repeated usage of opiates.

Q And how frequently does he have to make the use of these opiates in order to become an addict?

A I can't give you any number in answer to this question because it varies very much.

Q Varies with what, doctor?

A It depends on the quantity of the opiate used.

Q And I again ask you the question now, doctor, what quantity would a man have to take in order to become a drug addict in the shortest period of time?

A I can't answer that question.

Q Do you mean by that, doctor, that you do not have sufficient experience in which to answer that question?

A No, that isn't what I mean. I mean to say that you can't answer that question that way.

Q Well, answer that question any way you can please, doctor, if you can answer it.

A A man who craves morphine uses various amounts of morphine at various times.

Q If a man craves morphine one time does that make him an addict?

A No.

I can't remember that, no.

Q How long does he have to crave it then, doctor,  
before he becomes an addict?

A At least several weeks.

Q Other than the spots that you noticed on Paul  
Toerner's body did you see any other physical signs that  
would denote that Toerner had been addicted to using opiates  
over a long period of time?

A If the injections are made sterily then the  
appearance of these injections on the skin disappears one or  
two days after.

Q Would you read the last question to me please?  
(Whereupon the reporter read the last question.)

A No.

Q Is there not quite a serious destruction of body  
tissue if injections of tincture of opiate are made with a  
hypodermic needle?

A Tincture of opium is an alcohol derivative. It is  
sterile.

Q You answer my question please, doctor.

A Yes, it is sterile. It is nothing that can cause  
infections.

Q Well, is there a serious destruction of the tissues  
when this injection is made?

A No.

Q Did you know, doctor, prior to the time that you  
examined Paul Toerner that he had been in the hospital from  
December 1945 until March 1946 complaining of gall bladder  
trouble?



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A I can't remember that, no.

PROSECUTION: No further questions.

EXAMINATION BY THE COURT

QUESTIONS BY THE PRESIDENT:

Q Doctor, when you examined Paul Toerner on the 9th of April 1946 just what was your diagnosis?

A My diagnosis was that he had often injected himself with tincture of opium.

Q Do you mean by that, doctor, that he was a drug addict?

A Yes.

PRESIDENT: Any further questions by members of the court? Apparently not. Redirect?

DEFENSE COUNSEL: No.

PRESIDENT: Prosecution?

PROSECUTION: Nothing further, sir.

PRESIDENT: The court understands the defense has finished with this witness. The witness will be excused.  
(Whereupon the witness was excused and withdrew.)

PRESIDENT: Dr. Wacker?

DR. WACKER: Karl Nill now appears as witness for Pawliczek. I must tell the court that the wrong witness has come out of the bunker. They sent the wrong Karl Haensel, that's why I called the witness Nill over here.

PRESIDENT: Doctor, are you ready to proceed with this particular witness?

DR. WACKER: Yes I am ready to start with this witness but I want to stop proceedings to get the other witness too, but I can start with this one.

PRESIDENT: Doctor, I wish you would refer that matter right to Colonel Wilson at the first opportunity.

KARL FRIEDRICH NILL, called as a witness by the defense, being first duly sworn, testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY DR. WACKER:

Q Mr. Nill, please tell the court your full name?

A Karl Friedrich Nill.

Q When were you born?

A The 11th day of July 1909.

Q Where?

A In Radingen, province Wuerttemberg.

Q What is your civilian profession?

A Mechanic.

Q Are you married?

A I am single.

Q What is your present location?

A Camp 3.

Q Are you in arrest; are the American authorities holding you?

A Yes.

PRESIDENT: The court advises you at this time that if you should be asked any question which might tend to incriminate you that you have a right to request the court to refrain from answering same. Do you fully understand?

THE WITNESS: Yes.

PRESIDENT: Proceed, Dr. Wacker.

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Q Were you ever in Flossenburg?

A Yes.

Q When?

A December '40 until July '42.

Q In what capacity were you in Flossenburg?

A As a clerk and medic in the troop hospital.

Q Were you a member of the SS?

A Yes.

Q What rank did you have?

A The last rank I had in Flossenburg was sergeant of the SS.

Q Do you know a man called Pawliczek?

A Yes.

Q Please look over in the dock and see if you can recognize Pawliczek and point at him.

A (Indicating) 34.

DR. WACKER: Let the record indicate that the witness has identified Pawliczek as No. 34.

Q What did you have to do with Pawliczek in Flossenburg?

A Pawliczek reported sick in December 1941.

Q What was wrong with him then?

A He had a nerve illness.

Q What form did that take?

A He kept shaking his head.

Q Do you know how this illness was treated?

A Pawliczek was transferred to the SS hospital in Berlin.



Q Do you know how long he stayed there?

A I can't tell you exactly. He was turned over there at the end of December or beginning of January and stayed in Berlin for a number of weeks.

Q Can you tell us about when Pawlczek returned from Berlin?

A I was in Berlin in March 1942 taking part in a medical course and I met Pawlczek in the SS hospital in Berlin.

Q Did you visit him there?

A No I didn't visit him. I came into this SS hospital as part of my course, medical course, and I met him by accident.

Q Do you remember the state of health that Pawlczek had then when you met him in March '42?

A No I can't remember any more.

Q Were people talking about the fact that he would be released already?

A He told me himself it would be two or three weeks.

Q Where was Pawlczek between the time when he was first sent to Berlin in this hospital the end of December or beginning of January up until the time when you visited him in Berlin? Was he in Berlin at that time or was he in Plossenburg?

A He could only have been in Berlin.

Q Please estimate as accurately as you can when Pawlczek returned to Plossenburg from Berlin.

A I was in Berlin in March. It must have been at the beginning or middle of April.

Q Do you know how long Pawliczek was in Flossenburg?

A No I don't know that. I left Flossenburg in July '42.

DR. WACKER: No more questions.

PRESIDENT: Cross-examination?

CROSS-EXAMINATION

QUESTIONS BY PROSECUTION:

Q When did you join the Waffen SS?

A I was drafted the 9th day of the ninth month, 1939.

Q When did you join the Allgemeine SS?

A 1939.

Q When did you join the Death Head Unit of the SS?

A I was drafted in 1939 to Berlin.

Q And that was the date that you went into the Death Head Unit of the SS, is that correct?

A Death's Head Unit? That was the SS, the Waffen SS.

Q You were in the Death Head unit of the SS were you not?

A No.

Q Do you know what the Death Head Unit of the SS is?

A Yes. The Death's Head Unit was before that, before 1939.

Q Were you ever a member of that unit?

A No.

Q What insignia did you wear on your collar?

A A death's head with the division. That was the insignia of the division.

Q And you were not a member of that division, is that right?

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Q And were you a reservist when you were serving  
in the SS? A I was a member of the division but not a member  
of the Death Head Unit.

Q What was the difference?

A The Death's Head Units were active soldiers.

Q What were you?

A In Reservist -- reserve.

Q Were you reservist in 1939?

A Whether I was a reservist, then?

Q Were you a reservist in 1939? in Flossenbury in  
the Death Head Unit of the SS?

Q What do you mean you were drafted into the SS then?

A Just like any soldier is drafted whether they're  
drafted to the army or not.

Q Well, did you go on active duty in 1939?

A No, reserve.

Q When did you go on active duty?

A I never was on active duty.

Q Well, what were you when you were serving in  
Flossenbury?

A Clerk and medic.

Q And at that time you didn't wear a uniform did you?  
A Sure I did.

Q And what was the uniform? Of what unit did you wear  
a uniform?

A The SS uniform.

Q And what was the collar insignia that you wore?  
A At the beginning we wore a death's head and later  
on the SS insignia, the two lightning rods of the SS.



Q And were you a reservist when you were serving  
in Flossenburg?

A Whether I was a reservist?

Q Yes. Were you or were you not?

A Yes.

Q And you don't call being on duty in Flossenburg,  
working in the hospital there, active duty, is that correct?

A There are two different things, whether you're an  
active soldier or whether you have active duty.

Q Well, did you have active duty in Flossenburg in  
the Death Head Unit of the SS?

A There wasn't any Death's Head Unit any more then.  
In 1939 the Death's Head Units of the SS were deactivated.

Q And they started doing concentration camp duty did  
they not?

A I don't understand the question. No, then it was  
all called Waffen SS.

Q You left Flossenburg in January 1942 did you not?

A In July 1942.

Q Are you sure it was not January 1942?

A No. In July I was ordered to leave Flossenburg and  
go to Berlin.

Q You remember making out a "fragebogen" on the 31st  
day of July 1945?

A Whether I filled one out?

Q Yes. Do you remember filling one out at that time?

A I filled one out but I don't remember the exact date  
any more.

Q Were you born on the 11th of July 1909?

A Yes.

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A Yes.

Q And were you born in Endingen?

A Endingen in Württemberg.

Q At the time you made out that "fragebogen" on the 31st of July 1945 I'll ask you to state whether or not you stated that you were in the Concentration Camp Flossenbürg from December 1940 to January 1942 and that you held the rank of "rottenführer" in the sanitary corps?

A Yes that's right. I did that.

PRESIDENT: Now the court would like to find out from the interpreter the meaning of that word "rottenführer".

INTERPRETER: "Rottenführer" means corporal in the SS.

PRESIDENT: The court will take a half-hour recess. (Whereupon the court recessed at 1500 hours.)

PROSECUTION: I have no further questions.

MR. FREDERICK WILL, called as a witness by the defense, testified that he had been assigned to the camp and that he had been assigned to the camp through an interpreter as follows:

WITNESS EXAMINATION

PROSECUTION: I have no further questions.

Q Mr. Will, was it the usual procedure when a patient had been confined to a hospital several days or several weeks to get a thorough examination to that?

A Yes.

Q Do you know whether Jackson received such a thorough?

A Yes.

Q Now you certainly do not mean he came back to Flossenbürg, did you take this into consideration?

PROSECUTION:

(Will - Cross)

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AFTERNOON SESSION (Continued)

(Whereupon the court reconvened at 1545 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: May it please the court, let the record show all members of the court are present; all the personnel of the prosecution are present except Mr. Pinter, who is absent on business of the prosecution; all the personnel of the defense are present; all the accused are present except Oswald, Matzke, Olachewski, and Jakubith, who are sick and whose interests are being taken care of by counsel. The witness is reminded that he is still under oath. If there are any spectators in the court room who expect to be called as witnesses in the case, will they please leave the court room?

PRESIDENT: Continuation of cross examination, Mr. Denson.

PROSECUTION: I have no further questions.

KARL FRIEDRICH MILL, called as a witness by the defense, resumed the stand and being reminded that he was still under oath, testified further through an interpreter as follows:

REDIRECT EXAMINATION

QUESTIONS BY DOCTOR WACKER:

Q Mr. Mill, was it the usual procedure when a patient had been confined to a hospital several weeks or several months to get a furlough subsequent to that?

A Yes.

Q Do you know whether Pauliczek received such a furlough?

A Yes.

Q When you calculate as to when he came back to Flossenbury, did you take this leave into consideration?

(Mill-redirect)



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A No.

Q Considering the leave, when did Pawliczek report for duty to Flossenburg again?

A In the beginning of May.

DOCTOR WACKER: Thank you.

PRESIDENT: Recross.

#### RECROSS EXAMINATION

#### QUESTIONS BY THE PROSECUTION:

Q Who else was on sick leave at that time?

A Somebody who was sick who came back from the hospital.

Q Who else was on sick leave from Flossenburg at that time?

A I can't remember that.

Q Who else was sick in the hospital in December, 1941?

A Do you mean sick in the dispensary or sick in the hospital?

If he was sent to a hospital it could have been outside the garrison as well.

Q What other SS men were sick in the hospital in December, 1941, in Flossenburg?

A I cannot remember any names.

PROSECUTION: No further questions.

#### EXAMINATION BY THE COURT

#### QUESTIONS BY THE PRESIDENT:

Q You have testified that Pawliczek was sick in the hospital in December, 1941, due to nerves. How do you know he had difficulty with his nerves at that time?

A Because I made out assignment papers.

Q Was that the diagnosis of the medical officer?

(Nil-court)

A He was sent to Berlin for observation because of his illness of nerves.

Q You have not answered my question. Was that the diagnosis of some medical officer?

A Yes.

QUESTIONS BY COLONEL JACKSON:

Q When did you leave Flossenburg to go to medical school in Berlin?

A It was in the beginning or the middle of March.

Q And when did you return?

A I was in Berlin for ten days.

QUESTIONS BY THE LAW MEMBER:

Q Just before the afternoon recess the prosecution asked you if you did not state in your Fragebogen, or questionnaire, that you had left Flossenburg in January and that at the time you were a rotten-fuehrer?

A I left Flossenburg in July, 1942.

Q Well, I am sure that prior you said you left Flossenburg in July, 1942, but why did you answer the question of the prosecutor by saying you left in January, 1942?

A I didn't do that.

Q You must have misunderstood my question, because it was my understanding that you said in answer to the prosecution's question that you left in January, 1942.

A Up to January, 1942, I was a corporal in the SS.

Q You made out a questionnaire which you filed back in 1945 some time, is that correct?

A Yes.

(Mill-court)

Q In that fragebogen did you give the date you left Flossen-  
burg?

A Yes. For identification, please.

Q What date did you give in that questionnaire?  
A July, 1942.

QUESTIONER LAW MEMBER: That is all.

PRESIDENT: Redirect.  
REDIRECT EXAMINATION

QUESTIONS BY DOCTOR WACKER:

Q Did you state in your questionnaire that you were a corporal  
in the SS up to January, 1942?

A I don't remember such a questionnaire at all.  
Q Please explain to the court why this date, January, 1942,  
appears in your questionnaire.

A It was my signature affixed to this questionnaire.

Q Did you not state just now that you were a corporal in the  
SS until January, 1942?

A Yes, I did so.

Q What were you after that?

A In January I was promoted to sergeant.

Q Did you state in your questionnaire that you were a sergeant  
up to June?

A I can't remember what kind of questionnaire that was.

Q Did you have any cause or reason to conceal something?

A No.

DOCTOR WACKER: That is all.

PRESIDENT: Recross.

(Mill-redirect)



RE-CROSS EXAMINATION

PROSECUTION: Will the reporter mark this Prosecution's Exhibit No. 78 for identification, please?

(Whereupon the document, being a copy of a questionnaire signed by Hans Mill, was marked Prosecution EXHIBIT No. 78 for identification.)

QUESTIONS BY THE PROSECUTION:

Q I hand you a document marked Prosecution Exhibit No. 78 for identification and ask you to state whether that was the Fragebogen filled out on the 31st day of July, 1945?

A Yes.

PROSECUTION: That is all.

PRESIDENT: The court would like to see Prosecution Exhibit No. 78 to check its authenticity. Are there any questions by the court?

LAW MEMBER: Will the prosecutor let me see that exhibit?

PROSECUTION: I have not offered it yet.

LAW MEMBER: But you have already identified it.

PROSECUTION: I don't know how proper that may be. I only asked the witness to identify Prosecution Exhibit No. 78. If the court wants to look into the matter before it is offered, that is all right, but I doubt the propriety of it.

PRESIDENT: You may question the witness, but conduct your examination in compliance with the questions propounded by the prosecutor.

EXAMINATION BY THE COURT

QUESTION BY THE LAW MEMBER:

Q I observe that the exhibit marked Prosecution Exhibit No. 78 is written out on a typewriter. Did you write that with a typewriter?

(Mill-court)

PROSECUTION: I object to that on the grounds that it is improper. He has no right to look at it. It has not been introduced or accepted into evidence. It is improper for him to have any knowledge of it until it has been offered to the court for its consideration.

LAW MEMBER: I withdraw the question.

QUESTIONS BY THE LAW MEMBER:

Q Is that questionnaire in your handwriting?

A No.

Q How is it written?

A With a typewriter.

Q Did you write that with a typewriter?

A No, not I.

Q Have you ever seen that particular paper which you hold in your hand, before?

A No.

Q Is your signature attached to it anywhere?

A No.

PRESIDENT: Are there any further questions by members of the court? Apparently not. Redirect.

REDIRECT EXAMINATION

QUESTIONS BY DOCTOR WACKER:

Q Please give the court an explanation why it says up here Technical Sergeant and down here Corporal (indicating).

A That is not my statement. That must have been put in later. I never stated this which is put in here (indicating).

DEFENSE COUNSEL: May I have a few minutes?

(Will-redirect)

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Archibald.

PRESIDENT: Certainly. The court will take a short recess.  
(Whereupon the court recessed in place and reconvened at 1605  
Hours.)

PRESIDENT: The court will come to order. Continuation of  
redirect.

REDIRECT EXAMINATION (Continued)

QUESTIONS BY DOCTOR WACKER:

Q Mr. Mill, on this questionnaire up here where the personal  
data is stated, did you give your rank as corporal? (Indicating)

A Yes.

Q And down here where the questions appear did you give your  
rank as technical sergeant (indicating)?

A Technical sergeant.

Q Were you a corporal up to January, 1942?

A Yes.

Q When were you promoted to technical sergeant?

A November, 1943.

Q Did you write this remark in your own handwriting on the  
original?

A No.

Q When you specify "this remark", please tell the court exactly  
which statement you did not make in your own handwriting on this ques-  
tionnaire.

A "Concentration Camp of Flossenburg, December, 1940 to Jan-  
uary, 1942, corporal in the SS Medic". That could not be right because  
in the camp in Nuernberg I was asked for the first time whether I was  
on duty in a concentration camp, and that was after I left the camp of

(Mill-redirect)



Aschaffenburg.

Q Were you promoted in January, 1942?

A Yes.

Q From which rank to which rank?

A From corporal to sergeant.

Q Then is the questionnaire correct in substance? I mean with reference to the remark which you did not make in your own handwriting?

A No.

RECROSS EXAMINATION

QUESTIONS BY THE PROSECUTION:

Q Mill, where were you when you made out the fragebogen of which Prosecution Exhibit No. 78 is a duplicate?

MR. MC KAY: If the court please, I object to the prosecution including in his question the statement that that is a duplicate. That is purely a conclusion that should be established by a proper question which is not in evidence.

PRESIDENT: The objection is sustained.

QUESTIONS BY THE PROSECUTION:

Q Where were you when you filled out the fragebogen with the data that appears under the title "Personal Data" on the document marked Prosecution Exhibit No. 78 for identification?

A In the camp of Elsenfeld, near Aschaffenburg.

Q At that time were you interrogated by any members of the CIC?

A No.

Q By whom were you interrogated?

A That was a team and the questionnaires were filled out by them.

(Mill-recross)

Q Did you furnish the information from which the questionnaire was filled out?

A Yes, but not this, sir (indicating).

Q Did you furnish them the information that your family name was Mill?

A Yes. From 1933 to 1939, in the SS.

Q And that your first name was Karl?

A Yes. You not tell them you belonged to the SS from 1934 to

1939? Q That your rank was technical sergeant?

A Yes.

Q And that you were born on the 11th day of July, 1907?

A Yes.

Q And that you were born in Indigen?

A Yes. You not also tell them you were a member of the SS from

1939? Q That the unit you were in in the camp was the medical department?

A Where? In which camp? You were a member of the Waffen

SS, as a technical sergeant?

A I don't know what you mean, "any camp". There was no medical

unit. Did you not also tell them you were drafted in 1939 as a

unit? Q There was no medical unit where?

A In Elsenfeld, near Aschaffenburg, when I was in camp.

Q Did you tell them you were in the medical department of Camp Flossenbourg?

A I wasn't asked this question.

Q Were you asked whether you were a member of the party?

A Yes. participated in the western campaign, and was discharged

(Mill-recross)

Q Did you tell them you were? 1940, and was then redrafted on

A Yes, I said so. Then I was picked out as a medic in Berlin,

Q From 1934 to 1945?

A Yes. I was placed out on the basis of my training which I had

Q And did you not also tell that same group that you were a  
staff sergeant from 1933 to 1939, in the SS?

A In the Allgemeine SS.

Q Did you not tell them you belonged to the DAF from 1934 to  
1939?

A Yes.

Q Did you not also tell them you were a member of the NSV from  
1937 to 1939?

A Yes.

Q Did you not also tell them you were a member of the DKK from  
1929 to 1945?

A 1945, yes.

Q Did you not also tell them you were a member of the Waffen  
SS, attaining the rank of technical sergeant?

A Yes.

Q Did you not also tell them you were drafted in 1939 as a  
sanitary man?

A I wasn't drafted as a sanitary man -- as a medic.

Q You were drafted in 1939?

A Yes.

Q You were thereafter a sanitary man?

A I was drafted in 1939, received my training with the Death  
Head Division, participated in the western campaign, and was discharged  
in March.

(Mill-recross) you see him in the hospital at that time?

A Yes.

Q Are you sure that was March, 1945?

A Yes.



You were redeployed to March, 1943, rather than March, 1943, in 1940, on the 15th day of September, 1940, and was then redrafted on the 15th of November, 1940. Then I was picked out as a medic in Berlin, because of a disorder of my stomach. I suffered from an illness of the stomach. I was picked out on the basis of my training which I had in the German Red Cross and the Allgemeine SS.

PROSECUTION: No further questions.

REDIRECT EXAMINATION

QUESTION BY DOCTOR WACKER:

Q Was this Death Head unit a line outfit?

A Yes.

EXAMINATION BY THE COURT

QUESTIONS BY THE PRESIDENT:

Q I understood you to testify to the effect that when Pawliczek

was sent to the hospital in December, 1941, he remained in the hospital for several weeks, is that correct?

A No.

Q How long did he remain in the hospital?

A He wasn't in the hospital at all. He only had to report there for ambulatory treatment.

Q Are you referring to the hospital in camp, or the hospital in Berlin?

A I am talking about the SS hospital in Flossenburg.

Q When did he go into the hospital in Berlin?

A I cannot remember any exact date, but it could only have been towards the end of December or the beginning of January.

Q How long did he remain in the SS hospital in Berlin?

A I was in Berlin in the SS hospital for an instruction course in March.

Q Did you see him in the hospital at that time?

A Yes.

Q Are you sure that was March, 1943?

A Yes.

Q You were referring to March, 1942, rather than March, 1943?

A March, 1942.

Q Do you know positively whether Pawliczek had been in the hospital that entire time? The court is referring to the SS hospital in Berlin.

A Yes.

Q Are you just assuming that, or do you know positively?

A Well that is quite evident. It is obvious, otherwise it would have said so on his papers and on his discharge certificate.

PRESIDENT: Are there any further questions by members of the court? Apparently not. Redirect.

REDIRECT EXAMINATION

QUESTION BY DOCTOR WACKER:

Q Are the dispensary and the hospital the same things?

A No.

DOCTOR WACKER: Usually the word "revier" is translated as "hospital". That was the reason I asked this question.

RECROSS EXAMINATION

QUESTION BY THE PROSECUTION:

Q What was the address of this hospital in Berlin?

A SS Hospital, Berlin, Lichterfelde West Under the Oak Trees.

PRESIDENT: Are there any further questions by members of the court? Apparently not. The court understands the defense has finished with this particular witness at this time. The witness will be excused.

PROSECUTION: May it please the court, before he leaves I should like to have leave to cross examine this witness further at a

(All-recross)

later date. In other words, when he comes back, I do not want to be put in the position of calling him as my witness. I think the reason for that request is obvious to the court.

DOCTOR WACKER: Then I should like to request the court to ask the prosecution to cross examine the witness right now.

PRESIDENT: The court understands that the defense is finished with this particular witness, is that correct?

DOCTOR WACKER: Well, it is my standpoint that now, as long as I am present here, the prosecutor has the opportunity to cross-examine this witness, but if he is going to be recalled, he is going to be a witness of the prosecution.

PROSECUTION: May it please the court, that is exactly what I want to have understood. At the present time I am not in a position to carry on further cross-examination of this witness with respect to the document which was brought before the court. This document which has been marked as Prosecution Exhibit No. 78 for identification is not the original. For that reason, when the original is available I should like to have the opportunity to recall the witness and cross-examine him on the original at that time. That will be done in the presence of Doctor Wacker.

PRESIDENT: The court will be closed.

(Whereupon the court closed at 1630 hours.)

(Whereupon the court opened at 1650 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: May it please the court, let the record show all members of the court are present; all the personnel of the prosecution are present except Mr. Pinter, who is absent on business of the prosecution; all the personnel of the defense are present; all the



DEFENSE:

accused are present except Oswalt, Matske, Olaschewski, and Jakubith, who are sick and whose interests are being taken care of by counsel. If there are any spectators in the court room who expect to be called as witnesses in the case, will they please leave the court room?

PRESIDENT: The objection of defense counsel, Doctor Wacker, is overruled. The court has granted the request of the prosecution under the circumstances as stated.

DOCTOR WACKER: I now call as the next witness KARL HAENSEL, who is going to testify on behalf of the accused, Pawlischek.

KARL HAENSEL, called as a witness by the defense, being first duly sworn, testified through an interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY DOCTOR WACKER:

Q Please state your full name to the court?

A Karl Haensel.

Q How old are you?

A Thirty-two.

Q Where do you live?

A My residence used to be in Flossenbug, and now it is in Thamsenrauth.

Q What is your present location?

A In the special camp.

Q Are you being held prisoner of the American authorities?

A Yes.

PRESIDENT: The court at this time advises you that if you should be asked any questions that might tend to incriminate you, you have the right to ask the court's permission to refrain from answering it. Do you fully understand?

THE WITNESS: Yes.

(Haensel-direct)

DEFENSE:

QUESTIONS BY THE PROSECUTION:

Q The first is the second row (indicating).

Q What is your civilian occupation?

A I am a stove fitter by my occupation.

Q Were you ever at Flossenbury?

A Yes.

Q I am talking about the camp of Flossenbury.

A Yes, I was there also.

Q From when to when?

A I was transferred to Flossenbury on the 1st of September,

1938, as a block leader.

Q How long did you stay in Flossenbury?

A Up to the 11th of February, 1945, however, not as a block leader.

Q What rank did you have at that time?

A Master sergeant in the SS.

Q Was that when you arrived in Flossenbury or when you left the year of 1941, but whether the persons in question were raised in Flossenbury?

A When I left Flossenbury.

Q Which rank did you have on January 1, 1942?

A On the 1st of January, 1942, I was a technical sergeant of the SS.

Q What were your duties in Flossenbury?

A On the 1st of January, 1942, I was chief of the troops' kitchen at that time.

Q Do you know a person by the name of Pawliczek?

A Yes.

Q Please look around and see if you recognize Pawliczek, and if so, point him out.

(Haensel-direct)

A The fifth man in the second row (indicating).

DOCTOR WACKER: Let the record show that the witness has identified the accused wearing No. 34 as Pawliczek.

Q Do you know whether Pawliczek was in Flossenbug on January 1, 1942?

A Yes, he was there, he was there in 1942.

Q How long was Pawliczek in Flossenbug?

A Until he was transferred to the front.

Q When did that take place?

A That must have been toward the end of September or the beginning of October, 1942.

Q Do you know if and when shootings of Poles took place in Flossenbug?

A No, I don't know whether shootings of Poles took place in Flossenbug. I only know that several shootings were performed in the year of 1941, but whether the persons in question were Poles I do not know.

Q Do you know under whose command these shootings took place?

A As far as I remember, SS Captain Aumeier was in charge of these shootings.

Q Do you know when Aumeier was sent away from Flossenbug?

A When we celebrated Christmas in 1941, SS Captain Aumeier wasn't there any more.

Q Do you know whether Pawliczek was ever ill?

A Yes, I can remember that Pawliczek, who was a staff sergeant, was ill.

Q Do you know what he was suffering from?

(Haensel-direct)



A Well, apparently there was something wrong with his nerves.

Q Do you know any of the details?

A Well I know that he was sent to a hospital because of this illness, but for how long a period of time I don't know.

DOCTOR WACKER: No further questions. For SS Captain  
Aussier was sent up to CROSS EXAMINATION during the first days  
QUESTIONS BY MR. BERKOWITZ: as on duty.

Q Are you positive that Aussier left before Christmas, 1941?  
A I know that he wasn't there at the Christmas celebration in  
1941, because I had to take care of this celebration, and the gift we  
wanted to give him for Christmas we had to send up to his apartment  
which was located in the settlement. Captain Aussier wasn't there  
any more. Did he come back after Christmas, 1941?

A Well, as far as I know, he came back once, but he changed  
his apartment. Flossenburg after January 1, 1942?

Q When was that?

A That must have been prior to Easter, 1942. ~~conditions were~~  
Did he perform any duties at that time?

A No. At that time SS Captain Fritsch was compound commander.

Q If you were to see certain papers executed in Flossenburg  
and signed by Aussier after Christmas, 1941, would you change your  
testimony? ~~carried out execution?~~

MR. MC KAY: Just a moment. That question is objected to  
for the reason that it contains a hypothesis for which there is no  
foundation. There is nothing in this record which shows there was  
any document which shows Aussier was at Flossenburg after December, 1941.  
official duty at Flossenburg on or after January 1, 1942, that they be  
(Haeberl-cross)

(Haeberl-cross)

PRESIDENT: The objection of Mr. McKay is sustained.

QUESTIONS BY MR. BERKOWITZ:

Q You insist, therefore, that Aumeier performed no duties at Flossenbug subsequent to Christmas, 1941?

A I only know that the Christmas present for SS Captain Aumeier was sent up to his apartment and that during the first days of January Captain Fritsch was on duty.

Q Will you answer my question? Do you insist that Aumeier performed no duties at Flossenbug after Christmas, 1941, or don't you know?

A I myself was away on Christmas leave in 1941 and I came back in January sick and at that time Captain Aumeier wasn't there any more. He wasn't on duty.

Q Do you or do you not know whether Aumeier performed any duties at Camp Flossenbug after January 6, 1942?

A I don't know.

Q After the departure of Aumeier, weren't the executions continued under Schirmer and Fritsch?

A I don't know of any such thing.

Q Haensel, have you been informed by the defense counsel that you have been named by one of the defendants as a member of the firing squad that carried out executions?

A No.

MR. BERKOWITZ: No further questions.

PRESIDENT: Mr. Berkowitz, the court directs that if the prosecution has any documents indicating that Captain Aumeier was on official duty at Flossenbug on or after January 1, 1942, that they be produced to the court.

(Haensel-cross)

MILITARY GOVERNMENT COURT  
MILTÄRGERICHT  
CHARGE SHEET  
ANKLAGESCHRIFT

Ta 563 10/30-hob  
-19-Flossenburg

Place  
Ort

MR. BERKOWITZ: Yes, sir, they will be produced in rebuttal.

Datum

PRESIDENT: The court will adjourn until 9:00 o'clock tomorrow morning.

Name of accused  
Name des Angeklagten

is hereby charged (Whereupon the court adjourned until 0900 hours, 31 October 1946.)  
wird hiermit wegen der folgenden strafbaren Handlung(en) angeklagt

First Charge

Erste Anklage

Particulars

Einzelheiten

Second Charge

Zweite Anklage

Particulars

Einzelheiten

The above charges are referred for trial to the

\*Summary  
\*Intermediate Military Court to be held  
\*General

Die Verhandlung wird vor dem  
\*Einfachen  
\*Mittleren Militärgerichte  
\*Oberen

at  
In (Address of Court)  
(Anschrift des Gerichtes)

on  
am

194

at  
um Uhr stattfinden.

By Order  
Im Auftrage von

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durchzustreichen.

(Signature of person preferring charges)  
(Unterschrift des Vertreters der Anklagebehörde)

194

Copy of above served on accused  
Abschrift dem Angeklagten zugestellt am

(Signature of person making service)  
(Unterschrift des Zustellers)



**MILITARY GOVERNMENT COURT**  
**MILITÄRGERICHT**  
**CHARGE SHEET**  
**ANKLAGESCHRIFT**

Legal Form No. 8

Place .....  
Ort .....

Date .....  
Datum .....

Name of accused .....  
Name des Angeklagten .....

is hereby charged with the following offences:  
wird hiermit wegen der folgenden strafbaren Handlungen angeklagt:

First Charge: ..... Erste Anklage: .....

Particulars: ..... Einzelheiten: .....

Second Charge: ..... Zweite Anklage: .....

Particulars: ..... Einzelheiten .....

The above charges are referred for trial to the

\*Summary  
\*Intermediate Military Court to be held  
\*General

Die Verhandlung wird vor dem \*Einfachen  
\*Mittleren Militärgerichte  
\*Oberen

at .....  
in .....  
(Address of Court)  
(Anschrift des Gerichtes)

on ..... 194  
am .....

at .....  
um ..... Uhr stattfinden.

By Order  
Im Auftrage von

\*Strike out words not applicable.  
\*Nichtzutreffendes ist durchzustreichen.

(Signature of person preferring charges)  
(Unterschrift des Vertreters der Anklagebehörde)

Copy of above served on accused  
Abschrift dem Angeklagten zugestellt am

194

(Signature of person making service)  
(Unterschrift des Zustellers)