

XIII

No. XIII.

June 14th, 1946.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

WAR CRIMES NEWS DIGEST

[NOTE: The above title replaces that of Press News Summary
used in previous numbers of this series. - R.O.]

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S U P P L E M E N T:

LEGAL LITERATURE

I.

PUBLIC RELATIONS.

(Contributed by the Public Relations Officer)

On p. 2 of the last Crimes News Digest No.12, and dated May 23rd, 1946, it was announced in the last paragraph that a handout entitled "Progress Report of War Crimes Trials" had received disappointing publicity. Press cuttings which have since come in indicate that the results were far better than anticipated. Good space was given on May 19th in The Observer, The Sunday Express, The People, and several Kemsley Newspapers. In The People the announcement took the form of a three-column feature entitled "Operation Haystack finds the guilty men". The same announcement also appeared in the American Stars and Stripes, and in The Times of Monday, May 20th. It was also broadcast by the B.B.C. in their 8 a.m. Home News of Sunday May 19th, and acknowledgments have now been received from the American and Dominion press thanking us for the handout and saying that it will be of interest to their readers.

In the 8 a.m. B.B.C. bulletin of Sunday, May 26th, a United Nations War Crimes Commission handout was read. It concerned the appalling evidence about the children's clinics started by the Germans for the liquidation of the illegitimate offspring of Eastern Slave workers.

General de Baer reported to the Public Relations Committee that the Nazi Crime Exhibition has opened in Brussels with great success. It has been staged in the Palace of the Fiftieth Anniversary of Belgian Independence, where space is almost unlimited. In going through the main entrance one passes through a replica of the entrance to the Breendonck Fortress - a prison camp where many Belgians were tortured. General de Baer described the hall itself as being "colossal" similar to Olympia, and said that the display throughout was excellent. Most of the exhibits are life sized photographs and it appears that the Brussels Exhibition is on a greater scale than that shown in London, where it must be admitted space was strictly limited. At the end of the main hall there are several enlarged pictures showing the activities of the United Nations War Crimes Commission. Cinematograph arrangements have worked out smoothly and fifteen films are now being displayed.

After the Commission meeting on May 29th, a handout was issued in regard to the 32nd list of war criminals. This received good publicity in the general press and was also broadcast in the B.B.C. News Bulletin on Thursday, 30th May, at 7 and 8 a.m. The same notice was also published in the Scottish press.

II.

SUMMARY OF EVENTS

COMING WAR CRIMES TRIALS IN EUROPE.

In a statement broadcast by the B.B.C. on June 9th Lord Wright, Chairman of the UNWCC said that in all probability not more than 10% of the war criminals would ever be brought to justice. In his opinion, the important thing was that enough trials should be held to establish and define war-making as a crime under International Law.

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In the House of Commons, on 4.6.46., Sir H. Shawcross said, in a written reply that the trial of major war criminals at Nuremberg is expected to end in the course of the next two months, but as a great deal depends on the conduct of the defence, a matter which is outside the control of the prosecution, it is impossible to give any firm estimate. The question whether a further trial of major war criminals should take place is now under consideration between the four Powers concerned under the terms of the Charter of the International Military Tribunal. It is impossible yet to say by what date all British trials in respect of what are known as minor war criminals will have been completed. Two hundred and eighty-four such cases have been dealt with, and others are in progress. Cases against 327 minor war criminals are either in process of trial or are awaiting trial. In addition evidence is being collected in a considerable number of cases and the total numbers involved will depend on the progress of these investigations and the apprehension of wanted war criminals still at large.

The Military Government-controlled "News of Germany" reported from Nuremberg (24.5.46.): "The U.S. hopes to complete trials of all major war criminals in whom it has special interest by the end of this year, Brig. Gen. Telford Taylor, chief prosecutor for the Proceedings Subsequent to the present Nuremberg Trials, announced."

The G.N.S. service reported from Nuremberg (27.5.46.) that Brigadier Telford Taylor, head of the Subsequent Proceedings Division in Nuremberg had stated that negotiations to hold a second international trial against Nazis accused as war criminals are under way between the four Powers. This second trial would in the first place deal with Nazi industrialists and financiers. The main task of the trial, which would follow immediately upon the completion of the trial now going on in Nuremberg, will be to close the gap which was caused by the fact that Alfred Krupp von Bohlen-Halbach, who was among those originally indicted in Nuremberg, was too ill to stand trial. Apart from other German industrialists and financiers who contributed much to Hitler's rise to power and to his policy of rearmament, lesser leaders of the Third Reich may be indicted.

A Reuter message published in the Press of 31.5.46. gave the following survey of forthcoming trials in Europe:

"Twelve trials of war criminals, in addition to that at Nuremberg, are under way in Europe.

"At Danzig 18 concentration camp officials are being tried for causing the deaths of a number of Jews and Poles in the Stutthof camp.

"In the first war crimes trials in the French zone at Rastatt (Baden), 33 Gestapo men and members of the staff of Neuenbrenne concentration camp are facing trial.

"At Helmstadt, Germany, in the U.S. zone, Germans including a doctor and three nursing sisters are being tried for causing the deaths of 400 children.

"At Dachau 74 members of the SS Division are charged with the massacre of United States prisoners near Malmédy, Belgium.

"Five Frenchmen and two women are on trial at Versailles for denouncing traitors.

"Members of the Czech Quisling Government, including Dr. Krejci, former Premier, are on trial at Prague.

"In Warsaw 17 Poles accused of terrorist activities face their judges.

"Louis Bergmans and Armand Salden are appearing before a Brussels military court charged with trying to discover the hiding place of Prince Charles of Belgium and hand him over to the Gestapo.

"Before a military court in Brunswick six German employees of an iron ore mine near Goslar, are accused of employing British prisoners of war under conditions dangerous to their health."

A U S T R I A

TRIALS.

In a broadcast from Vienna on 16.5.46. Herr Kamrath said that public interest had been focussed on questions of criminal law and judicial procedure, as it was now, concerning the People's Courts. Their procedure and findings had been attacked in public. It appeared, however, that most of the critics were not acquainted with the legal principles on which the People's Courts were based. The constitutional principle of separation of executive and judiciary was not just a slogan but had a practical meaning. Herr Kamrath outlined the constitution and procedure of the People's Courts, emphasising the part of lay assessors nominated by the democratic parties, a sure safeguard of democratic procedure, according with ordinary people's ideas of right and wrong.

Trial of Anton Brunner (see No.XII of this Digest page 3)

The Austrian Arbeiterzeitung of 11.5.46. described the close of this trial: After the evidence had been heard . . . the public prosecutor stated that Brunner had placed himself outside the community of men and there could only be one punishment for him. Dr. Braun spoke in the name of the Israelite Kultusgemeinde: "Out of the 25,000 Jews who were deported, 700 came back alive! . . . The vice-president, Dr. Mironovici, declared that Brunner II had been found guilty under the terms of the indictment and he was condemned to death by hanging.

The sentence was carried out on May 24th.

A U S T R I A (Cont.)

Postponement of Guido Schmidt's Trial

The Neues Oesterreich, 11.5.46., wrote: The calling of Dr. Guido SCHMIDT as a witness before the Allied Tribunal at Nuremberg had been interrupted by his illness at Salzburg. The U.S. headquarters in Vienna again approached the Austrian Ministry of Justice, and Schmidt was handed over to the Americans and was taken to Nuremberg.

The Trial of Kampitsch

This trial was opened on 21.5.46. before the use of People's Court at Vienna. Kampitsch had been an underground member of the Nazi Party till 1938, when he dropped the mask. He had worked in close touch with Kaltenbrunner, Gauleiter Eigruber (recently sentenced to death by the U.S. court at Dachau), Gauleiter Leopold, and Dr. Tavs (recently arrested as a war criminal: see below). On 25.5.46. Kampitsch was found guilty and sentenced to 20 years imprisonment, and the confiscation of his property.

The Trial of Ex-Colonel Solche

The Oesterreichische Volksstimme (17.5.46.) reported the opening of the trial, before the Vienna People's Court of Colonel SOLCHE, former German Commandant of Krems for having blown up the Danube bridges at Stein Mautern on May 8th, 1945, after Doenitz and Jodl had signed the unconditional capitulation.

ARRESTS, EXECUTIONS AND RELEASES.

Neues Oesterreich (7.5.46) reported the following arrests: Dr. Leopold TAVS, by the French authorities at Innsbruck; he was transferred to the Landesgericht at Vienna, where he is charged as a war criminal. Hans SCHRENK, by the British authorities; he was Kreisleiter of Scheibbs and responsible for the murder of 100 Jews.

The same paper (23.5.46.) reported the arrest of ECKEL, ex-Kreisleiter of Baden; and PILZ ex-Kreisleiter of Stein; and the execution, on May 22nd of Zemhicka, SA guard at the camp of Guens, where he hanged Jewish inmates.

Proposed Capital Levy on Slave Labour Employer.

The G.N.S. reported from Linz (20.5.46.): A 20% capital levy on business enterprises which formerly employed slave labour and return of property stolen from concentration camp inmates was demanded by a conference of former political prisoners, of 10 nations, of the Mauthausen concentration camp. In addition it was demanded that the property of those sentenced in the recent Mauthausen trial at Dachau should be seized for the fund.

American Occupied Zone of Austria

The Office of the Mil. Gov. U.S. Zone reported from Salzburg (25.5.46.): A U.S. military court headed by Brig. Gen. Loyal M. Heynes, deputy chief of staff USFA has started trials of nine former enemy soldiers and civilians charged with the killing of ten American airmen last spring as they were about to surrender. The first case concerns six members of the Hungarian SS charged with killing five airmen on 7th March, 1945.

A U S T R I A (Cont.)

The Wiener Zeitung of 19.5.46. reported that according to the Salzburger Nachrichten, more than 2,000 National Socialist prisoners are shortly to be released from Camp Markus I on the Salzburg Alpine highway, so long as there is no objection thereto either on the part of the Occupational authorities or the Austrian State police. The release of former members of the SS, up to and including NCO's, is being considered. By contrast, in Vorarlberg there is a desire to employ National Socialists under arrest at the Ill Works.

B E L G I U M

Sentence on an informer:

An agency message from Brussels (19.5.46.) stated: Marie Honoroz was condemned to death today by Brussels Court Martial. She was charged with being one of heads of German Gestapo in France, and with causing the deaths of members of the French Resistance.

Executions of Collaborators:

It was officially announced in Brussels on May 20th that 88 collaborators had, so far, been condemned and executed in Belgium since the Liberation.

C Z E C H O S L O V A K I A

Trial and Execution of K.H. Frank.

Press messages of May 21st from Prague announced that K.H. Frank, former Protector of Bohemia, had been declared by the People's Court to be guilty on seven major counts of the indictment, including partial responsibility for the destruction of Lidice, and was sentenced to be publicly hanged. He appealed unsuccessfully to President Benes. The sentence was executed in the Pankraz prison at Prague on May 22nd in the presence of 5,000 people.

Trial of Erich Daluge

Prague radio (14.5.46.) announced that Erich Daluge, brother of General Kurt Daluge, formerly Himmler's deputy, had been sentenced to 15 years hard labour by the People's Court.

D E N M A R K

Radio Kalundborg, 1.6.46., reported: The Danish Criminal Police have made a good capture at Unna, Westphalia, by arresting Rudolf RENNER, who was in charge of the Gestapo in Aarhus after the bombing of the HQ at the University until the capitulation. Renner committed many murders and acts of terror in Aarhus, and became notorious as one of the worst Gestapo gangsters. His supposed death was announced after the surrender, but the police did not believe the report and sent detectives to Germany, where they learned that Renner and his secretary, Baron von Hutten, had stayed in Flensburg under assumed names. They were traced to Unna, in Westphalia, where Renner was working in the coalmines.

GERMANY

AMERICAN ZONE

Legislation

New German Laws for the Punishment of Nazi crimes:

The "Dana" News Service reported (21.5.46.):

"General Clay, Deputy Military Governor, on 23rd May approved two new German laws for the punishment of Nazi crimes and for the reparation of Nazi injustices, which had been drafted by the States Council. The first law provides for the reparation of injustices caused to enemies of the Nazi régime by the judicial authorities of the Third Reich; the second provides a legal basis for the punishment of crimes committed in the name of National Socialism which have so far only partially been punished or not at all.

"The Law for the punishment of National Socialist crimes concerns, in particular, terrorist measures and persecutions for political, racial or anti-religious reasons committed during the National Socialist régime which were not punished for political, racial or anti-religious considerations. Such acts and crimes must be prosecuted provided that the principles of justice, especially the principle of equality before the law, demand expiation. The law provides that laws, decrees or orders issued by the National Socialist Government which declare any such crime lawful, or the fact that criminal proceedings already begun were stopped or for other reasons not concluded, do not present an obstacle to criminal proceedings under the new law.

"The Law for the reparation of National Socialist injustices concerns political actions of resistance to National Socialism or militarism which are declared not punishable. Persons who endeavoured to overthrow or weaken the National Socialist tyranny, persons who by reason of their political convictions failed to obey regulations which were mainly calculated to maintain the National Socialist tyranny or the war potential and similar actions are not punishable."

(NOTE: The full texts of these two laws will be circulated when they have been received.)

[The Legal Division of the U.S. Element, Allied Control Commission, has pointed out that the report issued by the Frankfurt radio of a Bavarian law for the punishment of crimes against Jews was incorrect (see No. XI of this series page 4). It would seem to have referred to a law which was then under consideration - possibly one of the two laws mentioned above.]

Trials

Moscow radio announced (10.6.46.) that the trial of Father Tiso, puppet ruler of Slovakia under Hitler, was to begin about June 17th. Tiso was handed over to Czechoslovakia by the United States authorities.

The Trial of SS General Sepp Dietrich and 73 others

This trial, described in the American Press as "the biggest case involving war crimes against the American Army", opened at Dachau on May 16th before a War Crimes Commission consisting of 8 U.S. Generals and Colonels. The crimes were alleged to have been committed by the 6th SS Panzer Army, and in particular by the 1st SS Panzer Division. Other crimes alleged in the indictment were the shooting of between 175 and 311 American prisoners at La Gleize and 104 at Stourmont, during the German offensive in the Ardennes (Christmas 1944)

GERMANY (Cont.)

The American staff correspondent, Maurice Baird, wrote on May 16th as follows:

"In his opening statement to the Army War Crimes Commission, Lt. Col. Burton F. Ellis, heading the prosecution, charged that the defendants, part of a combat group under the 1st SS Panzer Division, had deliberately shot, killed, abused and tortured unarmed Americans who had been captured by them.

"Although the exact numbers of killings attributed to this group is not known, Col. Ellis said that it amounted to hundreds during the week that the Panzer units terrorized the area around Malmédy and Stavelot, Belgium.

"In an answering statement, the defence offered two motions excepting 21 defendants who are charged with crimes against Belgian nationals; the motions were overruled by the court.

"Among the defendants were Josef ("Sepp") Dietrich, commanding the 6th SS Panzer army; his chief of staff, Brig. Gen. Fritz Kraemer, and Joachim Peiper, commander of the 1st SS Panzer Regt.

"The prosecution charges that orders were issued that the offensive through the Ardennes be fought in a ruthless manner, that rules were to be cast aside, humane inhibitions would not be shown and enemy civilians and prisoners of war would be shot."

Continuing the narrative on the next day, another correspondent wrote:

"The prosecution gained a point when the court ruled that statements made under oath by defendants prior to the trial were admissible as evidence against them. . . .

"The prosecution charged that for two days and nights preceeding the launching of the Rundstedt offensive, SS troops spearheading the attack were whipped into a frenzy of battle by officers and non-coms ordering them to 'fight in the traditional SS manner, killing everything that came before their guns'."

"Colonel Ellis pointed out just how effective this approach to battle had been and detailed 94 known incidents involving the slaying of 528 to 749 American prisoners of war and more than 90 Belgian civilians by SS troops during their 29 day reign of terror in the Malmédy area."

NOTE: A full text of the indictment, with names of the defendants, has been received from the United States Commissioner.
The list of names will be circulated.

The Flossenbug Trial

"News of Germany" (25.5.46.) reported from Dachau: Charges have been made against 52 Germans, accusing them of burying political prisoners alive, torturing Allied prisoners and performing amputations without anaesthetics at the Flossenbug concentration camp and its 48 work camps. Lt. Col. Shaw, chief prosecutor for the trial scheduled to begin at Dachau on June 12th, said that more than 25,000 persons died in the Flossenbug camp between 1942 and the end of the war from execution, starvation, beatings and other abuses. Starved prisoners were stripped and severely beaten before they were taken to the gallows and on the last Christmas before liberation, the Christmas tree was overshadowed by six naked corpses hanging by the neck. When the camp was evacuated prior to the liberation, all those who could not keep up on the march were shot. At least 28 prisoners were buried alive. The Flossenbug

GERMANY. (Cont.)

victims included two American women and an undetermined number of Americans, French, Poles, Yugoslavs, Russians, Danes, Belgians, Dutch, Czechs, citizens of Great Britain and Luxembourg, stateless persons and other non-German nationals.

NOTE: The opening of this trial was officially communicated by the United States Commissioner to the UNWCC at its meeting on June 5th, together with an invitation from the U.S. Army authorities for observers to attend the trial.

Trials for murders of American airmen

The G.N.S. reported from Frankfurt, 6.5.46.: Two men, Hans Tölle and Herbert Langner, formerly a corporal and a lieutenant respectively in the German army, have been referred for trial by the Third Army on charges of murder of an American fighter pilot, it was announced by War Crimes Branch, USFET. Tölle is alleged to have slain the flier near Thanham on orders of Langner, although the American raised his hands and advised the Germans that his gun was on the ground.

"News of Germany" reported (25.5.46.) from Frankfurt: A war crimes case, charging seven Germans with the murder of three American fliers, has been transferred to Third Army for trial. Wilhelm LANG, Albert WEIL, Karl MÜLLER, Ludwig MÜLLER, Otto PFLUGER, Heinrich DEHN and Otto LECHENS are charged with having mistreated and killed three surrendered fliers who parachuted down near Butzbach. It is alleged that the fliers, who were unarmed and offered no resistance, were beaten and murdered within an hour of their landing.

Albert NINGELGEN, a former German detective police officer, has also been referred to Third Army for trial on a charge of murdering an unarmed, surrendered American flier.

Executions of Dachau Concentration Camp Staff

On May 28th and 29th, 28 of the Dachau camp officials convicted by the United States Military Court on 13th December 1945 were hanged at Landsberg. The Press reports mentioned, among the men executed, the ex-Commandant of the Camp, Weiss; the malaria expert, Dr. Schilling; Kiern; and Forschner.

BRITISH ZONE

Trials

The UNWCC were informed of the following trials and sentences by British Military Courts:

20th May: Before a Military Court at Hamburg on 6th May, three Germans, BOHM, RIEK and LOHRS were charged with ill-treatment of Polish Nationals. BOHM was found guilty and sentenced to 12 months' imprisonment, RIEK to 8 months; LOHRS was found not guilty.

21st May: The following persons, convicted in the "Giftgas" trial, were executed on May 16th: SCHOENGRATH, KNOP, GERNOTH, HADLER, BEECK, TESCH, and WEINBACHER. (see No. IX of this series, page 12)

GERMANY (Cont.)

21st May: A military court at Bad Lippspringe tried 4 Germans who were concerned in the killing of a British prisoner of war. The accused WOLFERT and HARTLEB were sentenced to death by hanging; Heinrich KRESS was sentenced to 10 years' imprisonment and Phillip NEUSCHAFTER was acquitted.

23rd May: Before a military court at Hannover, Karl BESSINGER was charged with ordering evacuation of prisoners of war from OFLAG VII B and refusing to allow the display of emblems necessary to protect them from air attack. He was sentenced to three years' imprisonment.

31st May: Before a military court at Wuppertal, 22-25 May, 1946, a number of German nationals were charged with killing members of No.2 SAS Regt. at St. Die, September, 1944. The following sentences were passed: GREIM, WETZEL and JANTZEN were sentenced to death, ALBRECHT, COLCKEL, PILZ, HOLM, GAEDME, KOCH and GEIGER to terms of 3-13 years; 5 accused were found not guilty.

30th May: At Dusseldorf, Theodor FISCHER was charged with ill-treatment and killing of FILIAK, a Polish airman; he was found guilty of the first charge and sentenced to 8 years' imprisonment.

4th June: A second "Belsen Trial" took place at Celle between 16-30 May, of concentration camp personnel charged with the ill-treatment and killing of Allied nationals. The sentences imposed were: death by hanging for QUAKERNAK, REDDEHASSE, and HEIDMANN. Imprisonment varying from 2-20 years for WAGNER, HEISZE, SCHMIDT, LINKE and KOHLMANN.

4th June: Before a military court at Brunswick, on 20-31 May, six officials of an iron mine were found not guilty, having been charged with employing British prisoners of war on unhealthy and dangerous work.

A British military court at Hamburg, 28-31 May, acquitted Lt.-Gen. Karl von BEHRENDTS, of responsibility for the shooting in Norway of 14 British commandos. Von Behrends was in command of the Stavanger garrison at the time of the shooting in 1942. A Press report adds: The commandos were men of the Royal Engineers who took part in an unsuccessful attempt to destroy a German war plant for atomic research. The prosecution alleged that Von Behrends "permitted the execution of all the 14 prisoners, including the sick and wounded." The counsel for the defence contended that Von Behrends was not aware of the shooting.

The following trial reports emanate from Press and Agency sources:

The Trial of Hospital nurses at Helmstedt.

The G.N.S. reported (20.5.46.) that hospital sisters were among eight defendants appearing that day before a military court near Helmstedt, in the Brunswick area of the British zone of Germany, charged with killing a large number of Polish and Russian children by wilful neglect.

The Trial of SS Wardresses at Celle

Reuter reported (21.5.46.) that two SS women guards from Belsen and Hamburg concentration camps were found guilty by an Allied War Crimes Court at Celle, near Hannover, of beating camp inmates with sticks and truncheons. They are Marta Linke and Anne Kohlman. They were to be sentenced at the end of another case in which six other camp guards are being tried separately for ill-treatment and murder of inmates.

GERMANY (Cont.)

Trial of the murderers of British Parachutists at La Grande Fosse

Reuter reported from Wuppertal (23.5.46.): Eight of the 14 SS men on trial for killing eight British parachutists in 1944 at La Grande Fosse, France, were found guilty to-day after a week's trial by the British military court. Sentences ranged from two to ten years' imprisonment. The remaining six were found not guilty. The parachutists were dropped behind the German lines in France to disrupt communications and were later captured. The accused, members of a German camp staff, were stated by the prosecution to have taken the prisoners to a trench, stripped them, and shot them in the neck. The defence, conducted by 12 German counsel, argued that the parachutists, members of the Special Air Service, had been tried and condemned, that the shooting was carried out on the orders of a higher authority, and that failure of the SS men to carry out their orders would have been punishable by instant death.

These sentences occasioned some criticisms in the British Press. The Observer (2.6.46.) wrote: "It is difficult to understand the comparatively small sentences of from two to ten years' imprisonment recently passed on eight SS men convicted of murdering British soldiers of the Second Special Air Service Regiment captured in uniform while operating in France. A lenient attitude to such abominations is surely as unwise as ill-treatment of ordinary war-prisoners is unworthy."

Trial of Mine Managers at Hannover

The Press of 23.5.46. referred to a trial proceeding before a military court at Hannover of German mine officials for causing the deaths of prisoners of war at Nivka in Upper Silesia. The accused men are Siegfried Merker and Heindrich Hautau. Affidavits were produced showing that British prisoners of war had been cruelly beaten up and ill-used.

The Murder of Four Women Parachutists

Ten Germans from the Natzweiler concentration camp, including HARTWENSTEIN ex-Commandant of the camp, were tried at Wuppertal (30.5.46.) by a British military court for the killing of four women (3 British and 1 French) of the W.A.A.F. and F.A.N.Y. who had been parachuted into France on a special mission. One of the defendants, HERBERG, was discharged at the outset, for lack of evidence against him.

The President of the Court asked that the names of the four women should not be published as details of their deaths would cause pain to their relatives.

The Prosecutor, Major Hunt, described the killing as "sheer brutality unparalleled in the history of civilisation". It was shown that the women were taken, after their capture in France, to Karlsruhe prison and thence to Natzweiler, where they were partly drugged by injections and then burned alive in the crematorium furnace.

Walter Schultz, a police interpreter, deposed: The women were brought into a room adjoining the crematorium. Through a fanlight the drugging of the women by injections was observed. The bodies were dragged along the ground, accompanied by the sound of heavy breathing and low groans. The fourth woman resisted in the corridor, the account of this eye-witness continued. "I heard her say, 'Pourquoi?' and I heard the doctor's voice answer, 'Pour typhus'. We then heard noises of a struggle and the muffled cries of the woman. She was groaning more loudly than the others. From the nose of the oven doors I can state definitely that in each case the groaning women were placed immediately in the cremation oven."

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GERMANY (Cont.)

For the defense, German counsel pleaded that the accused were not in a position to know whether the execution had been preceded by a trial.

Giving evidence in his own defence, one of the accused said that, on an earlier date, 30 women from Oswiecim had been gassed and burned in the crematorium at Natzweiler. Other witnesses said that improvements in these ovens had made it possible for them to be worked three times a week instead of on two half-days a week.

On 1.6.46. the Court delivered judgment. Werner ROND, camp doctor, was sentenced to death by hanging; Fritz HARTJENSTEIN, camp commandant, to life imprisonment; and Peter STRAUB, crematorium attendant, to 13 years' imprisonment. Three other members of the camp staff received heavy sentences while three were found not guilty. The Times report stated that some of the men accused would appear in further trials in this series arising from the deaths of members of the 2nd Special Air Service Regiment who were parachuted into France in 1944.

The mildness of some of these sentences was criticised in the British Press. The Observer (2.6.46.) described them as "by no means severe considering the gravity of the offence". The Daily Express (3.6.46.) wrote under the heading "Say Why": A Commission spokesman in Hamburg said last night: "The sentences on the six have to be confirmed by the Commander-in-Chief, Marshal of the R.A.F. Sir Sholto Douglas." A legal view put by an expert in military law in London was: "The case can be reviewed. These military tribunals are appointed by the Commander-in-Chief under powers given him by Royal proclamation. The matter could be brought before the King in Council, and an order for a new trial could be sought."

The "Evening Argus" (4.6.46.) wrote in a leader:

"There has been a great deal of fiercely adverse comment, some printed but much more spoken, on the Wuppertal trial. The primary object of all these trials, including that at Nuremberg, is not vengeance on ruthless butchers but making of them an example which will impress possible future imitators. We want to give pause in future not only to the principals but to their subordinate minions who may feel disposed to indulge in such sadistic horrors. The Wuppertal sentences hardly encourage that pious hope. Indeed, they come very near to encouraging the sadistic German criminals."

A correspondent, signing himself "M.P.", wrote to the "Northern Daily Mail" (6.6.46.):

"Your short leading article in Tuesday's "Mail" on the outrageously inadequate sentences passed by the Wuppertal military court on the men who half doped four British girls and then put them alive into oven furnaces, is the only protest I have seen or heard on this dreadful occurrence. Why such criminals were not all sentenced to death for such an appalling deed is beyond me. Allow me to thank you for your timely expression of dissent on the judgment."

[NOTE: Three of the men sentenced to imprisonment at this trial, including the camp commandant, Hartjenstein, were sentenced to death in a subsequent trial on another charge (see below).]
An important letter, published in The Times of June 13, from Lieut.-Col. Marlowe, K.C., M.P., who had acted as Judge-Advocate in the court before which the case was tried, showed that the evidence as to the women having been burned alive was unreliable, and that, of the 4 persons who had acted as executioners, only one was before the court.
For further particulars see the Legal Supplement to this number.

GERMANY (Cont.)

Trial for the murder of Allied prisoners of war at Natzweiler

An Agency message (1.6.46.) reported: Fifth in the series of seven war crimes trials arising from the killing of British and Allied prisoners of war captured while on a special mission in enemy country, is due to open at Wuppertal on June 5th. Huth Kurt GIEGLING, Peter STRAUB, Fritz HARTJENSENSTEIN, Magnus WOCHNER and Franz BERG are charged with being concerned in killing a R.A.F.V.R. sergeant at Struthof-Natzweiler on or about July 30, 1944.

The British news service in Germany reported (6.6.46.): Three of the men sentenced at Wuppertal last Saturday to imprisonment for their part in burning to death four British women parachutists at the Natzweiler concentration camp, in Alsace, were yesterday sentenced to death by another court at Wuppertal for being concerned in the hanging of an R.A.F. pilot in the summer of 1944. They were Fritz Hartjenstein, former SS group leader and commandant at Natzweiler; Peter Straub, chief executioner at the crematorium; and Franz Berg, his assistant. Hartjenstein was sentenced to be shot, and the other two to be hanged. Kurt Giegling also was sentenced to death by hanging and Joseph Muth to seven years' imprisonment. All five were at the Natzweiler camp.

Forthcoming Trials by British Military Courts.

The UNWOC has been informed of the following forthcoming trials:

At Hamburg on 10.6.46.: HSE KLIEB, nine male and 6 female officials of the Neugraben-Tiefstack Concentration Camp.

At Hamburg on 17.6.46.: Heinrich SPECHT, and four other Germans charged with killing an unknown British airman.

At Bochum on 3.6.46.: Wilhelm SCHNARRE, charged with ill-treating an unidentified British airman.

At Recklinghausen on 19.6.46.: Franz ALBA charged with killing two British prisoners of war.

Arrests

The Arrest of Oswald Pohl

The B.U.P. reported from Herford (28.5.46.): "Obergruppenführer Oswald Pohl, one of Himmler's chief assistants in the SS was arrested by British special investigators a few miles from Bremen yesterday, and is now being interrogated. He will be flown to Nuremberg before the week-end and is expected to be put in the witness-box immediately.

"Pohl was a general in the Waffen SS and chief of the SS central office of administration and economy. As such he was in charge of the whole Nazi organization of concentration camps, and has been accused by several defendants at Nuremberg with responsibility for the policy of mass extermination.

"He was found at a cottage on a farm in the north-west corner of the Hanover plain, where he had been working as a farm labourer under the name of Ludwig Gniss for many months. He was digging his garden when arrested by British officers on a minor police court charge. At first he denied he was Pohl, but within a few minutes, when he put his hand in his pocket, British officers found two phials of cyanide, identical with that with which Himmler committed suicide, in specially manufactured cartridge cases with screw tops.

"Pohl had a huge moustache. Since his arrest this has been shaved off."

GERMANY (Cont.)

"News of Germany" (25.5.46.) reported from Hanover the arrest of FLOHR, ex-commandant of Mohrungen concentration camp. He was working as a farm hand at a village.

Arrest of Ravensbrück Wardresses.

The Sunday Chronicle reported from B.A.O.R. headquarters (1.6.46.): "The two chief murderesses at the infamous women's concentration camp of Ravensbrück, in Mecklenburg - where thousands of Allied women, including British secret agents were exterminated - have been arrested in the American zone and are now in British hands. They are Thea Binz and Maria Mandi, both SS women.

"In three weeks in March last year 3,000 women were gassed in this camp, an operation which these two women are alleged to have supervised.

"BINZ who has been described as 'another Irma Grese', paraded at Ravensbrück with the standard SS women guards' equipment of pistol, whip, and police dog. She was chief of the SS women guards, and MANDI was her second-in-command."

Suspected War Criminals

In reply to a question in Parliament Mr. Hynd stated (30.5.46.) that among 45,000 Germans in custody in the British zone, there were 4,000 suspected war criminals. The majority could not be tried till the I.M.T. had given its verdict on criminal organisations.

FRENCH ZONE

The Neubeurenne Camp Trial

The Paris radio reported (14.5.46.): "The first proceedings before the High Court for the entire French zone will start tomorrow afternoon in the large hall of the Rastatt Schloss. From now on trials will be held at Rastatt of all guilty of war crimes or other grave offences against the occupation Power. This Rastatt Court, presided over by the Director-General for Justice for the zone, Forby, is the highest Court of Appeal and the Supreme Court of Justice in the French zone.

"Thirty-three persons will be brought to trial, all employed at the Neubeurenne concentration camp near Saarbrücken. The Commandant was SCHMOLL. It is expected the trial will last a fortnight as 80 witnesses will be called for the prosecution, among them several officers of the British Army. The written testimony of Yvonne Delbos and the present Minister of War, Michelet, will also be submitted. All of them endured ill-treatment in the Neubeurenne Camp. President Ausset, Paris Court of Appeal, will be the Presiding Judge. Two representatives of the Rastatt Military Court and representatives of the French Military Government will be among the Judges. A British and a Saar Judge will attend in an advisory capacity. Prosecuting Counsel is Public Prosecutor Deranier. All the defendants pleaded not guilty.

A French witness, Mme. Malhomme, stated that six British and American women who were captured by the Germans, after being parachuted into France near Paris after liberation of the capital in 1944, were kept chained by ankle fetters in Neubeurenne prison camp for periods of between 12 and 20 days.

HUNGARY.

The Budapest radio reported (16.5.46): The National Council of the People's Court has sentenced to death Gen. Ruzskay -Ranzonberger. He was Horthy's Adjutant, then became President of the National Socialist Party and, though a General, joined the SS. He appealed for a reprieve.

Agency messages of 2.6.46. announced the execution, by a firing squad, of Laszlo-Sauschek, ex-Chief of Staff of the Hungarian army under the Nazis.

ITALY.

Trial of Generals Esposito and Daquino.

The Times reported from Trieste (12.5.46.): General Giovanni Esposito, who with 11 other Italian officers has been on trial since April 24 before a local extraordinary assize court on a charge of handing over Trieste to the Germans after the Italian capitulation on September 8, 1943, and subsequent collaboration with the enemy, was yesterday found guilty on both counts and sentenced to 30 years' imprisonment. General Daquino was sentenced to 12 years' imprisonment for political collaboration, and seven other officers were acquitted.

Trial of Generals Rossi and Berti.

The Rome radio reported from Florence (25.5.46.): The Assize Court tonight pronounced sentence in the officers' trial; Gen. Adami Rossi and Gen. Berti have been sentenced to death; Capt. Gobbi to 30 years' penal servitude; Capt. Baggio Ducarne, in absentia, to 26 years'; Capt. Ciccarena, in absentia, to 22 years; Capt. Morelli to 16 years and Maj. Benti to six years. Col. de Meda was acquitted.

Trial of Marshal Graziani.

Rome radio announced (15.5.46.) that the trial of ex-Marshal Graziani had been postponed and would be included in the June term list.

Ferdinando Rossi, former Chief of the Fascist Republican Political Bureau in Milan, who had been sentenced to death, made an attempt to escape from the Via Copernico prison, where he had been held since the San Vittorio riots. He has been sent now to Procida with other convicts, including Carlo Emanuele Basile.

NORWAY.

An A.P. message from Oslo (25.5.46.) reported that Quisling's Minister of Interior, Hagelin, had been executed by a firing squad.

Agency messages from Oslo (1.6.46.) stated that Mrs. Quisling, the Russian-born wife of Quisling, had been arrested and was to be tried.

P O L A N D

The Stutthof Concentration Camp Trial

Radio Warsaw stated (26.5.46.) that on the previous day, the Court had pronounced sentence: 11 of the 15 defendants were sentenced to death, 2 to imprisonment; 2 were acquitted.

The Handing over of War Criminals.

Radio Warsaw (23.5.46.) reported the arrival of more war criminals, handed over by the United States authorities. They included HOSS, ex-commandant of Auschwitz; BUHLER, ex-chief of the Administration of the General Government; and BURGSDORF, ex-Governor of Cracow.

A further broadcast (29.5.46.) announced the arrival of 12 more German war criminals. The included Goeth AMON, ex-camp commandant, who liquidated the Cracow Ghetto and the camps at Tarnow and other places. He became a millionaire with the plunder of his victims.

R U M A N I A

Marshal Ion Antonescu, ex-dictator of Rumania was sentenced to death for war crimes by a special people's tribunal on May 17th. Twelve others, including Mihail Antonescu, former Vice-Premier, who was convicted with him, also received death sentences. Eleven others received sentences ranging from 10 to 20 years' imprisonment. The death sentences were carried out on June 1st, except 3 which were commuted to imprisonment.

It was announced on 19.5.46. that 30 more former Ministers and Under-Secretaries of State who served under Antonescu, dictator of Rumania - sentenced to death for treason with 12 of his associates - were arrested on 18.5.46. With four generals, they will come up for trial soon before the People's Court.

S P A I N

Germans in Spain.

Mr. McNeil, Under Secretary, Foreign Affairs, said in a written reply (21.5.46.) that the Spanish Government had assured our Embassy at Madrid that they would not grant Spanish nationality to any Germans. They had, however, refused to assist in the repatriation of a substantial number of Germans, including former officials and agents whom they regarded as "incorporated in Spanish life".

A Washington message to the Times (29.5.46.) said that the USA was providing a vessel with accommodation for 947 passengers, in which Spain could repatriate a number of Germans obnoxious to the Allies. There were still 2,205 Nazis, exclusive of their families, whose repatriation the United States Government wished to effect as soon as possible. The number included 931 officials, 794 intelligence agents, 450 technicians, scientists, engineers, and business men, and 30 border guards.

A Blue Division War Criminal.

The Daily Worker, 20.5.46., printed a report stating that the sentences recently passed on Spanish Republicans were to be reviewed by General Munoz Grande, late commander of the Blue Division, who is wanted as a war criminal by the Russians.

YUGOSLAVIA

The Trial of General Mihailovitch

A Tanyug broadcast, 23.5.46., stated: Foreign Minister Sinitich declared: "The new US Note, received on 7th May, expressed a desire on the part of the US Government to be informed of the place and date of Mihailovitch trial, and of the measures undertaken by the Yugoslav Government to 'enable those persons so desirous to testify.'" "Our Government stands by its attitude, which is the only correct one: that the defendant himself, that is to say his defence, is competent to call witnesses for him, and that the court alone is competent to decide which witnesses will be called."

In reply to a question in Parliament (22.5.46.) Mr. Bevin said that evidence by four British officers on behalf of General Mihailovitch, former Yugoslav War Minister, now awaiting trial, is being transmitted to the Yugoslav authorities by the British Government. He added that the Government had agreed to this step because collaboration with the enemy, according to the Yugoslav Minister of the Interior, was likely to be one of the charges against Mihailovitch.

The Trial of General Mihailovitch opened at Belgrade on June 10th.

MISCELLANEOUS

THE PARIS CONFERENCE.

The Problem of Wanted War Criminals.

The Times reported from Paris (4.6.46.): The problem of wanted war criminals was discussed to-day at the conference of the Foreign Ministers Deputies without any headway being reached. A British proposal that the Allies should send lists of wanted war criminals to the War Criminals Commission within three months was opposed by the Soviet delegation.

THE FAR EAST

THE FAR EAST.

JAPAN.

The International Military Tribunal.

The Times (3.6.46.) reported that when the Tribunal reopened on June 1st "its first task was to hear a series of 10 motions, among which were the proposal of the prosecution, headed by the American chief prosecutor, Mr. Joseph B. Keenan, to introduce Japanese Government documents, and the renewal of the request by the defence for the dismissal of the indictment as well as for further delay to permit fuller preparation of the case. Neither group of motions, however, appeared likely to delay the trial long."

"Though both prosecution and defence have carefully guarded against revealing cases prematurely, it was understood to-day that both may use as evidence the personal diaries of two of the Emperor Hirohito's closest advisers during the years leading up to the war - the late Prince Konoye and the Marquis Kido, who is one of the defendants.

It was reported (23.5.46.) that both MATSUOKA, ex-Foreign Minister, and OKAWA, (the man who slapped TOJO's head in the court) had been removed from the list of war criminals owing to ill-health.

The Times (5.6.46.) reported that the Allied chief prosecutor Mr. Keenan pointed out that the prosecution of the leading militarists of Japan was "part of the battle to save the world from destruction." The prosecution of these men had nothing to do with retaliation or vengeance, since a war of aggression such as they conducted was a crime under international law.

The Emperor Hirohito

A Reuter despatch (30.5.46.) stated that Russia had protested to the Allied Far Eastern Commission against the lenient treatment given the Japanese emperor. New Zealand and Australia supported the Russian view.

CHINA AND HONG KONG

British Trial.

The Press reported from Hong Kong (28.5.46.): Inouye Kanao, a Japanese known to British and Canadian prisoners at Shamshuipo camp as "Slap Happy", has been sentenced to death by a military court at Hong Kong. Accused, who had been found guilty of atrocities, was a former civilian interpreter at Shamshuipo camp, Kowloon, and Singapore.

SOUTH PACIFIC AND INDONESIA.

The Netherlands East Indies Information Service reported from Batavia that about 1,000 Japanese were to be tried for war crimes committed in the N.E.I.

THE NUREMBERG TRIAL

III.

THE NUREMBERG TRIAL.

(16.5.1946 - 11.6.1946.)

THE DEFENCE.

The defence of Donitz closed on May 14th. He was followed by Admiral Raeder (May 15th), Baldur v. Schirach (May 22nd), Sauckel (May 28th), Jodl (June 3rd), Seyss-Inquart (June 10th).

Counsel for Martin Bormann, Hitler's deputy, applied to the Tribunal (May 28th) for permission to call Fräulein Kruger, Bormann's secretary who could swear that Bormann was either dead or in the hands of the Soviet authorities. Lord Justice Lawrence observed that "it is very remotely relevant whether he is dead or alive. The question is whether he is guilty or innocent."

Counsel for Hess and Frank (Dr. Seidl) took advantage (May 21st) of the presence, as a witness, of Baron von Weizsäcker, former Secretary of State in the German Foreign Office, to put to him a copy of the secret Pact, in which the Soviet Union and Germany are alleged to have defined their respective spheres of influence, as an addendum to the Soviet-German Treaty of August 23, 1939. The Soviet Prosecutor, General Rudenko, at once objected on the ground that the Court was investigating the case against the war criminals, not the foreign policy of the Allies, and that moreover this anonymous document having already been rejected by the Tribunal, could have no probative value. After a discussion among the judges, the Court refused to admit the document, but the witness was allowed to speak of the affair from memory.

THE CRIMINAL ORGANIZATIONS.

The Press reported (May 19th) that 92,000 applications had been received by the Tribunal from would-be witnesses for the six Nazi organizations indicted by the Allies. (The German High Command and General Staff, the Reich Cabinet, the SS and SA, the Leadership Corps of the Nazi Party and the Gestapo).

Some were to appear before a 5-man commission headed by Colonel Meave (U.K.) which was to start sifting the evidence on May 20th, and was to sit in secret. The creation of this sub-tribunal was expected to shorten the trial substantially.

The death was announced on 24.5.46. of General Zorya, Russian assistant prosecutor at the Nuremberg trial, as the result of an accident due to incautious use of firearms.

The Daily Telegraph (25.5.46.) reported that some former Field Marshals and Generals, including Brauchitsch⁺, Rundstedt⁺, Kleist⁺, Manstein, Halder, Guderian, Falkenhausen⁺, Koller, and Ruoff who are in confinement in Nuremberg prison, have sent a petition to the Tribunal, complaining that they are not being treated in accordance with the Geneva Convention as prisoners of war, (which was the status accorded them before their arrival there). It appears that, on arrival at Nuremberg, their rank badges were removed and they have been kept in cells like other civilian detainees.

Note: Those marked with a + are already listed as war criminals by the UNWCC.

UNITED NATIONS WAR CRIMES COMMISSION

(Research Office)

E R R A T U M

17th June, 1946.

WAR CRIMES NEWS DIGEST No. XIII.

In the last paragraph on page 8 of War Crimes News Digest No. XIII, under the heading BRITISH ZONE - Trials, 21st May, the words "convicted in the 'Giftgas' Trial" should be deleted.

14th June, 1946.

SUPPLEMENT TO WAR CRIMES NEWS DIGEST No. XIII

SURVEY OF LEGAL LITERATURE

(Contributed by E. Schwellb, Legal Officer)

"Právo v boji s nacismem"
("The Law in the Fight against Nazism")
(In Czech)

by

Dr. Bohuslav Ečer

Printed and Published by Záf, Brno (Czechoslovakia)
(59 pages)

In this booklet Dr. Bohuslav Ečer, the Czechoslovak Representative on the UNWCC, General of the Czechoslovak Army Judge Advocate Service, and head of the Czechoslovak War Crimes Investigation Team, gives to the Czech public an account of the history of the problem of war crimes during, and after the conclusion of, the second world war. He describes the Allied discussions and preparations for the retributive action which is now being performed in very many international, municipal and occupation courts, an action in which Dr. Ečer personally played so important a part both in his capacity of member of the UNWCC and as a legal writer, lecturer and publicist. The booklet gives a short, but vivid and informative description of what happened in this important aspect of international law and politics. The following translation of the index will give a picture of the scope of the treatise:

Introduction.

- I. A new fact: criminality organised by the State.
- II. Bankruptcy of Justice after the first World War.
- III. The Allies of 1939-1945 declare that they would not repeat the mistake of 1919.
- IV. Against legal defeatism, against the capitulation of the law to German criminality.
- V. Preparatory work of the London International Assembly.
- VI. The United Nations War Crimes Commission.
- VII. We inform the members of the British House of Commons.
- VIII. A temporary set-back.
- IX. The minority report of the Czechoslovak delegate.
- X. The struggle in the plenary session of the Commission of 10th October, 1944.
- XI. The Governments' attitude.
- XII. The Soviet view of the problem of "war crimes".
- XIII. Crimes against humanity.
- XIV. Criminal and personal responsibility of Adolf Hitler and the members of his Government.
- XV. SS, SA, Gestapo.
- XVI. The law goes over from discussion to action.
- XVII. The conference of the Four Great Powers deals with the establishment of the International Military Tribunal.
- XVIII. The agreement of 8th August 1945 and the Charter of the International Military Tribunal.
- XIX. Indictment and trial of the German major war criminals.

Chapters VIII to XI will be of particular interest to members of the Commission. Here Dr. Eöör describes his contest with Sir Arnold McNair on the question of the scope of the retributive action of the United Nations, particularly the difference of opinion whether the staging of aggressive war is a crime, a contest which seemed rather unequal in its beginning, and which eventually as a consequence, inter alia, of Lord Wright's taking part in it, ended with the acceptance by the Four Great Powers and the United Nations at large of the propositions advocated by Dr. Eöör and his friends.

It is to be regretted that this very interesting pamphlet is at present available only in the Czech language.

The Trial of William Joyce, edited by C.E. Bechhofer Roberts.
Old Bailey Trial Series. (Jarrolds)
The Trial of William Joyce, edited by J.W. Hall, Notable British
Trials Series (Hodge)

Two different books on the Trial of William Joyce have appeared recently, one edited by Mr. C.E. Bechhofer Roberts and published by Jarrolds Publishers (London) Ltd., the other edited by Mr. J.W. Hall and published by Wm. Hodge & Co., Ltd.

The following review of the two books by Professor A.L. Goodhart appeared in The Sunday Times on 9th June 1946:

"Each of these books has its special points. Mr. Roberts in his introduction gives an admirable summary of the points at issue which will be of great assistance to the reader, whether lawyer or layman. He has added an appendix in which thirty-one other recent treason and treachery cases are briefly sketched so that a complete picture of the administration of the law can be obtained.

"Mr. Hall's introduction is written in a more popular manner, and contains a number of digressions concerning the verification of passports, the drafting of statutes, and the conduct of inquests which might with advantage have been omitted. His statement that Joyce 'was deliberately kept on the Continent . . . while Parliament quickly passed the Treason Act, 1945,' is misleading, as the Bill had been introduced in the House of Lords eleven days before Joyce had been arrested. In view of the unanimous conclusion reached by the trial judge, the Court of Criminal Appeal, and the House of Lords, that an alien holding a British passport owed allegiance to the Crown (Lord Porter's dissent being on another point), Mr. Hall's statement that he has found an almost 'universal feeling, shared by lawyers and laymen . . . that the decision was all wrong, and that an unmeritorious case has made bad law' is an extraordinary one.

"Such an unjustifiable claim to speak for the legal profession ought not to have been made in a serious book, because it may give an entirely misleading picture to the lay reader. Few lawyers would be prepared to state so glibly that a decision reached by nine distinguished judges, including the Lord Chancellor and the Lord Chief Justice, 'was all wrong'. On the other hand, Mr. Hall has included in his book useful summaries of the arguments of counsel both in the Court of Criminal Appeal and in the House of Lords, and a report of the judgment in the Court of Criminal Appeal which, strange to say, have been omitted by Mr. Roberts. Faced with a choice between these two books the only advice that we can give the reader is that if he is really interested in the case he had better buy both of them."

Letter by Lt. Col. A.A.H. MARLOWE, K.C., M.P.
to the Editor of "The Times", on
The Trial for the murder of four women parachutists at Wuppertal.

In a letter to The Times, published on 13th June, 1946, Lt. Col. Anthony A.H. Marlowe, K.C., M.P., who acted as Judge Advocate in the trial concerning the burning of four women, replied to the Press criticism, which is summarised in the general part of this Digest (page 11). He writes:

"This case attracted considerable Press comment in this country and unfavourable opinion was expressed of the fact that of the nine Germans accused only one was sentenced to death. It appeared to be suggested, on some eye for eye principle, that either the gravity of the charge or the number of the victims demanded more executions. It is important that it should be understood that British justice is not administered in this way. The Press demand for more heads was no doubt actuated by a lurid story that these women were put alive into a burning oven, screaming and kicking to the last.

"This story came from a Pole and had there been any truth in it the Press comment would have been merited. But the very purpose of the court was to investigate the truth, which it did very thoroughly. The Pole emerged as the most unreliable witness I have ever seen in any court. It transpired that he had not been there, knew nothing about it, and was merely drawing on his imagination. The simple facts proved to the satisfaction of the court were that these women were put to death and subsequently cremated. The only issue before the court was whether the unfortunate women had suffered 'judicial execution' after trial and sentence as spies or not. The court being satisfied that there had been no trial or sentence, the executioner or executioners could be condemned for murder.

"The evidence was clear that some four people were the executioners. Only one of these was before the court; he was duly condemned to death. Of the others, one had committed suicide and the other two had not been apprehended. The remaining accused were proved only to have played minor roles of complicity and (except for three who had clearly not been implicated and were therefore acquitted) were sentenced to long terms of imprisonment.

"It would be impossible to imagine a clearer vindication of the purpose of these trials. If these accused had been dealt with on rumour, mob law, or by a Press campaign great injustice would have been done. In the event, the German defence counsel and the German public have been deeply impressed by witnessing an administration of justice which has been unknown in their country for 15 years, and in consequence they quite clearly recognize that Britain is the fount of justice. When, the following day, the same court sentenced to death on a clearly proved charge of murdering a British airman three of the men who had escaped the death penalty in the 'four women' case they manifested their agreement and approval of the sentences.

"I write this letter because the difficult task of administering British justice in a foreign country is being carried out with conspicuous success; great harm will be done if it is to be subject to pressure and to adverse comment from the Press. The members of military courts are serving soldiers who cannot defend themselves. I should be failing in my duty if I did not do so on their behalf, particularly in such a case as this where the senior member, Brigadier the Hon. J.B.G. Hennessy, displayed a breadth of vision, an understanding of justice and a sense of duty which did great credit to the British administration in an occupied country."
