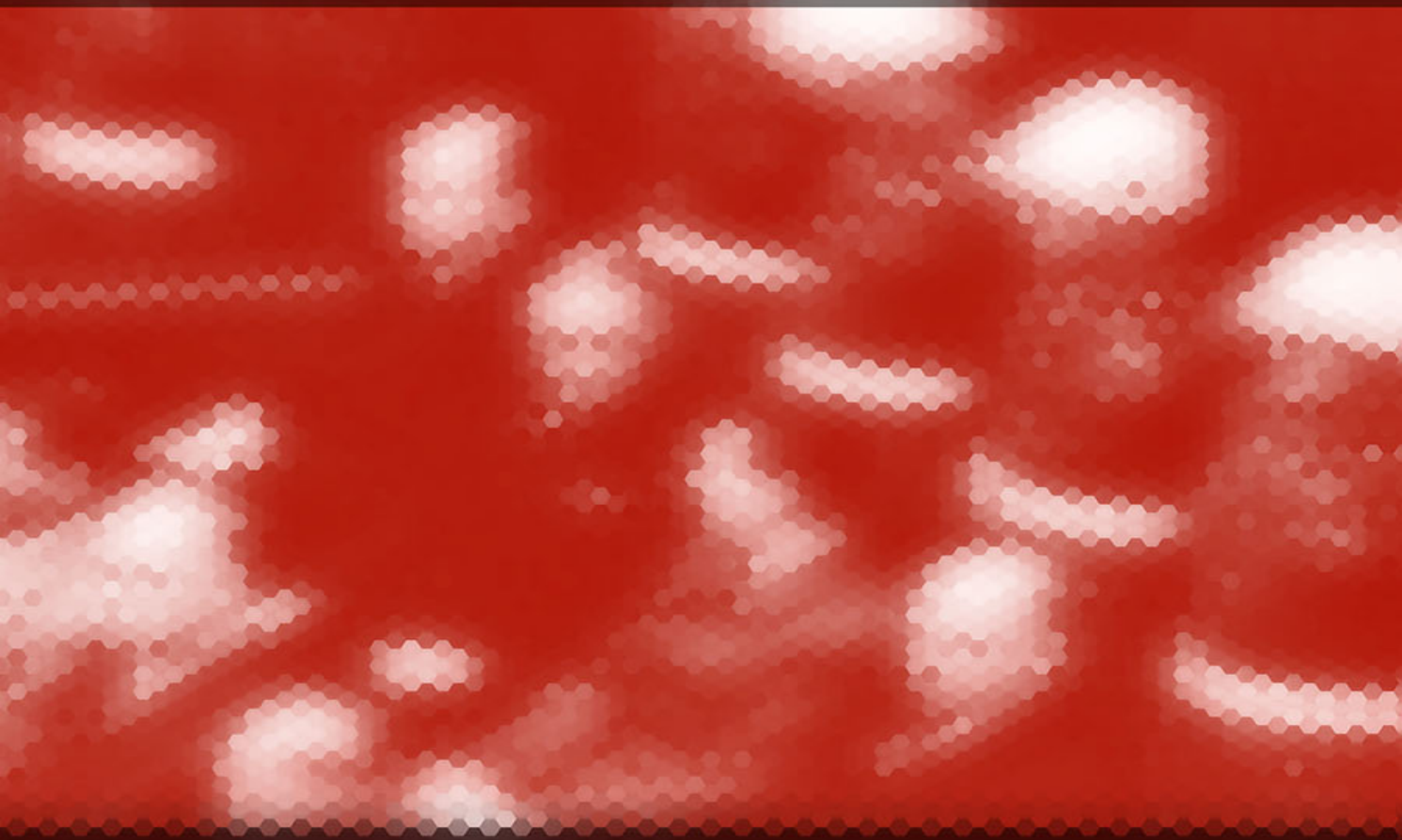


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TRIBUNAL**



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INTERNATIONAL MILITARY TRIBUNAL

THE UNITED STATES OF AMERICA, THE FRENCH REPUBLIC,
THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN
IRELAND, and THE UNION OF SOVIET SOCIALIST REPUBLICS

— *against* —

HERMANN WILHELM GÖRING, RUDOLF HESS,
JOACHIM VON RIBBENTROP, ROBERT LEY, WILHELM
KEITEL, ERNST KALTENBRUNNER, ALFRED
ROSENBERG, HANS FRANK, WILHELM FRICK, JULIUS
STREICHER, WALTER FUNK, HJALMAR SCHACHT,
GUSTAV KRUPP VON BOHLEN UND HALBACH, KARL
DÖNITZ, ERICH RAEDER, BALDUR VON SCHIRACH,
FRITZ SAUCKEL, ALFRED JODL, MARTIN BORMANN,
FRANZ VON PAPEN, ARTHUR SEYSS-INQUART,
ALBERT SPEER, CONSTANTIN VON NEURATH, and
HANS FRITZSCHE, Individually and as Members of
Any of the Following Groups or Organizations to
which They Respectively Belonged, Namely: DIE
REICHSREGIERUNG (REICH CABINET); DAS KORPS
DER POLITISCHEN LEITER DER
NATIONALSOZIALISTISCHEN DEUTSCHEN
ARBEITERPARTEI (LEADERSHIP CORPS OF THE NAZI
PARTY); DIE SCHUTZSTAFFELN DER

NATIONALSOZIALISTISCHEN DEUTSCHEN ARBEITERPARTEI (commonly known as the “SS”) and including DER SICHERHEITSDIENST (commonly known as the “SD”); DIE GEHEIME STAATSPOLIZEI (SECRET STATE POLICE, commonly known as the “GESTAPO”); DIE STURMABTEILUNGEN DER NSDAP (commonly known as the “SA”); and the GENERAL STAFF and HIGH COMMAND of the GERMAN ARMED FORCES, all as defined in Appendix B of the Indictment,

Defendants.

PREFACE

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Recognizing the importance of establishing for history an authentic text of the Trial of major German war criminals, the International Military Tribunal directed the publication of the Record of the Trial. The proceedings are published in English, French, Russian, and German, the four languages used throughout the hearings. The documents admitted in evidence are printed only in their original language.

The first volume contains basic, official, pre-trial documents together with the Tribunal's judgment and sentence of the defendants. In subsequent volumes the Trial proceedings are published in full from the preliminary session of 14 November 1945 to the closing session of 1 October 1946. They are followed by an index volume. Documents admitted in evidence conclude the publication.

The proceedings of the International Military Tribunal were recorded in full by stenographic notes, and an electric sound recording of all oral proceedings was maintained.

Reviewing sections have verified in the four languages citations, statistics, and other data, and have eliminated obvious grammatical errors and verbal irrelevancies. Finally, corrected texts have been certified for publication by Colonel Ray for the United States, Mr. Mercer for the United Kingdom, Mr. Fuster for France, and Major Poltorak for the Union of Soviet Socialist Republics.

NINETIETH DAY

Monday, 25 March 1946

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Morning Session

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MARSHAL (Colonel Charles W. Mays): May it please the Court: the Defendants Streicher and Ribbentrop are absent from this session.

THE PRESIDENT (Lord Justice Sir Geoffrey Lawrence): Dr. Seidl.

DR. ALFRED SEIDL (Counsel for Defendant Hess): Mr. President, Your Honors, on Friday last I stated that I would not read anything from the first volume of the document book; that does not mean, however, that I should not like to refer to one or another document in my final speech. The question now arises whether, under these circumstances, documents to which I may refer, but which I will not read now should be submitted as evidence to the Court, or whether it is sufficient if these documents are copied down in the book. I would be grateful if the Court would help me regarding this question.

SIR DAVID MAXWELL-FYFE (Deputy Chief Prosecutor for the United Kingdom): My Lord, I have a suggestion to make: That the Tribunal take these documents *de bene esse* at the moment, and that when Dr. Seidl comes to make his final speech, then any point as to admissibility can be discussed. With regard to the third book, for example, that consists of a

number of opinions of various politicians and economists in various countries. The Prosecution will, in due course, submit that these have no evidential value and in fact relate to a matter too remote to be relevant. But I should have thought the convenient course would have been to discuss that when we find what ultimate use Dr. Seidl makes of the documents, at the moment letting them go in, as I suggest, *de bene esse*.

THE PRESIDENT: Dr. Seidl, the Tribunal think that you should offer the documents in evidence now, and that they should be numbered consecutively. Probably the best way would be with the letter "H" in front of them—H Number 1 and so on—and that then, as Sir David says, as they are being offered all together, objection, if necessary, can be taken to them at a later stage—objection on the ground of admissibility or relevance.

DR. SEIDL: Very well. I turn once more to Volume I of the document book. The first document is a speech made by the Defendant Rudolf Hess on 8 July 1934. This document will bear the Number H-1, Page 23 of the document book. The second document can be found on Page 27 of the document book...

THE PRESIDENT: One moment, Dr. Seidl. To what issue has this speech got relevance?

DR. SEIDL: The speech of 8 July 1934?

THE PRESIDENT: Yes. Well, it is the one on Page 23. It is 8 July 1934.

DR. SEIDL: Yes, Mr. President, this speech deals with the question of war and peace. Since the Defendant Hess is accused of having participated in the psychological

preparation of aggressive war, and thus also of being a participant in the conspiracy, it seems to me that the attitude of the Defendant Hess toward the question of war is of considerable importance as regards evidence.

THE PRESIDENT: Very well. We will allow you to read it.

DR. SEIDL: Mr. President, I do not intend to read the speech now. I only want to bring up the speech as an exhibit so as to be able to refer to it in my final speech, if necessary.

THE PRESIDENT: Very well.

DR. SEIDL: I shall read nothing at all from We first document book. I shall only mention certain documents as exhibits.

I turn to Page 28 of the document book. This is another speech by the Defendant Hess, delivered on 27 November 1934. The number of this exhibit will be H-2.

THE PRESIDENT: The speech of 8 December 1934 begins on Page 27.

DR. SEIDL: Page 27, that is right. It was marked here incorrectly. As the third exhibit I submit a speech—that is to say, an excerpt from a speech—of 17 November 1935, Page 31 of the document book, Exhibit Number H-3.

I turn to Page 32 of the document book, an excerpt from a speech of 11 October 1936, Exhibit Number H-4.

Then comes a speech of 14 March 1936, Page 33 of the document book, Exhibit Number H-5.

The next exhibit is on Page 35 of the document book, a speech of 21 March 1936, Exhibit Number H-6.

Exhibit Number H-7 is a speech on Page 36 of the document book.

Exhibit Number H-8 is a speech of 6 June 1936, on Page 40 of the document book. Then, I turn to Page 43 of the document book, a speech at the Reichsparteitag in Nuremberg 1936, Exhibit Number H-9.

There follow excerpts of a speech on Page 59 of the document book, Exhibit Number H-10.

A speech of 14 May 1938 at Stockholm is found on Page 70 of the document book, Exhibit Number H-11.

The next exhibit is on Page 78 of the document book, Exhibit Number H-12.

So much for the first volume of the document book.

I pass on to the second volume, to the affidavit which I submitted last Friday. It can be found on Page 164 of the document book. It is an affidavit made by the former Secretary, Hildegard Fath, and it will bear the Exhibit Number H-13.

The next exhibit is on Page 86 of the document book, Volume 2, a decree of 3 June 1936, Exhibit Number H-14.

And now I come to the point where I shall read certain excerpts from the minutes of the meeting between the Defendant Hess and Lord Simon, which took place on 10 June 1941. These minutes begin on Page 93 of the document book. The minutes will have the Exhibit Number H-15.

Your Honors, the Defendant Hess, on 10 May 1941, flew to England. Nobody except his then adjutant, Hitsch, knew of this flight.

The Führer himself was informed about the flight and the intentions connected therewith in a letter which was delivered to the Führer after Hess had already landed in England. After his arrival in England Hess was frequently questioned by officials of the Foreign Office, and, as already mentioned, a meeting took place between him and Lord Simon on 10 June 1941. This meeting lasted two hours and a half. In the course of this meeting the Defendant Hess told Lord Simon the reasons for his extraordinary undertaking and he then submitted four proposals, or four points, which he claimed would give the intentions of Adolf Hitler, and which he considered to be the basis for an understanding and a conclusion of peace.

For the conference Lord Simon assumed a pseudonym; in the minutes which were given to the Defendant Hess shortly after the meeting, he is referred to as Dr. Guthrie.

As far as I know, this measure was probably taken to prevent the stenographers or the translators from knowing at once what it was all about. In the minutes mention is also made of a Dr. Mackenzie, an official of the Foreign Office, and of Mr. Kirkpatrick, who had previously already spoken with the Defendant Hess.

After a few introductory remarks by Lord Simon, the Defendant Hess began to explain the reasons which led him to take his singular step, and I quote liberally from Page 93 of the document book, about the middle of the page. I must add that in the minutes, the Defendant Hess is referred to by the name "J." The Defendant Hess, after the introductory remarks, said the following...

THE PRESIDENT: Dr. Seidl, there seems to be a typographical error, probably in the date. The date is given as the 9th of August.

You said the 10th of June, did you not?

DR. SEIDL: 10 June, yes.

THE PRESIDENT: Is this a mistake at the top of Page 93-9.8.41?

DR. SEIDL: On the cover of the document there is the following remark: "Minutes of the conversation which took place on 9 June 1941 somewhere in England." On the inside of the document, there is also the entry 9. 6. 41; so there must obviously be a typographical error here.

THE PRESIDENT: Yes, it must have been. They put "8" instead of "6."

DR. SEIDL: Yes.

THE PRESIDENT: Very well.

DR. SEIDL: "I know that probably nobody has correctly understood my coming; but in view of the extraordinary step that I have taken, that can by no means be expected. Therefore I would like to begin by explaining how I came to do this."

I continue on Page 94:

"The idea came to me in June of last year, during the time of the French campaign, while visiting the Führer. ..."

I believe I may omit the following incidental remarks and continue quoting further:

"I must admit that I came to the Führer convinced, as we all were, that sooner or later in the end we would surely conquer England, and I expressed the opinion to the Führer that we must naturally demand from England the restitution of property-such as the equivalent of our merchant fleet, *et cetera*-which had been taken from us by the Versailles Treaty."

I turn to Page 95:

"The Fuhrer then immediately contradicted me. He was of the opinion that the war could possibly 'be an occasion for coming to an agreement with England for which he had striven ever since he had been politically active. To this I can testify, that ever since I have known the Führer, since 1921, the Führer has always said that an agreement between Germany and England had to be achieved. He said he would bring this about as soon as he was in power. He told me at that time in France that one should not impose any severe conditions, even if victorious, on a country with which one desired to come to an agreement. Then I conceived the idea that if this were known in England, it might be possible that England also might be ready for an agreement."

I turn now to Page 96 of the document book.

"Then, at the conclusion of the French campaign came the Führer's offer to England. The offer, as is

known, was refused. This made me all the more firm in my belief that under these circumstances I had to execute my plan. During the subsequent period came the air war between Germany and England, which, on the whole, meant heavier losses and damages for England than for Germany. Consequently, I had the impression that England could not give in at all without suffering considerable loss of prestige. That is why I said to myself, 'Now I must realize my plan all the more, for if I were over in England, England could be enabled to take up negotiations with Germany without loss of prestige.'

I turn now to Page 97 of the document book. After a short incidental remark by Dr. Mackenzie, Hess continued:

"I was of the opinion that, apart from the question of the terms for an agreement, there would be still in England a, ' certain general distrust to overcome. I must confess that I faced a very grave decision, the gravest in my life, of course, and I believe I was aided by continuously keeping before my inner vision the picture of an endless row of children's coffins with the mothers weeping behind them on the German side as well as on the English side...

"THE PRESIDENT: Dr. Seidl, have you got the original document there before you?

DR. SEIDL: Yes.

THE PRESIDENT: Might it be handed up?

DR. SEIDL: Yes.

[The document was handed to the President.]

THE PRESIDENT: Yes, go on.

DR. SEIDL: ". . . and vice versa, the coffins of mothers with the children behind them.

"I want to mention certain points which, I believe, have a certain importance from the psychological point of view. I must go back a bit. After Germany's defeat in the World War, the Versailles Treaty was imposed on her, and no serious historian is today still of the opinion that Germany was responsible for the World War. Lloyd George has said that the nations stumbled into the war. I recently read an English historian, Farrar, who wrote about Edward VII and his policy at that time. This historian, Farrar, lays the main guilt for the war, on the policies of Edward VII. After her collapse Germany had this treaty imposed upon her, which was not only a frightful calamity for Germany but also for the whole world. All attempts of politicians, of statesmen in Germany, before the Führer came to power-that is *to* say, when Germany was a pure democracy-to obtain any sort of relief failed."

I forego the reading of the following part of the minutes literally.

A conversation followed on various points. Among other things the subject of the conversation then was the air

strength of Germany at that time and the preparations with regard to the building of U-boats. I do not believe that these questions are relevant in the present connection, and so I shall turn at once to that part of the minutes where mention is made of the proposals which Hess made to Lord Simon. This is on Page 152 of the document book. From the minutes we can see 'that Hess had previously written down the proposals which he wanted to submit. He gave these notes to Dr. Mackenzie and Mr. Kirkpatrick, who then read and translated them, and now I quote on Page 152, at the bottom of the page, literally: "Basis for an understanding." And here I have to ask the Tribunal to turn from Page 152 of the document book to Page 159 of the document book because the first point in the proposal obviously has been presented in the wrong fashion. On Page 159, about the middle of the page, there is a statement by Dr. Mackenzie which expresses the first point correctly, and I quote:

"In order to prevent future wars between the Axis and England, the limits of the spheres of interest should be defined. The sphere of interest of the Axis is Europe, and England's sphere of interest is the Empire."

I ask now that you turn back, namely to Page 153 of the document book. Here we find on the last line the second point of the proposals which Hess made. Dr. Mackie is reading:

"2. Return of German Colonies."

I turn to Page 154 of the document book and begin to quote at the top of the page-it is possible that the figure "2" is inadvertently repeated here in the document book. It should be:

"3. Indemnification of German citizens who before or during the war had their residence within the British Empire, and who suffered damage to life and property through measure of a Government of the Empire or as a result of pillage, riot, *et cetera*; indemnification of British subjects by Germany on the same basis.

"4. Armistice and peace to be concluded with Italy at the same time." I Then there is a personal remark by Hess as follows: "The Führer in our conversation repeatedly presented these points to me in general as the basis for an understanding with England."

I shall not read any further excerpts from these minutes.

I forego the reading *a\$* the other passages marked in red. The conference was terminated by a statement made by Lord Simon to the effect that he would bring the proposals made by Hess to the knowledge of the British Government. That was Exhibit Number H-15.

Your Honors, the Defendant Rudolf Hess is accused in the Indictment of helping the Nazi conspirators to seize power and of furthering the military, economic, and psychological preparations for the war as mentioned under Count One of the Indictment; of participating in the political planning and preparation of aggressive wars and of war in violation of

international treaties, agreements and promises, as mentioned in Counts One and Two, and of participating in the preparation and planning of foreign political plans of the Nazi conspirators as listed under Count One.

That accusation is the nucleus of the Indictment against Rudolf Hess. It is therefore my duty to discuss also briefly in evidence the circumstances which in 1939 led to the outbreak of war. In that respect I have the following to say: On 23 August 1939, at Moscow a non-aggression pact was concluded between Germany and the Soviet Union, which has already been submitted by the Prosecution as Exhibit GB-145 (Document TC-25). On the same day, that is to say but 1 week before the outbreak of the war and 3 days before the planned attack on Poland, these two nations made another secret agreement. This secret agreement essentially contained the definition of the spheres of interest of both nations within the European territory lying between Germany and the Soviet Union.

THE PRESIDENT: Dr. Seidl, you are not forgetting, are you, the Tribunal's ruling that this is not the opportunity for making a speech, but simply the occasion for introducing documents and calling witnesses. You will have the opportunity of making your speech at a later stage.

DR. SEIDL: Yes, indeed. I do not intend to make a speech, but I intend to say a few- introductory w~rds on a document which I shall submit to the Tribunal. Germany, in the secret documents, declared herself disinterested in Lithuania, Latvia, Estonia, and Finland.

THE PRESIDENT: Dr. Seidl, we have not yet seen the document. If you are going to put in the document, put in

the document.

DR. SEIDL: Yes. indeed. I can submit the document at once. It is an affidavit of the former ambassador, Dr. Friedrich Gaus. In the year 1939 he was the Chief of the Legal Department of the Foreign Office. He was present at the negotiations as the assistant of the then German plenipotentiary in Moscow, and it was he who drafted the non-aggression pact which has already been submitted as an exhibit, as well as the secret agreement, the contents of which I want to submit now to the Tribunal as facts which are important as evidence.

THE PRESIDENT: Well, will you hand in the document?

DR. SEIDL: Surely. However, I intend to read parts of this document later.

THE PRESIDENT: Dr. Seidl, the Tribunal does not quite understand what this document is, because it is not included in your document book and it does not appear that you made any application for it or made any reference to it, and it is in German; it is not translated.

DR. SEIDL: Mr. President, when I prepared the document book for the Defendant Hess, I did not as yet have this affidavit in my possession. It dates from 15 March 1946. At that time, when the relevancy of the applications for Defendant Hess were discussed, I had as yet no definite knowledge of the context which would have enabled me to make a proper application. The excerpts which I intend to read from this document are short, and it will be possible to have them translated immediately by the interpreters present here in the courtroom.

THE PRESIDENT: Have you a copy for the Prosecution?

DR. SEIDL: Surely, a German copy.

THE PRESIDENT: I am afraid that would not be any use to me. I do not know whether it is to all the members of the Prosecution. Have the Prosecuting Counsel any objection to passages being read from this document?

GENERAL R. A. RUDENKO (Chief Prosecutor for the U.S.S.R.): Mr. President, I did not know about the existence of this document, and I therefore strenuously object to having it read into the record.

I would wish that the procedure established by the Tribunal be observed by the Defense. The Prosecution, in the past, when presenting its evidence invariably presented copies of these documents to the Defense Counsel. Counsel for Hess is now presenting a completely unknown document, and the Prosecution, with every reason, would like to familiarize itself with this document beforehand. I do not know what secrets or what secret agreements Counsel for the Defense is talking about and on what facts he is basing his statements. I would therefore, to say the least, define them as unfounded. I request that this document should not be read into the record.

DR. SEIDL: The Prosecutor for the Soviet Union states that he has no knowledge of the existence of this secret document which shall be established by this affidavit. Under these circumstances I am compelled to move that Foreign Commissar Molotov of the Soviet Union be called as a witness, so that it can be established, firstly whether this agreement was actually concluded, secondly, what the contents of this agreement are, and thirdly...

THE PRESIDENT: Dr. Seidl, the first thing for you to do is to have a translation of this document made, and until you have a translation of this document made the Tribunal is not prepared to hear you upon it. We do not know what the document contains.

DR. SEIDL: As to what the document contains, I already wanted to explain that before. In the document there is...

THE PRESIDENT: No, the Tribunal is not prepared to hear from you what the document contains. We want to see the document itself and see it in English and also in Russian. I do not mean, of course, you have to do it yourself, Dr. Seidl. If you would furnish this copy to the Prosecution they will have it translated into the various languages and then, after that has been, done, we can reconsider the matter.

DR. SEIDL: Very well. I turn then to another document, the reading of which can certainly raise no objections, because it is a document which has already been submitted by the Prosecution. It is the address made by the Führer to the Commanders-in-Chief of the Armed Forces on 22 August 1939. It was submitted by the Prosecution of the Soviet Union as 798-PS and as Exhibit Number US-29. I quote from Page 6 of the German photostat: "Thereupon Hitler declared . . ."

THE PRESIDENT: Have you got it in your document book or not, I mean just for convenience?

DR. SEIDL: The document was already submitted by the Prosecution in full.

THE PRESIDENT: You mean it is not here. I have not got the document before me. It is not in your document book?

DR. SEIDL: No, it is not in the document book because the Court has already ruled that each defendant's counsel has the right to refer to any document which has already been submitted by the Prosecution. I quote:

"...I have gradually brought about a change in our attitude towards Russia. In connection with the trade agreement, we got into a political conversation., Proposal of a non-aggression pact. Then came a general proposal from Russia. Four days ago I took a special step which had as a result that Russia answered yesterday she was ready for settlement. Personal contact with Stalin has been established. Von Ribbentrop will conclude the treaty the day after tomorrow. Now Poland is in the position in which I wanted her to be." End of the quotation.

Mr. President, Gentlemen: I had now the intention to call the witness Bohle 'who has already been approved by the Tribunal. The Defendant Hess, however, has asked me to forego the personal appearance of that witness and read an affidavit concerning the facts of evidence in reference to which the witness was to be heard.

I have prepared such an affidavit, and undoubtedly it would accelerate the proceedings if the Tribunal would permit the reading of this affidavit. If however, the Tribunal should have the opinion that. . .

SIR DAVID MAXWELL-FYFE: I have not had the opportunity of seeing the affidavit. As previously advised, if

the witness covers the ground for which he was asked, I should want him for cross-examination.

THE PRESIDENT: Where is the witness?

DR. SEIDL: He is here. With the permission of the Tribunal I would like to call the witness Bohle now.

THE PRESIDENT: Do you mean to call him or to read his affidavit?

DR. SEIDL: Yes, indeed; since Sir David Maxwell-Fyfe apparently protests against the reading of the affidavit, I would like to call the witness.

SIR DAVID MAXWELL-FYFE: I have not seen the affidavit, of course, My Lord, so at the moment, as I say, if the affidavit covers the ground that the witness should speak upon, then I shall want to cross-examine him.

THE PRESIDENT: Unless the Prosecution are agreeable that the affidavit should be put in, the witness must be called, but if the Prosecution are agreeable to the affidavit being read and then the witness presented for cross-examination, the Tribunal is quite willing that it should be done.

SIR DAVID MAXWELL-FYFE: I do not mind that in the least, my Lord. Of course, I am in slight difficulty not knowing what is in the affidavit.

THE PRESIDENT: Perhaps the best course would be for the Tribunal to have a 10-minute adjournment now, and you could perhaps just see what is in the affidavit.

SIR DAVID MAXWELL-FYFE: It is a pleasure, My Lord.

[A recess was taken.]

THE PRESIDENT: The Tribunal did not wish to hurry counsel, but we thought we had better get on with other witnesses, and this document can be translated and considered and possibly dealt with after the main adjournment.

SIR DAVID MAXWELL-FYFE: If Your Lordship pleases, I have not had the chance of reading the translation. A preliminary view of the affidavit convinced my staff that it was not of very great importance, and I was going to consider whether the quickest way might be to let the affidavit be read, if the Tribunal would then permit me to read three documents which I was going to put in cross-examination to the witness. That might be more convenient than to take the course which Your Lordship suggests, of waiting until we have seen the full affidavit and then consider what would be the best way to deal with it.

THE PRESIDENT: Well, you have perhaps seen part of the document, and you can perhaps judge better which would be the more convenient course. Whichever you think more convenient.

SIR DAVID MAXWELL-FYFE: Well, I am quite content if Dr. Seidl reads it, but it would have to be on the terms that the documents which I was going to put in cross-examination to the witness are read.

THE PRESIDENT: The Tribunal thinks he had better be called.

SIR DAVID MAXWELL-FYFE: If Your Lordship pleases.

THE PRESIDENT: Yes; Dr. Seidl?

DR. SEIDL: If I understood the High Tribunal correctly, they do not wish to have the affidavit read but to have the

witness interrogated before the Court.

THEPRESIDENT: Well, as soon as the affidavit has been translated, and the Prosecution have had an opportunity of considering it, they can let us know whether they think it will be better to treat the affidavit as the examination of the witness, and he must then be produced here for the purpose of cross-examination unless you prefer to examine him orally yourself.

DR. SEIDL: I believe that under these circumstances it would be best to call the witness immediately to the witness stand.

THE PRESIDENT: Very well.

[The witness Bohle took the stand.]

THE PRESIDENT: Will you tell me your name?

ERNST WILHELM BOHLE (Witness): Ernst Wilhelm Bohle.

THEPRESIDENT: Will you repeat this oath after me: I swear by God-the Almighty and Omniscient-that I will speak the pure truth-and will withhold and add nothing.

[The witness repeated the oath in German.]

DR. SEIDL: Witness, you were ultimately the leader of the Aus- lands-Organisation of the NSDAP? Is that correct?

BOHLE: Yes.

DR. SEIDL: You were also State Secretary of the Foreign Office?

BOHLE: Yes.

DR. SEIDL: Mr. President, Mr. Dodd of the American Prosecution just made the suggestion that, in order to save time, it might be possible to follow the same procedure as in the case of witness Blaha, that is, first of all, to read the

affidavit in the presence of the witness and then afterwards hear him in cross-examination.

THE PRESIDENT: Yes, certainly.

DR. SEIDL [*Turning to the witness.*]: You made an affidavit which I shall now read to you. Concerning the matter:

"1. The Auslands-Organisation of the NSDAP was founded on 1 May 1931 at Hamburg upon suggestion of some Germans abroad. Gregor Strasser, Reich Organization Chief at the time, appointed as its leader the NSDAP Member of the Reichstag, Dr. Hans Nieland.

"I myself became a volunteer assistant of the Auslands-Organisation in December 1931 and was taken into the Party on 1 March 1932. On 8 May 1933 Dr. Nieland resigned as leader of the Auslands-Organisation, having become in the meantime a member of the Hamburg Government and also, as a German who had always stayed at home, being less interested in questions concerning Germans abroad. On account of my experience and my connections abroad-I was born in England and raised in South Africa-I was charged with the leadership of the Auslands-Organisation.

"2. The purpose of the Auslands-Organisation was, upon the assumption of power, to hold together in an organized way the approximately 3,300 Party members living outside the boundaries of Germany at the time of the seizure of power.

Further, through it Germans abroad, who could have only a vague idea of the political happenings at home, were to be taught the philosophy and the political program of the new state.

"3. Only German nationals could become members of the Party.

The acceptance of foreigners or former Germans who had acquired citizenship in another state was strictly prohibited.

"4. The guiding principle of the Auslands-Organisation of the Party concerning its attitude to foreign countries was found on the Ausland pass of every German national who was a member of the Party, in the following passage: 'Observe the laws of the country whose guest you are. Let the citizens of the country in which you stay take care of their internal politics; do not interfere in these matters, not even by way of conversation.' "This principle was basic for the work and the attitude of the Auslands-Organisation with respect to foreign countries from the day of its founding up to its end. I myself referred to this in many public speeches, and in so doing coined, among others, the phrase: 'The National Socialist honors foreign folkdom because he loves his own.' "My speeches in Porchester Hall in London on 2 October 1937 and in Budapest at the end of January 1938 give a comprehensive picture of the attitude of the Auslands-Organisation of the NSDAP toward foreign countries.

"Winston Churchill in the late summer of 1937 repeatedly attacked the activity of the Auslands-Organisation in newspaper articles, and in his well-known article, 'Friendship with Germany,' in the London *Evening Standard* of 17 September 1937, designated it as an encumbrance on German-English relations. In the same article he said that he was ready to converse with me in the most cordial manner about this question. The German Embassy in London informed the Foreign Office at that time that a question by Churchill in the House of Commons regarding the activity of the Auslands-Organisation would be extremely undesirable. As a result a meeting between Churchill and myself was advocated as urgent. This took place on the day of my speech to the Reich Germans in London, in Winston Churchill's London home, and lasted more than an hour. I had ample opportunity in this thoroughly cordial conversation to describe the activity of the Auslands-Organisation and to dispel his misgivings. At the end he accompanied me to my car and let himself be photographed with me, in order, as he said, to show the world that we were parting as friends. There was no inquiry in the House of Commons. From that day Churchill never uttered a word of objection again about the activity of the Auslands-Organisation. My speech of the same date, which was published shortly afterwards in English, in (pamphlet form by an English concern, was very favorably received. *The Times* published

from it a lengthy excerpt under the heading 'Herr Bohle's Plea for an Understanding.' After this conversation Churchill wrote me a letter in which he voiced his satisfaction with the result of our conversation.

"6. In the trial of the murderer of the Landesgruppenleiter of the Auslands-Organisation in Switzerland, Wilhelm Gustloff, which was held in a Swiss court at Chur in 1936, the legality of the activity of the Auslands-Organisation was the subject of investigation by the court. The Defendant, David Frankfurter, was sentenced to 18 years imprisonment. From what I remember, I can say that the Swiss authorities, who were in no way friendly to Nazis, had to testify that Gustloff and the Landesgruppen of the Auslands-Organisation had never in any way given reason for complaint with regard to their activity. The testimony of Federal Councillor Baumann, who, to my knowledge, was then Minister of the Interior and of the Police in Switzerland, was at that time decisive.

"7. I should further like to point out in this connection that also after the outbreak of the war the Landesgruppen of the Auslands-Organisation in neutral countries continued to function until the end of the war. That is especially true of Switzerland, Sweden, and Portugal.

"From 1943 on, at the latest, the Reich would hardly have been able to take any steps against suppression, if the Auslands-Organisation had come