

DEFENSE COUNSEL: I object to that on the grounds that the translation of the original is not correct.

PROSECUTION: I will withdraw this. I will have a correct translation of it.

QUESTIONS BY PROSECUTION:

Q Did any executions by shooting take place at Gusen I?

A I said already before that I heard about them once but I, myself, never witnessed any.

Q Who composed the execution squads?

A I don't know that. My company never furnished any.

Q Did guards compose the execution squads?

A I don't understand the question.

Q Did SS men compose the execution squads?

A They were furnished by guards but I do not know which ones. My company never furnished any.

Q How many executions by shooting did you hear of?

A I can't say that.

Q Approximately how many?

A Two or three. I couldn't say any exact number any more of what I have heard. I once heard about one hanging.

Q In what years approximately did those two executions by shooting did you hear of?

A I could have been 1943, something like that, but I can't tell you that exactly.

Q Who did you hear it from?

A I can't say that either. Maybe I heard it once in the Officer's club that there was talk about it. I couldn't say where I heard it or who told me.

Q How were conditions in the camp as far as treatment of the prisoners is concerned?

A I can't say that either because I have never had any direct contact with prisoners. Only when I inspected the guards I saw them there in Gusen. The main work site was in Hallam. And one could not really look into the quarry. One quarry in Gusen one couldn't watch from a big semi-circle in the road. It was covered. And the upper quarry, one couldn't see it at all. And in the general quarry there was a big mix up. There was a lot of lorries there and a lot of stone cutting mills. One couldn't really make out anything there. I could only see that from quite a distance when I inspected the guard.

Q What did you hear of the life of the prisoners when you inspected the camp?

A Well, Here I only saw partly that the entire life was rather mediocre. I couldn't go inside the camp. I could only go as far as the Protective Custody Camp entrance. That is where the work lists were given out for the guards.

Q What did you hear about the life of the prisoners within the camp regardless of what you did or did not see?

A I never talked to anyone about that particularly. I only can tell you what I have noticed. When I walked by the camp to inspect the guards I saw prisoners running around camp loading or playing football.

Q Did you everhear of prisoners being beaten in a brutal manner?

A I have never heard it. I have sometimes seen that the prisoners were beaten but in the area where I was I never saw a brutal beating.

Q Did you ever see a brutal beating any place?

A I just told you in the area where I was I never saw a brutal beating. I would like to say to this that I couldn't really look into the things that happened inside the camp. I saw a little of what happened on the out details. The out details left the camp proper in the morning and their detail leaders took charge of the prisoners, for instance, ten prisoners. There was a detail leader and a capo who took charge of the prisoners.

Q Did you ever see Grill beat anybody brutally?

DEFENSE COUNSEL: I object. This is not proper cross-examination. There wasn't anything brought out on direct examination.

PROSECUTION: I will withdraw the question.

QUESTIONS BY PROSECUTION:

Q Did you see any of the accused here beat any prisoner?

A It is possible that I once saw one of them, but I can't remember where or when.

Q Which one of these accused is it possible that you have seen beat a prisoner?

A It is possible that Grill beat a prisoner, or it is possible that Heisig once beat a prisoner.

Q Have you ever made a statement in which you said that Grill or Heisig beat a prisoner?

DEFENSE COUNSEL: If the court please, I don't believe the defendant had a chance to finish answering the question.

PROSECUTION: I am sorry. I withdraw that question. Let him finish.

THE ACCUSED SCHUETTAUF: It is possible that Jungjohann once passed by the prisoners and slapped them, but today I can't remember any details any more.

QUESTIONS BY PROSECUTION:

Q But you do remember that Grill, Heisig, and Jungjohann did beat prisoners, is that correct?

A Well it is possible, but it is not like this. I can't take

an oath now and say I have seen this and this man, on this and this day beat someone.

Q Will you say that you saw Grill brutally beat a person?

A No, I would never say that, because I never saw it.

Q Did you ever hear of Grill beating prisoners?

A I only heard from guards who had something to do with them as far as billeting was concerned, that he threw them out of the office in a brutal way. Sometimes they would come and say, "Well, today Grill beat somebody and slapped them in such a manner, that he fell to the ground." But I haven't seen that, and it is possible that the people said that because they were angry because of the fact that he didn't get an apartment.

Q Did you ever make a statement in which you said that Grill beat prisoners in a most brutal manner?

A I once was asked about this matter. It was under the following circumstances which I would like to relate to you now. I was in the hospital and I had a nervous breakdown one day. All of a sudden I was taken out of the hospital and locked into solitary confinement in the bunker. There I was left for four weeks, and suddenly I was interrogated. I was completely exhausted and broken down, and was taken to that interrogation. Among other things I was asked about Grill and another sergeant, what his name was I don't know any more. It is possible that at that time, I have said since other people were also present that we were beating and sometimes also brutally. But I have also said there right away as far as I can remember that I have never seen it.

PROSECUTION: I ask the court reporter to mark this as Prosecution Exhibit P-15.

(The document referred to was marked Prosecution Exhibit P-15 for identification.)

PROSECUTION: I show you Prosecution's Exhibit P-15 for identification and I ask you if that is your signature at the bottom of it? Is that your signature at the bottom of it?

A Yes.

Q Did you make that statement?

A Yes.

Q Have you read through this paper, Prosecution Exhibit P-15 for identification?

A Yes.

PROSECUTION: I offer it in evidence.

PRESIDENT: Let the Defense take a look at it.

PROSECUTION: Will it please the court, I suggest we adjourn at this time.

PRESIDENT: Just a minute, we want to get this exhibit in. Didn't the Defense have a copy of that statement? You should give the Defense a copy of the statements.

PROSECUTION: Sir, I didn't know whether or not--

PRESIDENT: In order to avoid just such proceedings as are going on here now, that could be avoided.

DEFENSE COUNSEL: No objection.

LAW MEMBER: Prosecution Exhibit P-15 will be received in evidence.

(The document heretofore marked Prosecution Exhibit P-15 for identification was received in evidence as Prosecution Exhibit P-15, is attached hereto, and made a part of the record.)

PROSECUTION: Will the court reporter please mark the English translation thereof as Prosecution's Exhibit P-15A.

(The document referred to was marked Prosecution Exhibit P-15A for identification.)

LAW MEMBER: Prosecution Exhibit P-15A will be received in evidence.

(The document heretofore marked Prosecution Exhibit P-15A for identification was received in evidence as Prosecution Exhibit P-15A, is attached hereto, and made a part of the record.)

PROSECUTION: If the court please, I would like to read the portion of this which relates to the cross-examination just preceeding the introduction of the exhibit, unless you want the whole thing read.

DEFENSE COUNSEL: The Defense would prefer to have the whole statement read.

LAW MEMBER: Let the record show the prosecution read Prosecution Exhibit P-15A to the court.

(Whereupon Exhibit P-15A was read to the court.)

DEFENSE COUNSEL: If the court please, on behalf of the rest of the defendants I will waive the reading of the document in German at this time, and will read it to them at recess.

PRESIDENT: Let the record so indicate.

LAW MEMBER: What was the date?

PROSECUTION: 3rd of July, 1946.

PRESIDENT: Where was it taken?

PROSECUTION: Dachau, Germany.

PRESIDENT: Court will take a recess until 9 o'clock.

(Whereupon the court recessed at 1650 hours.)

20 June 1947.

MORNING SESSION

(Whereupon the court reconvened at 0900 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: Let the record show that all the members of the court, the prosecution, the defense, the accused, the court reporter and court interpreter who were present at previous sessions are present now. There is a new reporter on the case to be sworn.

PRESIDENT: The court has appointed Peter L. DiCurti as reporter to the court. He will be sworn.

(Whereupon Peter L. DiCurti, U. S. Civilian, was sworn as court reporter.)

PROSECUTION: May it please the court, the witness Szulc who lives in Austria and who testified for both the prosecution and the defense is very anxious to return. The defense informs me that they no longer need him and I no longer need him. I would like to ask the court at this time if he could be released.

PRESIDENT: Szulc may be excused and permitted to return to his home.

ERICK SCHUETTAUF, an accused, voluntarily resumed the stand and being reminded that he was still under oath, testified in his own behalf further through an interpreter as follows:

THE ACCUSED SCHUETTAUF: May I make a correction to my last testimony?

PRESIDENT: Make it brief.

THE ACCUSED SCHUETTAUF: Last night I have testified that I had seen that accused Junhjohann, Heisig and Grill had beat. I thought my testimony over once more and I cannot

state definitely that I saw myself that these three accused have beat. There was such a great crowd milling around there and it was impossible to see who did the beating. That was my correction.

PRESIDENT: Any redirect questions?

DEFENSE COUNSEL: No redirect, sir.

EXAMINATION BY COURT

QUESTIONS BY PRESIDENT:

Q You heard the testimony of Kowalski here in the court, did you not?

A Yes.

Q In which he stated that he saw you perhaps 20 times in the four or five years that he was here giving instructions to the guards. Is that correct or not?

A No, I never gave instructions to the guards at all in front of the block house. All instructions to the guards were given in the quarters of the SS.

Q You also heard him testify to the fact that after you had instructed the guards, quite often prisoners came back who were beaten and kicked and corpses were brought in. On occasions when you didn't instruct the guards these brutalities were not noticed so much. Did you hear that testimony?

A I remember this testimony but I didn't give any instructions to the guard details during the entire day. Certainly I didn't give any instructions to the guards to

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mistreat prisoners. On the other hand, I always told them to keep away from the prisoners as far as possible.

Q You also heard him testify that he saw two men shot, that No. I gave the command and that he heard three or four salvos fired. Did you hear that testimony?

A I didn't understand what was meant with No. I.

Q I said No. I--"Schuettauf gave the command".

A That was supposed to be an execution.

Q That's what it was. That is what he testified to.

A I didn't go into the camp and I didn't carry out any executions.

Q You also heard him testify that five Russians were shot and that Schuettauf gave the order for the shooting?

A Yes, and he even said that this happened in June or July 1944. That was a time when I wasn't in Gusen at all.

Q You also heard him testify that in 1944 seven young Poles were shot to death, the eldest of them 15 years old. On that occasion Schuettauf also gave instructions to the guards which belonged to the execution squad.

A Yes, that was an incident I just mentioned when I wasn't in Gusen at all. At that time I was in Vienna for a camp installation. I never could have given an order for the execution. That wasn't possible.

Q Did you testify that you didn't know anything about deaths from bathings or deaths from gassings while you were at Gusen?

A Yes, I didn't know anything about it.