

Q Was it signed by you?

A No.

Q Do you know anything about the existence of such a record at all?

A I don't know of the record. It can have only been made at the time of the lineup.

Q Of course, that is what I am referring to, a record made at the time you appeared in the lineup. The answers you have given to my previous questions, do they refer to such a record made at such a time?

A That only happened during the lineup.

Q Please answer my question, do you personally know of the existence of such a record?

A No.

DR. KLUGE: No further questions.

EXAMINATION BY THE COURT

QUESTIONS BY PRESIDENT:

Q You testified that you gave the punishment to one of the prisoners who had stolen some potatoes, is that correct?

A Yes.

Q Was it a customary practice among the SS guards to punish prisoners at their discretion?

A No.

Q Were there any orders in the camp with reference to who would punish prisoners for violation of camp regulations?

A Yes.

Q Were any SS guards ever punished for violating these regulations?

A As far as is known to me, No.

Q You can't recall any occasion where an SS guard was punished for punishing prisoners?

A No.

(Jungjohann-Court)

Q What in general were your duties from 1943 to 1945?

A Detail leader.

Q Did you ever get inside the security camp while you were performing the duties of detail leader during the period 1943 to 1945?

A Yes.

Q On how many occasions?

A While I was a block leader at the times I had to attend the roll call.

Q You heard the testimony of the witness Kowaleki to the effect that you beat and kicked prisoners at the upper quarry some time about the end of 1944, and they fall into a hole 20 or 30 meters deep?

A At the latter part of 1944 I already was at the detail Messerschmitt.

Q You also heard him testify, "We saw corpses among them; some with broken feet". Did you hear that testimony?

A Yes.

Q Is that correct or not?

A No, it is incorrect. May I be allowed to explain?

Q How do you know it is incorrect?

A At the time I was detail leader at the upper quarry only a few injuries resulted because of accidents. Bodies were never there; deaths never occurred there.

Q You also heard this witness testify that you marched behind this flier and, "I saw Jung fire two or three shots at him, and the flier fell down. He was about 4, 5 meters behind the flier." Did you hear that testimony?

A Yes, I heard that testimony.

Q Is that correct or not?

A That is incorrect. May I be allowed to add something to my answer?

(Jungjohann-Court)

I have a witness, SS Master Sergeant Reichert, who was together with me in the upper quarry at the time of the air attack. He is in the special camp.

Q "I went to the gate and saw the body of this dead American flier", did you hear him testify as to that?

A Yes.

Q Is that correct?

A I don't know, I wasn't there; I was in the upper quarry.

Q Did you hear the testimony of Gomez to the effect that you mistreated prisoners by hitting them with your hands and kicking them about 1944?

A Yes.

Q Is that correct?

A I did slap the face of several inmates.

Q Did you hear Berdzumski testify that "Jung always carried his stick in his hand"?

A Yes.

Q Is that correct?

A Now and then I carried a stick.

Q Did you hear the same witness testify that, "Jung beat us and caused injuries. After one such beating a Spaniard died"?

A Yes.

Q "I saw the beating. It happened about 20 meters from in front of us. It was in the fall of 1943 when the Spaniards worked on the narrow gauge railroad where they had to push and pull the cars, one of which was derailed, and Jung came and started beating them. One of the Spaniards who had been very weak was beaten to the ground and was later led away. I never saw him again, but a friend of his told me he had died. Do you recall that testimony?"

A Yes.

Q Is it correct or not?

A It is not correct.

Q Did you hear the Prosecution exhibit P-10 by Glawacki read to the court?

A Yes, Glawacki.

Q In which he testified, "Jung was the most brutal man at Cassen 1, he was known as the 'beast'?"

A Yes.

Q What do you think of that testimony?

A That is not right.

PRESIDENT: Any other questions by the court? There appear to be none. The witness will be excused.

(Whereupon the accused was excused and resumed his seat in the dock.)

PROSECUTOR: May it please the court, if the court is to continue, there is a new reporter to be sworn.

PRESIDENT: The court has appointed Evelyn Cohen as reporter, in this court. She will be sworn.

(Whereupon Evelyn Cohen, U.S. Civilian, was sworn as court reporter.)

DEFENSE COUNSEL: The defense introduces as its next witness Tandler. His rights have been explained, and he desires to give this testimony under oath.

PRESIDENT: The court will take a recess for 30 minutes.

(Whereupon at 1010 hours the court recessed for 30 minutes.)

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(Whereupon the court reconvened at 1040 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: Let the record show that all the members of the court, the prosecution, defense, the accused, court reporter and court interpreter are present.

DEFENSE COUNSEL: If the court please, just before the recess the defendant Tandler was about to take the stand. He has not been sworn.

PRESIDENT: Oskar Tandler, you may make a sworn or unsworn statement on which you may be cross examined. You are advised that the court may draw such inferences as the circumstances justify from your refusal to answer or your failure to take the stand in your own behalf. Are you now willing to testify?

ACCUSED OSKAR TANDLER: Yes.

PRESIDENT: Do you wish to testify under oath, or unsworn?

ACCUSED OSKAR TANDLER: Under oath.

PRESIDENT: The witness will be sworn.

OSKAR TANDLER, an accused, voluntarily took the stand in his own behalf and after being duly sworn, testified through an interpreter as follows:

ACCUSED OSKAR TANDLER: Before testifying I have a request to make. I would like to point out that I am rather hard of hearing and that the questions be asked of me in a rather loud voice so I am able to understand.

DIRECT EXAMINATION

QUESTIONS BY DR KLUGE:

Q State your name, age and occupation.

A Oskar Tandler, 57 years of age, weaver.

Q Were you in the military service in the first world war?

A Yes.

Q What rank did you hold when you were discharged from the service in 1918?

A I was a sergeant.

Q Will you please tell the court in a few short words what you did from 1918 to 1938?

A I was discharged from the service after the first World War as a sergeant. I returned to my occupation as a weaver. In 1920 I published an invention which I always used in my own business.

Q Mr. Tandler, I only wanted a very short explanation of what you did in those twenty years. For instance, were you in the SS or SA after 1933?

A No.

Q Did you do anything else besides follow your occupation?

A No.

Q Did you join the NSDAP and if so, when?

A First of March 1937.

Q Did you again have connections with the new army or SS before 1939?

A No.

Q What happened to you after the start of the war in 1939?

A Because of my knowledge of languages, I was drafted into the SS in Oranienburg on 20 July 1940.

Q Was that because of a muster that had taken place, in which you were required to state your knowledge of languages?

A Yes.

Q Do I understand you correctly that you were not called there because of any connection you had with the SS?

A No, only because at the time of the muster I stated I speak both Polish and Russian.

Q Is it correct that before 1939 at the time of these muster meetings, everyone was required to make known his lingual abilities and it was always posted such knowledge must be made known?

A Yes, we had to file all our special knowledge as far as military service as well as civilian occupation was concerned at these meetings.

Q To what unit did you go at what time?

A I was drafted into the SS on 20 July 1940 in Oranienburg-Sachsenhausen near Berlin.

Q The concentration camp Oranienburg?

A Yes.

Q What rank did you have and what was your mission?

A I remained there only for one day and was sent to Mauthausen the next day.

Q And when did you arrive in Mauthausen and how long did you stay there?

A I arrived in Mauthausen on the 22nd or 23rd of July, remained there only eight days to familiarize myself with weapons and because of my previous experience I was sent to Gusen 1.

Q In Oranienburg or Mauthausen was the general purpose of concentration camps made known to you?

A Yes.

Q What impressions did you have in Oranienburg and Mauthausen during the short time you stayed there?

A In Oranienburg I didn't see anything of the concentration camp at all.

Q And Mauthausen?

A In Mauthausen I saw very little of the concentration camp. I did not receive any training and on the 3rd of August I went to Gusen Number 1.

Q What was your rank when you went there?

A As long as I did guard duty I did not observe it.

Q Where did you go then?

A In the beginning or middle of June 1941 I was transferred to the headquarters staff.

Q Under whose charge were you there?

A I was under orders of the camp leader Chiemelowski's headquarters staff.

Q Until Chiemelowski left?

A Yes.

Q When was that?

A It might have been in the fall of 1942 but I am not sure of the date.

Q To whom did you report to start your duty in the security camp?

A I did not quite understand that.

Q To whom did you report when you began your duty in the security camp?

A I reported to SS Captain Chiemelowski.

Q Did you at the time have occasion to observe who belonged to the closest circle to Chiemelowski?

A Yes, I got to know Chiemelowski and his group.

Q And who were they?

A I cannot name all names, but in the course of the trial several of the names have been mentioned already. There was SS Tech Sergeant Gross.

Q State the names without the rank.

A Kluge, Fassler and Jentzsch.

Q Brust too?

A I never heard anything of him. At the time he was roll call leader and he was one of the quietest men I have gotten to know as a roll call leader.

Q Damashke too?

A Yes.

Q What functions did the people in the close circle around Chmielewski perform?

A Do you mean the ones I mentioned now?

Q Yes, the close circle around Chmielewski you just described.

A Jentzsch was in the SS office so to speak, the right hand of Chmielewski. Gross and Klube were labor commitment leaders. Brust and Damashke were roll-call leaders. But I would like to mention here that I do not include them into the group I refer to around Chmielewski.

Q Were the officers of the men you mentioned here in the immediate vicinity of Chmielewski's office?

A I show the fact that the persons I mentioned here and some whose names I do not remember used to get together in the evening, either in the officers' club or the non-commissioned officers' club, and consume rather large quantities of alcoholic beverages. It then happened quite often that after midnight when they got into a state where they didn't quite know any more what to do with themselves that they would break everything in the non-commissioned officers' club.

Q That was also the same circle?

A Yes, it was also the same circle. Men of the reserve never got into it, and never cared to go there.

Q If I understand you correctly then, Chmielewski and the circle around him was composed of the real SS elite? And the other SS non-coms in the camp were reserve men or were from the Reserve?

A Will you please repeat the question?