

led into the camp.

Q Isn't it because of that order that details were picked up outside of the camp rather than inside of the camp?

A What details were picked up?

Q The work details that left Gusen that were picked up in the morning.

A We lined up inside the camp on the roll call square and the labor service carried out the different details like the stone mason detail, Kastelhofen, Gusen, and other details. Afterwards when they came out of camp 1 or camp 2, those camps that were surrounded by guards, those guards took charge of the men, and each detail had one commander. Each guard detail had its own commander.

Q And they were lined up in order of the details as they came out of the camp and picked up the details after they left the camp, isn't that correct?

A In case there were larger details, for instance, St. Georgen, where bricks were made, and also the stone quarry outside the camp, there was a detail leader, there were guards, and there was also a guard commander.

Q Now, the duty of those guards after they picked up the details was solely to guard the prisoners, isn't that true?

A Those people took us to the place of work. When we arrived at our place of work, the commander of the guards allocated the guards to places where they could guard us, and the detail leader walked about among the prisoners and showed them what kind of work they had to do. There were also civilian workers there who showed what work had to be done, for instance, in connection with boards and with bricks, which had to be prepared.

Q How far from the actual working place were these guards posted?

A That varied. It was prohibited to approach a guard.

That distance varied also. Outside the camp we could approach at a distance of 15 meters, inside the camp, 20 to 25 meters.

Q And it is also true that the guards were under strict orders not to approach the prisoners, isn't that true?

A The guard was not permitted to leave the place that had been allocated to him. When there were fewer laborers to a detail, for instance, 15 or 20, sometimes there were smaller details, in those cases the guard was closer to the prisoners. It happened in the following manner: The guards changed frequently, perhaps every two hours, and at that occasion they went among the prisoners and beat them, and there were always dead bodies there, and they forced them to work.

Q But I thought that you just testified to the fact that the only duty the guards had was to guard the prisoners?

A Yes, but the guards were rewarded with furloughs or with cigarettes in case they beat a prisoner soundly or in case they shot a prisoner to death.

Q From whom did you get that information?

A They were Ukrainians and Poles who became our guards later, and those people told us what had happened. Those were Poles who had been drafted into the German army because they were Volksdeutsche, and those people talked to us, but the SS men had been afraid to have conversations with us.

Q You testified just a few minutes ago that the guards changed, by that you mean that they changed during the day they were on duty?

A I didn't mean it like that.

Q Well, just what did you mean?

A It was like that. Two or three people rested and the others were standing guard, later on the others rested and others were standing guard.

Q But there were no guards released while on duty, isn't that true?

(Kowalski-Cross)

A Yes, but sometimes it happened in the manner that they were standing at a distance of about six meters and they talked to people. They threw cigarettes at them, and sometimes they fired shots.

Q Now, just where were you stationed when you heard Schuettauf give orders or instructions to his guards?

A At that time Schuettauf was standing on the other side of the camp close to the guard house.

Q That was outside the camp?

A Yes. That was outside the camp. At that time I was working at the stone quarry. I was working on stones, and I was at a distance of 15 to 20 meters.

Q Was this prior to the departure of the details for work or afterwards?

A He talked to the guards before they marched out for their details. During the last days we did not return to the camp in order to have our noon meal but we had to line up at the stone quarry.

INTERPRETER: "During the last time" instead of "during the last days".

QUESTIONS BY DEFENSE COUNSEL:

Q Well, what were you doing outside the camp at that time?

A You mean during the last time in the last year?

Q When you heard Schuettauf giving instructions to his guards prior to the departure of the details for work?

A At that time we were already in the work shop up there at the stone quarry work shop.

Q And how close was that to the jourhouse, as you call it?

A There was a distance of 12 to 15 meters from the jourhouse to me.

Q And was that the place where you were working that was so noisy that you couldn't understand the instructions that were being given?

A Yes, that was that spot.

Q That being true, how can you testify to the fact that Schuettauf gave instructions to mistreat prisoners?

PROSECUTION: I object to that question because the testimony of the witness was never that Schuettauf gave instructions to the witness; in the first place, the language was different; in the second place, they couldn't understand the instructions.

PRESIDENT: The question is withdrawn.

QUESTIONS BY DEFENSE COUNSEL:

Q Where did you work at the stone quarry?

A I worked at the stone mason's workshop. I worked with the masons. I carried stones.

Q Well, you were familiar with the quarry as a whole, were you not?

A Yes, I was familiar with the quarry.

Q Well, was there a fence around that quarry, or was there not?

A There was a wire around the stone quarry, but not in all places, and it was located at a great distance.

Q How far away from the prisoners were the guards at the quarry?

A That depended on the nature of the detail that was working there. The distance varied. It could have been a hundred meters, it could have been 50 meters. It was also possible that it could have been at a smaller distance of 30 or 25 meters.

Q How far were they away from this hole that you testified to?

A Well, I am sorry, I misunderstood the lieutenant, did you say "hole" or "hall"?

Q Hole--the one that you testified to that these men were thrown into.

A That happened at the stone quarry, Gisen.

(Kowalski-Cross)

Q Well, how far away from there were the guards stationed?

PROSECUTION: May I please call the attention of the court to the fact that the witness makes a portion of the statement, there is a time lapse for the interpreters to interpret, and the next question is asked before he has a chance to finish. He is only giving a portion of his statement to enable the interpreter to translate, then the next question is asked before he has time to finish.

DEFENSE COUNSEL: If it please the court, I am perfectly willing to let the witness answer the question fully.

PROSECUTION: I think you don't realize that he is not finished. I ask the court to ask the defense counsel not to interrupt before the answer is finished.

PRESIDENT: I think the court, the interpreter, and defense counsel can get from the interpreter's tone of voice when the answer is through. Had the witness completed his answer to the last question?

THE WITNESS: Yes. I want to go on about the holes. I do not know exactly which holes you are talking about.

QUESTIONS BY DEFENSE COUNSEL:

Q You testified this morning that men were knocked into a hole. Now, I don't know myself where this hole was. I just want to find out.

A Yes, I stated that the people were thrown down from the quarry at Kastelhofen. That is the spot where those people were thrown, from Oberbruch to Kastelhofen, the same location where the stones were thrown down.

Q At that place now far away from there were the guards stationed?

A At that spot the guards could have been at a distance of a hundred meters or perhaps more.

Q Kowalski, did you know a capo named Fiegler?

A That was a capo at camp. That was a capo who took part in gassings. He was located at Block Number 4.

Q Do you know what happened to him?

A Until this time I do not know what happened to him. As far as I could find out, he was arrested by the Americans.

Q Did you testify in the main Nauthausen case?

A I did not testify during the Nauthausen trial; I only testified during the Gusen trial.

Q Was Fiegler a defendant in that case that you testified in?

A No.

Q But you do know that Fiegler was the man that did the actual gassing at Gusen, do you not?

A Yes, he performed the gassing. He performed the gassing together with the leader.

Q Where were you standing when you saw Ziereis and Schuettauf talking?

A I often saw Ziereis together with Schuettauf. I often saw them talking together, but when I am talking of the case at which Ziereis was talking to Schuettauf, I observed Schuettauf take a detail for execution between the blocks 6 and 7. At that time Ziereis spoke to Schuettauf at first near the journeyhouse. Afterwards Schuettauf led six men toward the kitchen where those men were led to in order to be shot. Those six men were guards. Schuettauf took them to a spot behind the kitchen where men were to be shot.

Q Wasn't that the kitchen inside the camp, or outside the camp?

A The prisoner kitchen was located inside the camp on the other side of the roll call square.

Q But there was also a kitchen outside the camp?

A Yes, there was an SS kitchen immediately behind the camp, behind the wire which formed the border of the place of our camp.

PROSECUTOR: The court will take a recess for 15 minutes.

(Whereupon at 11545hours the court recessed until 11600hours.)

* * *

(Whereupon the court reconvened at 1800 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, court interpreter, and the court reporter that were present at the last session are present now.

JOSEF KOWALSKI, called as a witness by the prosecution, resumed the stand and being reminded that he was still under oath, testified further through an interpreter as follows:

DR. KLUGA: I will continue on cross examination on behalf of the remaining defendants.

PRESIDENT: You may proceed.

CROSS EXAMINATION

QUESTIONS BY DR. KLUGA:

Q During the five years you spent in the concentration camp, did you learn the German language?

A No.

Q The question that I just directed to you in German language you did not understand?

A That, I did understand, but I can not explain myself and I can not understand everything.

Q So you asked for a Polish interpreter?

A Yes.

Q You know that this question also applies to your oath?

A Yes.

Q Would you tell us what kind of duties you had during your five years at the camp of Gusen?

A In regard to my stay at Gusen, I had the following duties: I was to carry stones, I put stones together as a plasterer, I worked as a mason, I worked on cement, for a few days I worked as a locksmith, as a stone mason, too. I worked with coal; I had to transport coal to the SS barracks by means of a wheelbarrow.

Q Could you tell us, according to different spans of time from the year of 1940 to the year of 1945, what types of labor you performed?

A It is difficult for me to mention a definite detail, because one day I was working on one detail, the next day I was put into another detail. The stone mason detail became a steady detail only in the year of 1943--approximately the year 1943, but I also worked on different details where it was possible for me to earn another bowl of soup.

Q Can't you state to us the different places at which you worked during those years?

A I worked throughout the whole camp. I worked at the interior camp; I worked at the SS camp; I worked when the bordello was erected

at the camp for the first time. I also had to work at the erection of the second bordello which was created for the SS men. I was put into a punishment company which existed at Gusen for the reason that I had not transported enough stones, or, rather, I did not work on enough stones, and I had to transport stones for the building, for the erection of a tunnel.

Q Do you know that it is justified for a witness to tell the court how much of his testimony he knows from hearsay and how much of his testimony he has witnessed with his own eyes.

A I did not bring in any charges here which I have not witnessed personally; I only brought in those charges which I have witnessed personally.

Q So I can assume, Mr. Kowalski, that at each piece of your testimony to which you did not add "That I only know from hearsay," those parts of your testimony you have seen with your own eyes?

A Yes, with the exception of what I said about the reception of furloughs and cigarettes in connection with the shooting of people.

Q To stay with that example, you have that only from hearsay?

A Yes, I heard that from SS men, from SS men who were Ukrainians and Poles. That means SS men who were Volksdeutsche.

Q Since it is quite unusual that a man will kill people for a few cigarettes or a few days of furlough, I think the question is justified whether you remember the manner and the occasion at which one of those Volksdeutsche has told you about those things.

A Yes, that was in connection of an occasion at which one of the fire guards, whose name was Gaertner, chased one prisoner toward the wires. Gaertner is supposed to be locked at the camp at Dachau.

(KOWALSKI-Cross)

At that time there was a guard on the tower between the Block 17 and 9. When the guard observed the Russian being chased into the wires, the Russian was calling out to the guard, "Shoot me," but the guard did not shoot him but shot in the direction of the fire guard and the fire guard fled.

Q Is that the answer to one of my questions or is that the basis for an answer?

A Yes, that is an example, because afterwards we discussed this with Ukrainian and Volksdeutsche guards, and they told us that guards were receiving cigarettes and furloughs for such occasions.

Q And you still remember the name of one of the people who told you things of that sort?

A Yes, that was a Ukrainian non-com, and his name was Matejo.

Q According to what Matejo said, who was the one who gave out those cigarettes and furloughs?

A General Bauch, which means "Belly" in English, which is Scheuttauf's name.

Q He was the one who was authorized to issue furloughs?

A Yes.

Q Did you also know the other three company commanders?

A Yes, I knew the other three, by sight, but the one I knew by sight I then find out was General Bauch.

Q And you can not blame the other ones for anything? Did the other ones behave themselves properly during all those years?

A Yes, because you could not observe anything special with them, that they beat people or persecuted people.

Q Did you also know the superior officer to those four company commanders?

(KOWALSKI-Cross)