

PROSECUTION: At this point that you have marked "D", where the detail for the stone quarry Cusen lined up, will you tell what occurred after the detail lined up?

THE WITNESS: Here the work detail stopped. We were counted off, and then we were assigned to the various work places at the whole work site.

PROSECUTION: May the record show that when the witness said "here," he pointed to the spot designated as "D".

QUESTIONS BY PROSECUTION:

Q Where did the guards go, and where did the prisoners go?

A Here in the stone quarry we did not have guards. We had guards here all around.

PRESIDENT: You should let the record indicate where they changed guards, as he has testified as to where was the guard.

PROSECUTION: Let the record show that when the witness said "all around," he pointed to the blue mark which indicates the outer wire fence.

QUESTIONS BY PROSECUTION:

Q You testified on direct examination that after instructions by the accused, Schuettauf, the guards mistreated the prisoners in the detail. Will you indicate on the map where that mistreatment took place?

A The mistreatment took place here, where the guards were standing, and quite frequently Schuettauf stood here.

PRESIDENT: Indicate what he means by "here" both "here's".

Q Will you indicate the point at which the mistreatment took place from the Jaurhouse to approximately twenty-five meters further?

PROSECUTION: Let the record show that the witness has indicated

an area around the point marked "C" and has stated the approximate width of the area. Will you show the place where Schuettauf was standing?

A Schuettauf stood at this place here, as I saw at the barrack.

Q Will you mark that place with the letter "E"? Did any mistreatment take place at the stone quarry Gusen while the prisoners were at work there?

A They always were being mistreated.

Q Who mistreated them?

A The Capos and the work detail leaders.

Q Of those who mishandled them, who were SS men?

A You mean the SS men who are here?

Q No, I mean of any SS men.

A The prisoners were not only mistreated by the work detail leaders, but also by the guards.

Q Were the prisoners mistreated by the guards in the stone quarry?

A Yes, by the guards when they left the post office on the occasion of relieving guards. And then when the prisoners were working there at the road and maybe were not able to pull hard enough, they were hit with the rifle-butts.

Q I show you Defense Exhibit D-1 and ask you to point out on that where the guards mistreated the prisoners while they were at work.

A The guards, when they left their post, marched down this street.

PROSECUTION: Will you mark where they marched down in green?

PRESIDENT: Your question was, "where did the guards mistreat the prisoners", that is your question, have him answer that.

PROSECUTION: he answered that, Sir.

PRESIDENT: well, he started talking about marching down the street.

PROSECUTION: well, he said they mistreated them while they were marching down the street. Will you mark that in red?

THE WITNESS: Do you want me to show everything--how they marched down here?

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION:

Q Show the route that they marched down.

A They went down this way when they came off guard, and also from the side where Oberbrun is. They marched here where it is indicated with the red pencil, and they also came from Castelhofen (indicating).

Q Where were the prisoners while they were marching along that road?

A The prisoners were working here at the sewage system. (Indicating)

Q Mark that with the letter "P".

A The prisoners also were working here (indicating) on over for the reason because there was the railroad tracks of the narrow gauge railroad.

Q Mark that point with the letter "G" where they were also working there.

A (Indicating)

Q Have you traced there the entire route that the SS guards took along that road?

A Yes, because my house was located here at this place (indicating).

(Kowalski-Redirect)

Q Bring it to the table and mark on it the exact route that they took.

A The guards were marching down the street that is marked with red pencil and then they turned off here (indicating) and walked over to the stone holes.

PRESIDENT: we don't want him to say anything. He was directed to mark only with a red pencil the route that the guards took.

THE WITNESS: I indicated already with a red pencil which way they were taking going down, and they went down as far as the guard house.

QUESTIONS BY PROSECUTION:

Q Describe the mistreatment that took place along this route.

A There were cases where people were took weak and they could not work fast enough at these field railroads so the guard that passed by there saw something like this, one, two, three they went over there and either beat him with their rifle butt or kicked him with their feet. So, for instance, when they passed by here and saw that somebody had eaten bread or raw potatoes they would beat him also.

LAW MEMBER: what do you mean by "here".

QUESTIONS BY PROSECUTION:

Q Mark with a letter "H" the place by which you meant "here".

A This was this spot here (indicating) as I indicated.

Q Who was the commanding officer of these guards?

A Most of the time I saw Schuettauf as he inspected the guards.

Also there were staff sergeants and sergeants of the SS which wore a metal plate here--indicating to the chest.

Q Who was the chief commanding officer?

A Over the guards, if I am not mistaken, it was Schuettauf.

Q Are you mistaken, or are you sure?

A I saw him most of the time at the company at the discussions with the guards.

Q Do you know whether or not Schuettauf was the commanding officer of the guards?

A Yes.

Q Was he, or was he not?

DEFENSE COUNSEL: I object to this. This is repetitious. If it please the court, we have gone into this on direct examination; we have gone into it on cross examination, and you have asked the question three times.

PROSECUTION: If it please the court, I have asked if he knew if he was.

PRESIDENT: The witness may answer the question.

THE WITNESS: Yes, he was commanding officer of the guards.

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

(whereupon at 1040 hours the court recessed for 30 minutes.)

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(Whereupon the court reconvened at 1110 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 interpreters, and the court reporter that were present at the previous 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:

PRESIDENT: Any further questions by the prosecution?

PROSECUTION: Yes, Sir.

PRESIDENT: You may proceed.

REDIRECT EXAMINATION

QUESTIONS BY PROSECUTION:

Q I show you Defense Exhibit D-1 and I ask you if there are any routes that the guards took other than the one you have designated as the regular route when being relieved?

(Kowalski-Redirect)

A Yes.

Q What routes did they take?

A They took the shortest route across the stone quarry.

Q Will you mark on the map with red lines the routes that they took when being relieved?

A (Indicating) The route here was the shortest route which the guards took coming back.

Q Did the guards in coming back over these routes which you have indicated on the map in red come in contact with the prisoners?

A Yes.

Q Did any mistreatment take place when these guards came in contact with the prisoners on these occasions?

A Yes.

PROSECUTION: That is all.

RE-CROSS EXAMINATION

QUESTIONS BY DR. KLUGE:

Q Kowalski, is it correct that the territory of the stone quarry, especially to the north of the camp, had a difference of elevation up to 100 to 120 meters?

PROSECUTION: I object to that question on the grounds that it is indefinite, for the same reasons I enumerated before. I don't understand the difference between "what" and "what".

DR. KLUGE: I withdraw the question and reframe it.

QUESTIONS BY DR. KLUGE:

Q Mr. Kowalski, is it correct that from the terrain of the edge of the camp to the top of the stone quarry especially in the north of the camp there was a difference of elevation of at least 100 to 120 meters?

A Yes, that is true, but not quite true.

Q Then the guards within the stone quarry, did they have to crawl up at this elevation or climb up?

A Yes.

Q When the guards arrived up there on top, did they not run into the fence which was around the whole camp?

A The fence was no hurdle because in the fence there were spots that were open where you could walk through.

Q Were these spots in the woods or in the heights between the various strands of wire?

A They could not be wide because they were places to walk through for the civilian foremen.

Q Did you not notice that the SS guards took their posts as outside guards outside of the camp?

A This only could take place very seldom.

Q The usual route was not over the road outside but also straight over the cliffs?

A There also were roads.

Q This is not an answer to my question. I will repeat it. I will repeat the same question as I propounded before. Didn't you ever see SS guards which were placed at their posts being brought up there outside of the camp, or did you see them get into their posts by climbing up over the rocks?

A There was no road through the stones and especially for Castelhofen they made themselves a special road.

DR. KLUGE: No further questions.

PROSECUTION: No further questions.

EXAMINATION BY THE COURT

QUESTIONS BY PRESIDENT:

Q You testified with reference to several American aviators coming to the ground by parachute in the vicinity of Gusen, and that you saw one of the aviators dead later on, is that correct?

A Yes.

Q Do you know what happened to the other fliers who were forced down?

A Several of those had been killed.

Q Did you see their bodies?

DR. KLUGE: I object to the translation. The German version can be translated "were dead". May I ask the Polish interpreter about the German version?

INTERPRETER: The fliers that had come down were killed.

QUESTIONS BY PRESIDENT:

Q Did you see their bodies?

A One I saw with my own eyes.

Q Yes, he testified about that, and he answered my questions.

Did he see any of the other bodies after they were killed?

A I did not see that exactly but I saw their bodies when they had been brought to the crematory about 4 or 5 on a wagon--4 or 5 of them were placed on a wagon--and I saw approximately 4 to 5 legs as they stuck out from underneath the blanket.

Q You testified previously that a number of corpses were brought back from work places, how did you know that?

A I heard it as other comrades had told me about it, and I saw one how he was being carried in.

Q Did you know the cause of death in this particular case that you mentioned?

A Yes, I do.

Q What was the cause of death in this particular case?

A This one was shot.

Q Do you know who shot him?

A Yes, I saw how he pointed a rifle at him. There were 2 or 3 shots.

Q You saw how who pointed a rifle at whom?

A That was the work detail leader from the Oberbruch, Jung at the American who had led him there with two on his left and two on his right side. They came out of a bunker and the bunker was on a meadow.

Q You testified as to the death of a number of these inmates. What was the cause of death in most of these cases?

A The reasons were the following: They got little to eat; they were being beaten; and they were being bathed in cold water. There were cases where they were being gassed, and there were other cases where they were put in water tanks.

Q Did you testify that 40,000 men lost their lives in this camp?

A Maybe even more.

Q Now, you testified as to these packages being opened. Do you know what disposition was made of any of the contents of these packages?

A The food was distributed among the small details, but the better items of food, such as sausages and cake were given to the prominent ones.

Q What were the contents of the Red Cross packages?

A We also received packages from the Red Cross. My friend received only one package of cigarettes, one tin can, one or two tin cans and dried bread.

Q Was there any chocolate in the Red Cross packages?

A What else there was in it I did not see, but I only know that only one-third or one quarter of the contents was left.

Q Now, these 40,000 men whom you stated lost their lives at this camp, where were their bodies disposed of?

A Our crematory was burning without interruption day and night. The remainder was driven by truck in a direction towards Mauthausen.

Q What was the capacity of the crematory?

A Today this is very hard for me to tell you about. In the English Zone there are witnesses who can tell you exactly.

Q What kind of fuel did they use in this crematory?

A Coke.

Q What were you given as food in general during the years 1943 and 1944?

A For breakfast we received coffee. For the noon meal we received one liter and one quarter of a liter sometimes, but most of the time also one liter of soup. For the evening meal we received one third of a bread and sometimes one one-fourth of a bread?

Q A loaf of bread?

A One-third of a bread and sometimes one-quarter of a bread only. The additional food was a little piece of sausage, a little piece of margarine, or a little piece of cheese. On Saturday's we received a spoonful of jam, and half a spoonful of soft cheese, sometimes a half a bread but that was very seldom. Sometimes there was a quarter of a bread and sometimes only one-sixth of a bread for a whole day.

Q What kind of clothing did you have?

A In the years of '43, '44 the old-timers mostly got civilian clothes with squares cut out from the shoulders and from the pants.

Q Did they have an infirmary in the camp?

A Yes.

Q Who was the doctor in charge of the infirmary?

A Of the prisoners there was a doctor by the name of Coscinski.

Q Was he a prisoner?

A Yes.

Q Did you have a doctor in general charge of the medical service at the camp?

A He was at the camp and a doctor, and above him there was a doctor-- an SS man.

PRESIDENT: Any other questions by the court?