

QUESTIONS BY COLONEL BURGH:

Q What was your weight, if you know, on the date you entered the camp?

A The first time when I came to Dachau I weighed 74 kilograms.

Q What was your weight, if you know, on the date you were released?

A This is very hard for me to say because I did not weigh myself.

Q How much do you weigh today?

A Today I could weigh 70 or 71 kilograms.

PRESIDENT: Any other questions by the court?

QUESTIONS BY LT. COLONEL KEELEY:

Q Did any of these accused mistreat you while you were in camp?

A I was beaten twice with a stick by Hartung.

PRESIDENT: Any other questions by the court?

QUESTIONS BY LAW MEMBER:

Q Where were your packages sent from?

A From Poland--from Lodz.

Q Were any of the contents of your packages rifled?

A Every package was searched--checked, and canned stuff and grease was taken out and put on paper.

Q Did your folks or people advise you of the contents of your packages?

A Yes, they notified me about the contents of the package--inside the package--but this was thrown away.

Q Did you receive any letter to know what the contents of a package were?

A Yes.

QUESTIONS BY PRESIDENT:

Q Did you have a canteen at the camp for the prisoners?

A Yes.

Q How did the prisoners get articles from the canteen?

A In the years of 1940-41 we donated money for the canteen and we had to sign for it at the roll call square.

Q What procedure was followed in 1943 and 1944?

A In the years of 1943-44 we also had to pay for the canteen-- 50 or 100 marks were taken out of our pay.

Q How many marks?

A 50 or a hundred marks were taken out of our wages which were charges against plates and spoons and forks.

Q What were your wages?

A If I earned 60 marks a month, I received 5 coupons.

INTERPRETER: I did not translate the answer before. "We received from the canteen sometimes tobacco and sometimes cigarettes."

PRESIDENT: Now, tell this witness to just answer the question. I asked him what his wages were.

THE WITNESS: That varied. I earned 30, 32, or 40 marks a month if I had to work with stones. Out of that I got a certain percentage, 2 or 3 or up to 3 and a half marks.

Q Were you permitted to send any money home?

A No, we were not allowed to for the reason because we were not allowed to carry any money with us--we only received coupons for the work.

Q You received nothing in addition to the coupons for your work?

A For these coupons I could buy cigarettes.

Q Did you get anything in addition as remuneration for your work besides the coupons?

A Yes, sometimes we received beets or we received three potatoes.

PRESIDENT: Any other questions by the court? There appear to be none. Any redirect?

RE-CROSS EXAMINATION

QUESTIONS BY DR. KLUGE:

Q Mr. Kowalski, is it correct that you said in direct examination

that you saw how the defendant Jung raised his rifle, aimed, and shot at somebody?

A Yes.

Q And is it true that upon the questioning of the President of the Court you answered that you also had seen that the defendant Jung had shot at one of the two American fliers?

A I only said he shot at one.

Q Yes, I do mean one American flier. Did he shoot at one American flier and hit him and kill him?

A Yes, because I saw his corpse in the jourhouse, and I saw how he fell down after he was shot at.

Q I mean shot by Jung, did you see how the American flier was shot by Jung?

A Yes, I saw how he was shooting in a direction of the American flier and how he fell down after the shots had been fired.

Q Where were you standing and where was Jung standing at the shooting of this prisoner, and where were you standing and where was Jung standing at the shooting of the flier--of the American flier?

A At that time I was on a hill at Gusen.

Q At which incident?

A I am talking of the shooting of the American flier. That was the time when 7 or 8 American planes came down.

Q But where were you standing? I still do not have an answer, where you were and where Jung was standing when the American flier was shot.

A The flier came down on a meadow. I was upon the hill.

Q Where was the meadow?

A The meadow was before my eyes in front of the jourhouse.

Q Is there a meadow in front of the jourhouse--there is not according to the sketch--on one side is the protective custody camp, and on the other side the place where the people line up?

A Yes, but behind the street if you come from the jourhouse there is the meadow.

PRESIDENT: The court will take a recess until 1:30.

(Whereupon at 1205 hours the court recessed until 1330 hours.)

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16 June 1947

AFTERNOON SESSION

(Whereupon the court reconvened at 1330 hours.)

PRESIDENT: The court will come to order.

PROSECUTION: May the record show that all the members of the court, the prosecution, the defense, the accused, the court interpreter and the court reporter that were present at previous sessions are present now.

The same witness is on the stand. Will the President remind him he is still under oath?

PRESIDENT: Remind the witness he is still under oath.

WITNESS JOSEPH KOWALSKI: Yes.

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

(Whereupon the proceedings were translated into the German language.)

RECROSS EXAMINATION (Cont'd)

QUESTIONS BY DR. KLESS:

Q I will ask you a short question in order to clear up a misunderstanding that possibly exists in the minds of the defense. Did the accused Jungjohann kill one person or two persons with a shot?

A I did see when he shot one.

Q Where was the position of Jungjohann when he shot the one flier?

A As the flier came down he went to the spot where the flier had come down.

Q From what distance did he shoot him?

A Approximately 3, 4, or 5 steps. I could not estimate it exactly, because he was on the same side as I.

Q Exactly where did you stand?

(KOWALSKI-Recross)

A I was in Gusen on a hill.

Q Is it correct that, according to a standing procedure, or order, all inmates had to remain in an airraid shelter during an air attack?

A Such an order existed, but we did not follow it, because the SS men beat us there with sticks and there were also bodies there, and we were afraid to go there.

Q How far distant were you from Jungjohann?

A If I had to walk to this place from where I stood, on foot it would have been a distance of 320 meters, but as the crow flies, it was a shorter distance.

Q Isn't it correct, Mr. Kowalski, that at the point where you allegedly were, that the command post bunker of the SS was located there?

A The bunker was not at that point. The bunker was near the Jourhaus.

Q Was the flier who had been injured by the shot of Jungjohann treated by an inmate physician?

A No.

Q Mr. Kowalski, you stated that the fliers had been killed. You spoke in the plural, so that there must have been at least two fliers. What do you know about a second flier?

A I know that another one was shot who had come down approximately 100 meters farther distant in a garden, or in the vicinity of a garden.

Q You did see him too, yourself?

A I did not see the second one personally, but later on I saw when he was taken to the crematory.

Q But you stated that both had been killed. By whom was the second one killed?

(KOWALSKI-Recross)

A Also by SS men. The other one had come down near where the water works were established.

Q You did not see the second flier yourself; but did you see those SS men who killed him?

A I learned it from others. Other inmates had been interested in the matter and taken notes. For that, they were later on shot by SS men.

Q Which prisoners were those? Do you remember their names?

A I don't remember their names, but they were Czechs, Poles, and Jehovah's Witnesses.

Q What time of the day was it when this flier was shot?

A It was during the noontime. It may have been 12 or 12:30. It was a nice day that day and an air attack took place.

Q Mr. Kowalski, you stated that the contents which were removed from packages were then later on distributed among the details; is that correct?

A Yes, that is correct, but there was --- Generally people were especially selected who received these contents, as, for example, capoes, deputy capoes, room orderlies, and friends of capoes.

Q Did Red Cross packages arrive from Poland?

A No, I don't know exactly from where these Red Cross packages came, but I do believe that they came from the Swiss Red Cross.

Q One last question, Mr. Kowalski. Do you remember what month of what year it was when these 7 young Russians were shot?

A Yes.

Q When was it?

A It was in the year 1944. I do not remember the exact month because so many shootings did take place. It must have been in June,

(KOWALSKI-Recross)

July, or August.

Q Do you remember the time when the Russian was killed by Tandler in the coal car?

A He was drowned.

Q In the coal car?

A He was taken to the Jourdhaus. Then, later he was taken between Block 3 and 4 where he was beaten, and later Tandler took him to the wash room of Block No. 4. There he threw him into a barrel. And there the second time, or, when it happened the second time, he admitted that he had escaped in a coal car. Later on two room orderlies came--it was on a Sunday at the time of noon roll call--and these room orderlies carried him to the block where the roll call took place.

Q And all the details concerning this Russian, you accidentally witnessed and saw?

A Yes.

DR. KLOGG: Thank you. No further questions.

PRESIDENT: Further questions?

The witness will be excused.

(Whereupon the witness was excused and withdrew.)

PROSECUTION: May it please the court, I have just been informed that the only Spanish interpreter here is about to go on another court and she is about to leave on temporary duty, tonight. Will the court take a recess for 10 or 15 minutes, until I find out what the status is?

PRESIDENT: Haven't you another witness to present to the court?

PROSECUTION: Yes, but if I present other witnesses, there won't be any Spanish interpreter for this witness, because there aren't

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any other Spanish interpreters, and this one is about to leave on temporary duty.

PRESIDENT: How long will it take you to find out?

PROSECUTION: About 10 minutes.

PRESIDENT: The court will take a 10 minute recess in place.

(Whereupon the court recessed in place.)

PRESIDENT: The court has appointed Maria L. Buso as court interpreter. She will be sworn.

(Whereupon Maria Buso, U. S. Civilian, was sworn as court interpreter.)

PEDRO GOMEZ, called as a witness by the prosecution, being first duly sworn, testified through a Spanish and a German interpreter as follows:

DIRECT EXAMINATION

QUESTIONS BY PROSECUTION:

Q Will you state your full name?

A Pedro Gomez.

Q Your address?

A Linz, Austria. Heiderstrasse No. 18.

Q Your nationality?

A Spanish.

Q Your age?

A 28 years.

Q Your occupation?

A Mechanic.

Q Were you a prisoner in Gusen I?

A Yes.

Q From when until when?

A From 17 February 1941 until 5 May 1945.

Q What details were you on?

A I worked as a mason and at the smith shop at Gusen and I installed the water pipes.

Q Do you know Number 4 of the accused?

DEFENSE COUNSEL: I object to that, sir. Why doesn't he ask if he knows a defendant by a certain name and let him point that defendant out.