

## *Chapter 7*

Early October 1945

After my assignment to Dachau, Gen. Frank Keating, CO of the 102nd Division, advises Gen. Lucian Truscott, CO of the Third Army—through a hand-carried message—that I will be delayed in arrival due to my trying a murder case. The order states that I will report to Dachau on October 1, 1945.

I see the judge advocate general (JAG) of the Third Army headquarters in Munich and am told I will replace a lieutenant colonel who has left for home. The JAG is Col. Edward Cheever, about 50, my size, a quiet speaker who gets quickly to the point.

I am only a captain in the JAGD, and I ask how I can replace a higher-ranking officer. He says this will be no problem because the ten officer-lawyers on the staff at Dachau are lieutenants. He notes the obvious: rank and qualifications do not always coincide in a war-time army.

He looks at my personnel file, then says my experience with courts-martial law in Europe—war-crimes investigation for the Ninth Army, my assignment as trial judge advocate for the XVI Corps headquarters and the resulting Bronze Star Medal, as well as my six years as a felony prosecutor before enlistment—qualifies me for this post. He says he will communicate my background to the staff at Dachau and that my title will be chief prosecutor, as used by my predecessor. He personally takes me to Dachau, introduces me to the staff, and sees to my living quarters, a mansion formerly occupied by the German camp kommandant.

I function as chief of staff, although I will also try two cases. The mission of the staff is to sort out, from more than 32,000 automatic arrestees, those to be prosecuted and those to be released. The sanitized compound holds as many arrestees as it formerly held slave laborers. The Dachau camp is the central compound for all automatic arrestees in the American zone in Bavaria. They are Nazis of various ranks, picked up in the American zone and western Austria. The French zone to the west and the British zone to the north each have similar facilities.

Enclosing the Dachau compound are an electrified fence, high guard towers, and a deep moat formerly connected to a nearby river, all fringed by tall pines. The countryside is slightly rolling farmland. The pines help conceal the camp from travelers along public roads.

The automatic arrestees in the compound are mainly ranking members of Hitler's many organizations—the Nazi party officers, his private army of SS, Gestapo, SD (security police), and others. Among the arrestees are the special SS Death's-head units, who have run the four mother camps in this area—Dachau, Flossenbürg, Mauthausen,



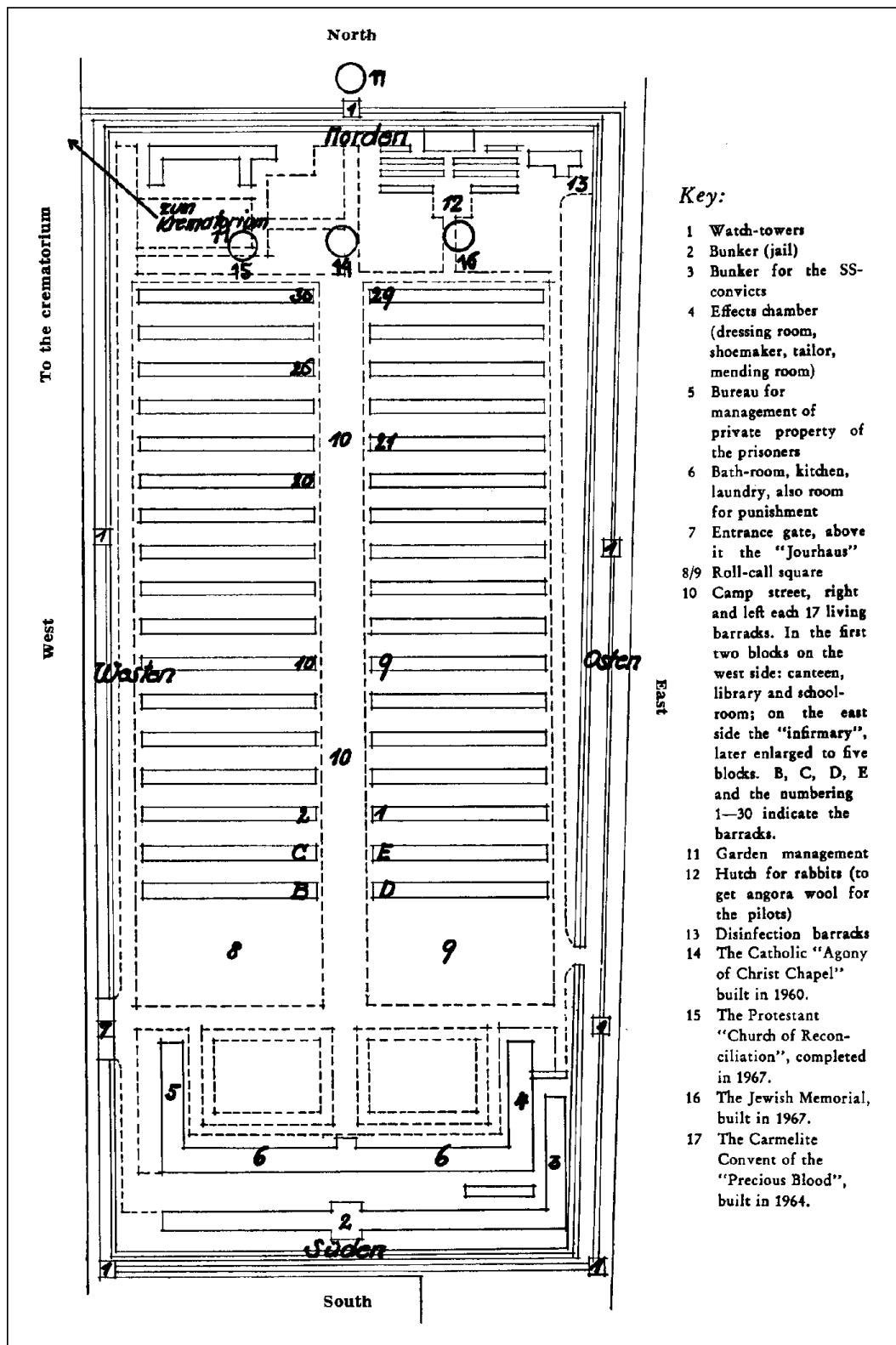
*The Nazis forced prisoners at Dachau (lined up along the electric fence, moat, and guard tower) to listen to Hitler's radio speeches.*

and Buchenwald. (See appendix.) The latter two camps fall within what will become the Russian zone of occupation, with prosecution tendered to the Russians. (Later we learn that they have declined the responsibility.)

Linking the beatings and murders committed against the slave laborers (taken from conquered countries by Hitler's SS forces) to the specific officials and guards of the SS operating these camps is a laborious job, one yielding hard evidence too slowly. (The SS—or Schutzstaffel—is Hitler's private army for dirty work like running concentration camps and persecuting the Jews.) I hold a meeting of the officers on the staff to determine a quicker method.

A lieutenant who spent his early years in Austria before the war understands the mentality of the Nazis. "A profile questionnaire would be the best to get primary evidence," he says. "We could take

## Witness to Barbarism



*Layout of the compound for slave laborers at Dachau.*

one barracks at a time, starting with the 1,500 who have been specifically denounced by their victims.”

He prepares questions and presents them the next day. They ask for the background of the arrestee, where he was born and raised, location of occupations, and particularly, a list of duties at concentration camps or subcamps, specifying times and places. We decide the forms will shorten our chore, and they do.

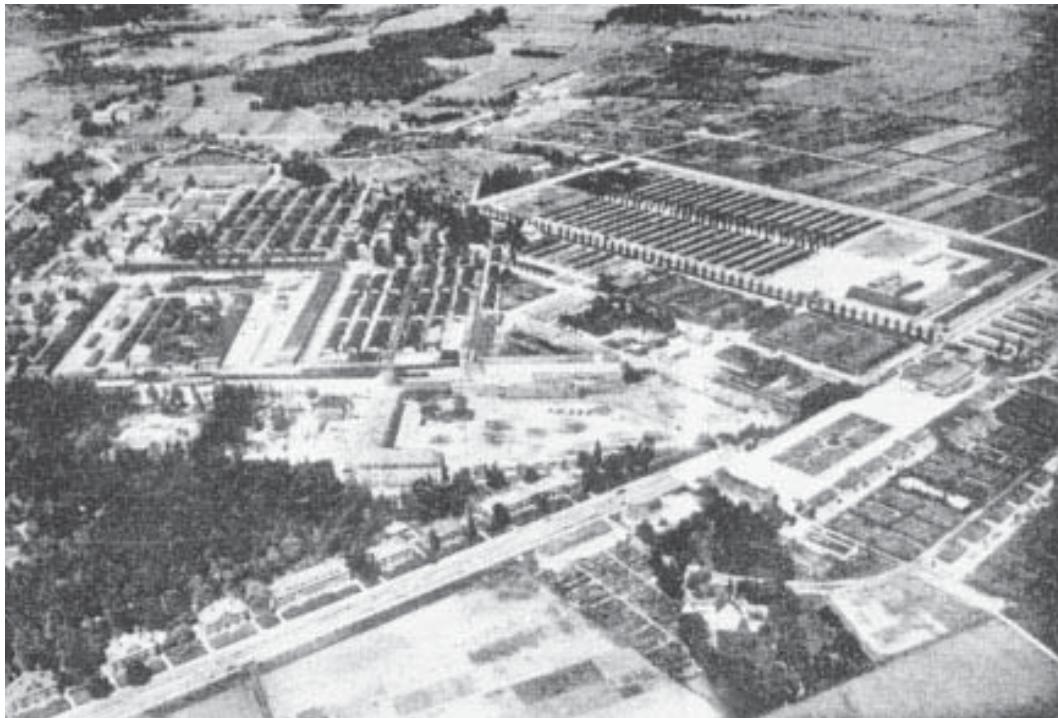
The Germans are accustomed to filling out forms and do so rather truthfully, as they are afraid to lie. The arrestees apparently think we have evidence against them. Nevertheless, I am sure that some admit to lesser or fewer atrocities in the hope of gaining leniency or of dodging connections with greater crimes.

After the questionnaires are returned, some of the perpetrators in the camp ask to talk with us. In some cases, the wrongdoers make voluntary admissions and denounce others. This widens our net. Many arrestees are later found to have been functionaries only—messengers, truckers, janitors, kitchen help, and the like. Some of these are released.

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Besides the three courtrooms and administrative offices, we have an office building made into a hotel to accommodate witnesses. The former chef of the steamship *Bremen*, a luxury liner, runs the hotel’s large dining room. The food is excellent.

In a house at the end of a long row of stone structures formerly housing the rest of the SS staff, outside the prison compound, I have a large bedroom at the top of the stairway to the second floor. Next to the mansion are formal gardens, statues, and a pool. We use the mansion for receptions and lodging for visiting dignitaries.



*The Dachau compound, the camp at upper right.  
Buildings to the left housed staff. Buildings along the street housed officers.*

Members of the U.S. Congress and other representatives of Allied governments come to tour the camp. These occasions are welcome breaks from my staff duties. The mansion is a fine place for after-hours visits with staff friends and English-speaking former prisoners.

Paul Husarek, an anti-Nazi radio commentator from Prague, Czechoslovakia (later the Czech Republic), is highly intelligent. He tells me he stayed alive for three years by hiding from the guards in any way he could and by filching food intended for the guard dogs. After the end of the war, he was elected chief of press of the newly formed International Prisoners Committee. He issued a reproduced letter to slave laborers, telling them the latest news, asking them to remain calm, and saying that justice would eventually prevail. He speaks good English, answering my many questions without hesitation.

Friedrich Leopold, Prince of Prussia, has a *schloss* (castle) at Salzburg, Austria. He also speaks good English and has many connections. One is the president of a sound film company at Munich, and the prince invites me to a party at the filmmaker's home the following week. (His company will take films on certain days of the Dachau trial.) I decline and suggest he ask a first lieutenant on my staff.

Later I learn that the party was specifically targeted to me—its real purpose to obtain a submarine to take the filmmaker and his wife to Argentina. As an opener, he has offered to pay \$100,000 plus expenses, in American money. I suspect he was an active Nazi—now afraid of arrest.

Before the proposition was stated, says my proxy, many drinks and a superb dinner were served—along with a voluptuous blonde in a black satin dress. She took him to another room and tried to seduce him by fondling his genitals and lifting her dress to show she wore no underwear. He was hard-put to restrain himself but managed to do so.

Another time, when I am having breakfast with a German lawyer in the witness dining room, I see the prince with his male “secretary” having a breakfast that includes a large glass of orange juice. I call the chef over and tell him never to give the prince a large glass of orange juice again, as everyone else dining there will want the same. The chef agrees. Apparently he has been struck by the presence of royalty.

Later, when the prince hears I have five of Hitler's former recorders on my staff, he comes to see me in my office. Greatly excited, he wants to see them right away to determine why he is at Dachau. I tell him I will convey his inquiry to the recorders and let him know. He is disappointed that he cannot see the recorders personally and tells me so. Obviously he is used to getting his way, without question. I tell

him he is in Dachau for listening to a BBC broadcast on his radio, contrary to Nazi rules. He huffs and leaves my office without another word.

Another former prisoner, Franz Blaha, a pathologist and surgeon from Prague, operated a 900-bed hospital there. His memory is keen, and he recalls all the forms of torture and killings at Dachau. He states that though it has been difficult for him to leave his work in Prague, he feels it is his duty to testify at the Dachau trials.

Speaking fair English, Blaha recounts his personal experiences in Dachau. Before he became a camp doctor, he says, he was hung by his wrists, which were tied behind his back, for one hour. This caused his arms to dislocate at the shoulders. It took three days to get the joints back to normal and another two weeks to regain feeling in his arms.



*Wrist hanging, a Nazi form of torture for slave laborers.*

He was beaten on the back by a stick a yard long until he bled—all for doing heavy physical labor too slowly.

After his appointment as camp physician, he observed beatings, torture, and killings of prisoners, as well as typhus, typhoid, and dysentery epidemics, medical experiments on healthy prisoners, and prisoners dying from malnutrition.

Blaha has done hundreds of autopsies at Dachau, keeping written reports on the causes of death. Before coming to Dachau, where he was imprisoned for year and a half, he was detained at Prague by the Gestapo for two years. He becomes the chief witness at the Dachau trial.

*Heinz Buckholz (right) and Hans Jonaschat (below), two of the five non-Nazis required to take verbatim notes of Hitler's twice-daily military conferences. At war's end the recorders offered their translation skills to the Americans.*

