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## Einsatzgruppen Case: Presentation of Evidence (Krause for Haensch)

International Military Tribunal

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DR. KRAUSE: Krause for Haensch. I beg your pardon, Your Honor --

THE PRESIDENT: If you would like to go ahead while we are absent, you may, but I think it would be more to your purpose if you waited until we have our recess.

DR. KRAUSE: Your Honor, I merely took the liberty to offer my documents because there are only three.

THE PRESIDENT: Suppose we do that now?

DR. KRAUSE: I would like to introduce Haensch Document Book Number IV. It contains three documents, but I only intend to submit the first two. On page 1 of Document Book IV, Exhibit Number 31, I offer the Document Number 29. This is a copy of a telegram addressed to the present Mayor of Oger-Tuebingen of 22 January 1948. In this telegram I asked that the question, the first name, the date of birth, and the period of office of the former mayor, Dr. Weinmann, be given to me. The Tribunal will recall that the prosecution introduced a document which is supposed to reveal that Dr. Erwin Weinmann, who went to Russia at the same time as the defendant was already in the Einsatz since the 13th of January 1942. This document of the Prosecution describes Dr. Erwin Weinmann as Mayor of Tuebingen. I also submit on page 2 of Document Book IV as Exhibit Number 32 the Document Number 30. That is the reply telegram sent by the Mayor of Tuebingen in reply to my telegram dated 22 January 1948. It says that the Mayor of Tuebingen during the time from 28 July 1939 until 18 April 1945 was a Doctor Ernst Einmann, who was born on 16 April 1907. This is merely a mistake in the surname. This obviously is the Dr. Ernst Weinmann. In any case, the document shows that Dr. Erwin Weinmann, who concerns us here, was not Mayor.

MR. HOCHWALD: I object against the two last documents as they are not submitted in the form prescribed by the Tribunal, they are neither captured documents nor affidavits nor transcripts of some criminal proceedings, they are just telegrams between two parties which have nothing to do personally with the defendant. In this form the

exhibits are inadmissible; as to their contents, they are immaterial. The question which was to be proved by the document put in by the prosecution was only whether Dr. Erwin Weinmann had been in the Einsatz from the 13th January 1942 on. Nothing to that effect is proved by these two telegrams.

DR. KRAUSE: Your Honor --

THE PRESIDENT: Well, then they don't hurt anybody.

MR. HOCHWALD: They certainly do not hurt me, Your Honor.

DR. KRAUSE: Your Honor, I still ask you to accept these documents. I shall try --

THE PRESIDENT: We haven't refused them.

DR. KRAUSE: Thank you. I now ask to be allowed to introduce another single document. It is Exhibit Number 33, Document Number 32. This document consists of three parts. They are copies of the opinions which the prosecution put at my disposal, and I thank them for it. These expert opinions discuss expert opinions about the handwriting of the witness Schreyer that is, the handwriting in the order sheet on the envelope of the negative plates.

THE PRESIDENT: Well, it isn't necessary to enumerate all those exhibits, Mr. Hochwald went into that rather completely this morning, so that we know what they are. You are now merely putting them in evidence and they will be accepted.

DR. KRAUSE: Yes. I merely wanted to point out, Your Honor, that both expert opinions --

THE PRESIDENT: But you cannot argue it, you merely present them. The argument will come in the summation.

DR. KRAUSE: Very well.

THE PRESIDENT: The Tribunal will now be in recess 15 minutes.

(A recess was taken.)