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**Records of the United States  
Nuernberg War Crimes Trials  
United States of America  
v. Oswald Pohl et al.  
(Case IV)  
January 13, 1947-  
August 11, 1948**



NATIONAL ARCHIVES AND RECORDS SERVICE

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*Record Group 238*

RECORDS OF THE UNITED STATES NUERNBERG WAR CRIMES TRIALS  
UNITED STATES OF AMERICA V. OSWALD POHL ET AL. (CASE IV)  
JANUARY 13, 1947-AUGUST 11, 1948

On the 38 rolls of this microfilm publication are reproduced the records of Case IV, *United States of America v. Oswald Pohl et al.* (Pohl Case), 1 of the 12 trials of war criminals conducted by the U.S. Government from 1946 to 1949 at Nuernberg subsequent to the International Military Tribunal (IMT) held in the same city. These records consist of German- and English-language versions of official transcripts of court proceedings, prosecution and defense briefs, and final pleas of the defendants as well as prosecution and defense exhibits and document books in one language or the other. Also included in this publication are a minute book, the official court file, order and judgment books, clemency petitions, and finding aids to the documents.

The transcripts of this trial, assembled in 2 sets of 21 bound volumes (1 set in German and 1 in English), are the recorded daily trial proceedings. Prosecution and defense briefs are also in both languages but unbound, as are the final pleas of the defendants delivered by counsel or defendants and submitted by the attorneys to the court. Unbound prosecution exhibits, numbered 1-735, are essentially those documents from various Nuernberg record series offered in evidence by the prosecution in this case. Defense exhibits, also unbound, are predominantly affidavits by various persons. They are arranged by name of defendant and thereunder numerically. Both prosecution and defense document books consist of full or partial translations of exhibits into the English language. Loosely bound in folders, they provide an indication of the order in which the exhibits were presented before the tribunal.

The minute book, in one bound volume, is a summary of the transcripts. The official court file, in four bound volumes, includes the progress docket, the indictment, amended indictment, and the service thereof; appointments and applications for defense counsel and defense witnesses and prosecution comments thereto; defendants applications for documents; motions; uniform rules of procedures; and appendixes. The order and judgment books, in two bound volumes, represent the signed orders, judgments, and opinions of the tribunal as well as sentences and commitment papers. Clemency petitions of the defendants, in nine bound volumes, were directed to the military governor, the Judge Advocate General, the U.S. district court, and the U.S. Supreme Court. The finding aids summarize transcripts, exhibits, and the official court file.

Case IV was heard by U.S. Military Tribunal II from January 13, 1947, to August 11, 1948. Like the records of other Nuernberg war crimes trials and the International Military Tribunal for the Far East, the records of this case are part of

the National Archives Collection of World War II War Crimes Records, Record Group 238.

The Pohl Case was 1 of 12 separate proceedings held before several U.S. Military Tribunals at Nuernberg in the U.S. Zone of Occupation in Germany against officials or citizens of the Third Reich, as follows:

<u>Case No.</u>	<u>United States v.</u>	<u>Popular Name</u>	<u>No. of Defendants</u>
1	<i>Karl Brandt et al.</i>	Medical Case	23
2	<i>Erhard Milch</i>	Milch Case (Luftwaffe)	1
3	<i>Josef Altstoetter et al.</i>	Justice Case	16
4	<i>Oswald Pohl et al.</i>	Pohl Case (SS)	18
5	<i>Friedrich Flick et al.</i>	Flick Case (Industrialist)	6
6	<i>Carl Krauch et al.</i>	I. G. Farben Case (Industrialist)	24
7	<i>Wilhelm List et al.</i>	Hostage Case	12
8	<i>Ulrich Greifelt et al.</i>	RuSHA Case (SS)	14
9	<i>Otto Ohlendorf et al.</i>	Einsatzgruppen Case (SS)	24
10	<i>Alfried Krupp et al.</i>	Krupp Case (Industrialist)	12
11	<i>Ernst von Weizsaecker et al.</i>	Ministries Case	21
12	<i>Wilhelm von Leeb et al.</i>	High Command Case	14

Authority for the proceedings of the IMT against the major Nazi war criminals derived from the Declaration on German Atrocities (Moscow Declaration) released November 1, 1943, Executive Order 9547 of May 2, 1945, the London Agreement of August 8, 1945, the Berlin Protocol of October 6, 1945, and the IMT Charter.

Authority for the 12 subsequent cases stemmed mainly from Control Council Law 10 of December 20, 1945, and was reinforced by Executive Order 9679 of January 16, 1946; U.S. Military Government Ordinances Nos. 7 and 11 of October 18, 1946, and February 17, 1947, respectively; and U.S. Forces, European Theater General Order 301 of October 24, 1946. Procedures applied by U.S. Military Tribunals in the subsequent proceedings were patterned after those of the IMT and further developed in the 12 cases, which required over 1,200 days of court sessions and generated more than 330,000 transcript pages.

In the Pohl Case, leading officers of the SS Wirtschafts und Verwaltungshauptamt (WVHA), which was the SS Economic and Administration Main Office, were tried for a variety of crimes, particularly those associated with the administration and control of concentration camps and the profits derived from the exploitation of concentration camp labor. The prosecution alleged that about 10 million persons were incarcerated in various concentration camps at one time or another and that many of them died there. Large numbers of inmates were subjected to torture, brutal utilization of their labor, and illegal medical experiments. The prosecution also charged euthanasia, ill-treatment of prisoners of war, and other crimes.

The WVHA evolved from several offices, including the Verwaltungsamt (Administrative Department) in the SS Hauptamt (Central Office), the Hauptamt Haushalt und Bauten (Department of Budget and Buildings), and the Inspekteur der Konzentrationslager (Inspector of Concentration Camps), and was established in March 1942 under the direction of defendant Pohl. The WVHA was divided into five Amtsgruppen headed by chiefs directly responsible to Pohl, and each Amtsgruppe was subdivided into Aemter (offices). Amtsgruppe A was responsible for finance and administration of the SS and was headed first by defendant August Frank and then by defendant Heinz Karl Fanslau. Amtsgruppe B controlled food, supplies, uniforms, billeting, raw materials, and equipment for the SS and concentration camps. The chief of this office was defendant Georg Loerner. Amtsgruppe C was in charge of buildings, grounds, and construction, including that of concentration camps. The office was presided over by SS Gen. Hans Kammler. Amtsgruppe D was responsible for the administration of concentration camps and was headed by SS Gen. Richard Gluecks. Amtsgruppe W administered the economic enterprises of the WVHA and was directed by defendants Pohl and Georg Loerner.

Transcripts of the Pohl Case include the indictments of the following 18 persons:

Oswald Pohl: Obergruppenfuehrer in the SS and General of the Waffen SS (Lieutenant General); Chief of the WVHA and Chief of Amtsgruppe W of the WVHA.

August Frank: Obergruppenfuehrer in the SS and General of the Waffen SS (Lieutenant General); Deputy Chief of the WVHA and Chief of Amtsgruppe A of the WVHA.

Georg Loerner: Gruppenfuehrer in the SS and Generalleutnant of the Waffen SS (Major General); Deputy Chief of the WVHA, Chief of Amtsgruppe B of the WVHA, and Deputy Chief of Amtsgruppe W of the WVHA.

Heinz Karl Fanslau: Brigadefuehrer in the SS and Generalmajor of the Waffen SS (Brigadier General); Chief of Amtsgruppe A of the WVHA.

Hans Loerner: SS Oberfuehrer (Senior Colonel) and Chief of Amt I of Amtsgruppe A of the WVHA.

Josef Vogt: SS Standartenfuehrer (Colonel) and Chief of Amt IV of Amtsgruppe A of the WVHA.

Erwin Tschentscher: SS Standartenfuehrer (Colonel); Deputy Chief of Amtsgruppe B and Chief of Amt I of Division B of the WVHA.

Rudolf Scheide: SS Standartenfuehrer (Colonel) and Chief of Amt V of Amtsgruppe B of the WVHA.

Max Kiefer: SS Obersturmbannfuehrer (Lieutenant Colonel) and Chief of Amt II of Amtsgruppe C of the WVHA.

Franz Eirenschmalz: SS Standartenfuehrer (Colonel) and Chief of Amt VI of Amtsgruppe C of the WVHA.

Karl Sommer: SS Sturmbannfuehrer (Major) and Deputy Chief of Amt II of Amtsgruppe D of the WVHA.

Hermann Pook: Obersturmbannfuehrer (Lieutenant Colonel) of the Waffen SS and Chief Dentist of the WVHA, Office III, Amtsgruppe D.

Hans Heinrich Baier: SS Oberfuehrer (Senior Colonel) and Amtschef Stab (executive officer) of Amtsgruppe W of the WVHA.

Hans Hohberg: Amtschef Stab (Executive Officer) of Amtsgruppe W of the WVHA.

Leo Volk: SS Hauptsturmfuehrer (Captain), personal adviser (Persoenlicher Referent) on Pohl's staff, and head of legal section (Leiter der Rechtsabteilung) in the executive office of Amtsgruppe W of the WVHA.

Karl Mummmenthey: SS Obersturmbannfuehrer (Lieutenant Colonel) and Chief of Amt I of Amtsgruppe W of the WVHA.

Hans Bobermin: SS Obersturmbannfuehrer (Lieutenant Colonel) and Chief of Amt II of Amtsgruppe W of the WVHA.

Horst Klein: SS Obersturmbannfuehrer (Lieutenant Colonel) and Chief of Amt VIII of Amtsgruppe W of the WVHA.

The indictment consisted of four counts. Count one charged participation in a common design or conspiracy to commit war

crimes or crimes against humanity. A tribunal ruling struck count one as a separate substantive offense because the tribunal felt it had no jurisdiction to try any defendant on such a count. As a consequence, the whole count was disregarded in the judgment and no defendant was found guilty. Count two was concerned with war crimes and count three with crimes against humanity. Fifteen defendants were found guilty, and three were acquitted on these two counts. Count four charged 17 defendants with membership in a criminal organization; 13 were found guilty, and 4 were acquitted.

The transcripts also contain the arraignment and plea of each defendant (all pleaded not guilty); opening and closing statements of defense and prosecution; and the judgment and sentences, which acquitted 3 of the 18 defendants (Klein, Scheide, and Vogt). Death sentences were imposed on Pohl and Eirenschmalz and life imprisonment on Frank, Georg Loerner, Sommer, and Mummthey while varying prison terms were given to Fanslau, Hans Loerner, Tschentscher, Kiefer, Pook, Baier, Hohberg, Volk, and Bobermin.

The English-language transcript volumes are arranged numerically, 1-21; pagination is continuous, 1-8,201. The German-language transcript volumes are numbered 1a-21a and paginated 1-8,096. Letters at the top of each page indicate morning, afternoon, and evening sessions. The letter "C" designates commission hearings (to save court time and to avoid assembling hundreds of witnesses at Nuernberg, in most of the cases one or more commissions took testimony and received documentary evidence for consideration by the tribunals). Several pages are added to the transcript volumes and given number and letter designations. Some pages are not numbered, such as pages 702, 722, 724 (German) and pages 1100, 1361, 1447 (English). The tops or bottoms of a few pages are cut off and some are of poor legibility.

Of the documents assembled for possible prosecution use, 735 were chosen for presentation as evidence before the tribunal. These included orders, directives, affidavits, correspondence, excerpts from court cases, and blueprints of concentration camp installations. Several exhibits are of poor legibility.

The first item in the arrangement of the prosecution exhibits is usually a certificate listing the document number, a short description of the exhibit, and a statement on the location of the original document of the exhibit. Certificates often list wrong exhibit numbers for example:

Exhibit 216 is listed as exhibit 122  
Exhibit 215 is listed as exhibit 97  
Exhibit 214 is listed as exhibit 105  
Exhibit 213 is listed as exhibit 79  
Exhibit 217 is listed as exhibit 111.

Certificates are followed by documents, the actual prosecution exhibit (mostly photostats), and a few mimeographed articles with an occasional carbon of the original. In rare cases the exhibits are followed by translations or additional certificates. The following exhibits are original documents:

<u>Exhibit No.</u>	<u>Doc. No.</u>	<u>Exhibit No.</u>	<u>Doc. No.</u>
52	NO 2154	572	NO 4007
74	NO 2149	573	NO 4008
168	PS 1234	636	NO 4154
184	NO 407	674	NO 4572
516	NO 2368	678	NO 2382b
554	NO 1907	690	NO 4513

Certificates are not attached to several prosecution exhibits, including numbers 52, 74, and 492. Numbers 127, 96, and 380 were not assigned because the exhibits are identical with the documents of exhibits 104, 45, and 97, respectively.

Other than affidavits, defense exhibits consist of decrees, *Reichsgesetzblatt* excerpts (official German law gazette), charts, correspondence, and other items. There are no certificates for most of the 614 defense exhibits.

Translations in the prosecution document books are preceded by indexes listing document numbers, biased descriptions, and page numbers of the translation. They are generally listed in the order in which the prosecution exhibits were introduced into evidence before the tribunal. The defense document books are similarly arranged. Each book is preceded by an index listing document number, description, and page number for each exhibit. There are several unindexed supplements to numbered document books. Prosecution and defense briefs are arranged by name of defendant, as are the opening statements and final pleas.

Key documents from which the tribunal derived its jurisdiction are filmed at the beginning of roll 1: the Moscow Declarations, U.S. Executive Orders 9547 and 9679, the London Agreement, the Berlin Protocol, the IMT Charter, Control Council Law 10, U.S. Military Government Ordinances 7 and 11, and U.S. Forces, European Theater General Order 301. Following these documents of authorization is a list of the names and functions of the members of Tribunal II and counsels. These documents are followed by the transcript covers giving such information as name and number of case, volume numbers, language, page numbers, and inclusive dates. They are followed by summaries of the daily proceedings, thus providing an additional finding aid for the transcripts. Exhibits are listed in an index, which notes the type, number, and name of exhibit,



corresponding document number and document book and page, a short description of the exhibit, and the date it was offered in court. The official court file is indexed in the court docket, which is followed by a list of witnesses.

Not filmed in this publication are such records as German language document books because they largely duplicate prosecution and defense exhibits.

The records of the Pohl Case are closely related to other microfilmed records in Record Group 238, specifically prosecution exhibits submitted to the IMT, T988; NI (Nuernberg Industrialist) Series, T301; NOKW (Nuernberg Armed Forces High Command) Series, T1119; NG (Nuernberg Government) Series, T1139; NM (Nuernberg Miscellaneous) Series, M936; NP (Nuernberg Propaganda) Series, M942; WA (undetermined) Series, M946; and records of the Brandt case, M887, the Milch Case, M888, the Altstoetter case, M889, the Flick Case, M891, the List case, M893, the Greifelt case, M894, and the Ohlendorf case, M895. In addition, the record of the IMT at Nuernberg has been published in the 42-volume *Trial of the Major War Criminals Before the International Military Tribunal* (Nuernberg, 1947). Excerpts from the subsequent proceedings have been published in 15 volumes as *Trials of War Criminals Before the Nuernberg Military Tribunal Under Control Council Law No. 10* (Washington, 1950-53). The Audiovisual Archives Division of the National Archives and Records Service has custody of motion pictures and photographs of all 13 trials and sound recordings of the IMT proceedings.

John Mendelsohn wrote these introductory remarks.



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