MEMORANDUM TO MR. JUSTICE JACKSON

SUBJECT: Review of the Evidence Submitted by the U.S.S.R. on 17 September 1945 at the Nuremberg Trial.

For your information and the information of others on the staff in the Division and committee levels, I am attaching below mimeographed copies of notes prepared by Mr. Hazard reviewing the Russian evidence presented by General Babushkin at the London meeting of Chief Prosecutors on 17 September 1945. The Russian materials fall into two groups: 1) 9 items of reports of the Extraordinary State Commission submitted in typewritten form in the Russian language; 2) Captured German documents submitted in the form of photostats, copies of the originals, of course in German.

Dr. Hazard's review of these materials is divided into three parts:

1. A note concerning translations of Protocols of the Extraordinary State Commission available in English in the Soviet War News;
2. Some comments he has made on language used in the London draft of the counts charging war crimes and crimes against humanity; and
3. A brief summary of the substance of each of the 32 documents contained in the Russian materials presented on 17 September.

As you will see, the Russian materials deal almost entirely with war crimes and crimes against humanity, and would fall particularly under the jurisdiction of Committee II.

Attachment

Sincerely,

[Signature]
Note Concerning Translations of Protocols
of the Extraordinary State Commission.

The first nine items on Prosecutor Rudenko's list of 17 September 1944, submitted in written form in the Russian language, may be found in essentially complete English translations in the Soviet War News of the following issues:

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In the Soviet War News translations some sentences of the originals have been omitted containing additional details and names of responsible Germans.
II (a) The term "ill-treatment," both in the heading and wherever it is met with in the text, should be replaced by the term "inhuman treatment," since this corresponds more closely to what actually happened.

II (a)(ii) In place of "wars and ill-treatment at places in the Eastern Countries and in Eastern Russia, the following places in the Eastern Countries and in the temporarily occupied territories of the Soviet Union:"

In listing the concrete criminal activities under this heading there should be added a point reading as follows:

"In the city of Smolensk and its environs the number of Soviet citizens who were put to death or perished during the period of temporary occupation of these places by the Germans exceeded 150,000 persons."

II (b) In the last paragraph under subsection (b), the present text speaks of the "deportation of the sick, detained, and infants no motive for slave labor and for other purposes." The sentence on this deportation should be expanded to include the deportation of Soviet citizens from the Ukraine, Belorussia, Lithuania, Latvia, and other Soviet territories temporarily seized by the German army.

II (4) "Plunder of Public and Private Property" Point (4). It would be desirable to insert the following rendering:

"During the occupation of the Eastern Countries, the German government and the German High Command carried out, as a systematic policy, a continuous course of plunder and destruction, as well as the transformation of whole regions into a 'desert zone,' including:

And further on in the text of the draft, before the words "destruction of the estate of the poet Pushkin in Mikhailovsky," include the sentence, "destruction of the estate-museum of Leo Tolstoy, "Mamayev Polyanal and the desecration of the tomb of this great writer."

Before the paragraph which begins with the words:

"Destruction in Katyn of cultural and industrial premises," place the following paragraph: "Destruction, desecration and meaningless annihilation of such priceless monuments of the Christian Church, as the Kiev-Pecherskaya Lavra, and New Jerusalem in the Istra region, etc.,

Terminate the listing of concrete materials on the losses born by the national economy of the Soviet Union with a statement to the effect that the general amount of this loss, in values of 1944, has been established at 679 billion rubles, in accordance with the accounting of the Extraordinary State Commission."
1. Commission Report - In usual form of this type of report recounts activities of Germans in North Caucasus, in particular: killing of poisoned men, women, and children before retreat and gassing of wounded children in gas vans; beating of hospital attendants; burial of children alive in the graves of their murdered mothers; torturing of witnesses and possible informants with chains which stretch their arms and legs; orders relating to the wearing of the Star of David; murdering of Jews. Report includes names of Germans concerned and an evidence given by a witness to the Commission. Attached to this report is a statement by the eminent Soviet writer A.N. Tverskov (recently deceased) giving some of the same material in a more literary style.

2. Commission Report - Details the destruction done to coal mines and industry in one of the principal Soviet industrial areas. Includes Russian translations of what are, given as German orders to move industries to Germany or retreat and destroy what cannot be moved: also report on despatch of population toward German slavery. Includes the now famous report on throwing bodies of victims into flooded mine corridor.

3. Commission Report - Same as printed document listed as "14" except that it is typescript, without holograph and personally signed by the members of the Commission.

4. Commission Report - Recounts spreading of typhus through concentration camps by systematic selection of persons suffering from the disease for inclusion in those camps. The camps were kept in filthy condition so that the disease spread. Certain testimonies of infected persons who were sought out to be sent to the camps. Attract opinion of medical experts.

5. Commission Report - Recounts conditions in a hospital camp for Soviet prisoners of war, using eye witnesses reports of what the Commission saw, and testimony given the Commission by survivors and Soviet employees of the camp. Alleges that the Germans brought infectious cases in and placed them together, without segregation as to types, for the purpose of spreading disease. Linen of the sick was never changed, and some were wholly naked. Gives the food ration and testimony as to the lack of medical care, as well as beatings, torture, killings and burial of some patients alive, estimating the death rate to have been up to 300 per day. Gives testimony on opening of graves to find many more bodies than were on name-plates above, and concludes Germans tried to conceal real number of deaths.
6. Report on the introduction by the Germans of the "New Order" into Latvia, in accordance with a plan of murder of Soviet citizens, stating that Himmler himself came several times to inspect the "death factory." Says that around 700,000 persons were destroyed, including citizens of U.S.A., Great Britain, Czecho-Slovakia, Yugoslavia, and Holland. Germans came with prepared lists and mass arrests began immediately, especially of the intelligentsia, including the Rector of the University. One Professor who escaped gave testimony. Professors were made to clean the stairs of a four-story building with their tongues, and some were shot afterwards. Men were also put in water tanks in winter and kept there until the water froze solid. Also the commandant had children thrown in the air so he could shoot them to amuse his 9 year old daughter. The camp was a school for commanders who came from other cities to see how destruction was carried out.

7. Report on Latvia and the German occupation — Murder of 250,000 peaceful citizens, 257,000 Soviet prisners of war, and putting into slavery of 175,000 citizens of Latvian S.S.R. Also lists destruction of factories, libraries, municipal services, and dwellings. Germans took back the land and cattle given the peasants when Latvia became a republic of U.S.S.R. and restored the economy of the landlords and kulaks. Some documents given showing that deaths in psychiatric hospitals were ordered by Germans. Bodies of murdered persons were burned after mass shootings of citizens. Villages were burned down on accusation of aiding Red Army. Many details on the situation of the Jews, including sterilization. Special section on mistreatment of POWs.

8. Report on Auschwitz. The report is the one distributed widely on the findings in this camp.


12. Photostat of typewritten document to which Reichenau's name is typed. No Russian translation.

13. Photostat of typewritten document to which Göring's name is typed. No Russian translation.

14. A printed booklet, duly authenticated by the RGCG, with photostats of the original German texts attached, (these photostats appear to be photostats of the pages in the
booklet, which contains photographs of the originals, and not photographs of the originals themselves.

Recommends: the original German be translated. The Soviet booklet: only translations accept into Russian.

15. The well-known order on branding of prisoners: signed by indistinguishable signature on behalf of the Chief of Police.

16. (Copy No. 14 of 31 copies.) Certified copy of Order signed by Keitel, with covering memo to the Chief of the Legal Sections of the S.S. and the Courts, etc., signed on behalf of the Chief of the Principal Legal Administration of the S.S. at Danzig.

Substance: Says that Führer has heard that individual German soldiers, taking part in the struggle against guerrillas, have been held responsible for their actions, and in view of that the Führer has ordered that the struggle is brutal, and has nothing in common with the Geneva Convention. The struggle in the East and in the Balkans is so severe that troops have the right and the duty "to use any means, without limit, against even women and children if this will assure success." Then continues to say that no German taking part in military activities against guerrillas can be held responsible in disciplinary procedure or in court for his actions against bandits and their accomplices.


Substance: To retreat, destroy all rails and blow up all stone. Load all grain to the last centner, and throw out all other freight, such as furniture, etc.

18. Order, signed by Major General of Military Command of Pohov. States that women and even children are serving as spies for guerrillas, making it possible for them to attack railroads, highways and bridges and ordering that all persons regardless of age and sex found on the highway or near it must be considered as bandits and shot (excluding, of course, guards of women under supervision). Later section reduces force by saying that persons discovered in daytime must be detained and verified.

19. Certified copy of Order signed by Hoer in Vilner. Following the undermining of the railway, inhabitants of 3 villages were evacuated and villages burned down, during which much ammunition exploded (believed to show relationship to guerrillas). People and cattle were sent to police - only one man escaped.
20. Report and supplement, signed by Commander of detail on expedition to clear woods of guerrillas. In supplement stated that 20 persons from the civilian population of the populated place of Brodowen went ahead of the troops as mine searchers, since it was learned that the road was mined.

21. Photostat of signed but uncertified copy of a directive issued at Graz to all Police organizations. Gives procedure for camps of workers, stating that the workers can leave the camps only to go out to work. Ministry of Labor is in charge of camps, although police supervision is not their responsibility. In occupied territories (with exception of camps having Lithuanians, Latvians and Estonians and persons from Bialystok and Galicia) the camps must be under guard. An the workers must be under guard when being transported.

22. Photostat of only first page showing 2/3. In translation, there appears signature of Rosenberg.

Law ordering registration of all local men from 15 to 65 and local women from 15 to 45 living in the occupied Eastern areas, not belonging to list of persons given in 2/3 (not shown), with the labor exchanges.

23. Same source and signature as No. 21 above, giving rules that identifying marks be sewed to clothes on outside.

24. Dated Furstenhof. Notice to all Police departments under his jurisdiction, signed by Chief of the District Police, saying that the Chief of the Administrative Dept. at Furstenhof directs the police to pay special attention to identifying marks and therefore, they are directed to use all means, in particular calling price reserving to verify the wearing of identifying marks by Poles and Eastern workers, and to continue this verification often, especially on Sundays.

25. Photostat of certified copy of order signed by Chief of Court Administration of S.S., Doctor Haenlein, Order entitled "Sexual Relations with Women of Ochlap Haves." States that it is notice to certain specified S.S. and police organizations that the Reichsfuehrer S.S. has ordered that women of foreign nationality in the occupied Eastern regions, who become pregnant as a result of sexual relations with members of S.S. and the police, shall undergo abortion. Russian workers and women must be advised if is carried out for social reasons, and there must be no intimation that there is an order on this subject.

26. Photostat of printed bulletin with directive signed by Obergruppenfm. Kramer, saying Jews must not walk on sidewalk but in single file on right side of street. Also forbids Jews...
entrance into all parks and places. For walking, and the use of bicycles or any public means of conveyance - taxis, horse drawn vehicles, subways, passenger boats and the like. Orders all owners of vehicles to display a sign on them, "Forbidden to Jews."

A second notice requiring Jews to wear yellow Star of David on sleeve and hand, and forbidding them to ride to return to Kernel if they had left. Also banned right to ask or receive personal property.

27. Photocopy of printed copy of Collection of Laws, bearing decree signed by Reichskomissar für das Ostland - ordering confiscation of all property of Jews, except house- holders, animals needed to satisfy minimum personal needs and cash and deposit, etc., in value up to 30 Reichsmark.

28. Dated Lehnberg, Certified copy of Order signed by Major of the Security Police, purporting to be on authority of Command, forbids personal use of property confiscated from Jews, except in exceptional cases when permission is given and orders the property to be transmitted without charge to Reich, and Police organizations. States that in spite of this, individual officers appropriating to their own use leather, soap, candles, etc., and gives cases where one guilty of this was sentenced to 5 years, prison as a reminder to others.

29. A printed booklet, duly authenticated by the WJC, with photographs of piles of human bones and skulls, the crematories, the warehouse of 800,000 yards of shoes, etc., with text detailing torture, mass shootings, gas chambers, etc.

30. Duly authenticated by WJC albums. One showing outline of camp, prisoners behind fences, and in crowded wooden barracks (mostly women), piles of suitcases from all over Europe (bearing hotel stickers from Vienna, Florence, Budapest, Switzerland), pillows of clothes, women's hair (some already packed for shipment), cooking utensils, undeterred corpses, funeral ceremonies and burial services after Remuot arrival. The others with pictures of living men, associated to the third degree (including 14 year old Hungarian girl and 6 year old Czech boy and 12 year old Russian girl, also 2 and 8 year old Swedish girls), persons with frozen feet, marks of beatings on back. Collection of pictures of exterminated male genital organs (some only one side, for experimental purposes).

31. Same sort of pictures as those from Auschwitz.

32. The full text, as published generally elsewhere.
MEMORANDUM TO MR. JUSTICE JACKSON

27 September 1945

SUBJECT: Review of the Evidence Submitted by the U.S.S.R. on 17 September 1945 at the Nuremberg Chief Prosecutors Meeting.

For your information and the information of others of the Staff on division and committee levels, I am attaching hereon mimeographed copies of notes prepared by Dr. Hazard reviewing the Russian evidence presented by General Budzko at the London meeting of Chief Prosecutors on 17 September 1945. The Russian materials fall into two groups: 1) Items of reports of the Extraordinary State Commission submitted in typewritten form in the Russian language; 2) Captured German documents submitted in the form of photostatic copies of the originals, of course in German.

Dr. Hazard's review of these materials is divided into three parts:

1. A note concerning translations of Protocols of the Extraordinary State Commission available in English in the Soviet War News;

2. Some comments he has made on language used in the London draft of the counts charging war crimes and crimes against humanity; and

3. A brief summary of the substance of each of the 28 documents contained in the Russian materials presented on 17 September.

As you will see, the Russian materials deal almost entirely with war crimes and crimes against humanity, and would fall particularly under the jurisdiction of Committee 2.

Sincerely yours,

Sidney Alderman

Attachment
Note Concerning Translations of Protocols
of the Extraordinary State Commission.

The first nine items on Prosecutor Rudenko's list of 17 September 1947, submitted in typewritten form in the Russian language may be found in essentially complete English translation in the Soviet War News of the following issues:

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In the Soviet War News translations, some sentences of the originals have been omitted containing additional details and names of responsible Germans.
II (a) The term "ill-treatment," both in the heading and wherever it is met with in the text should be replaced by the term "inhuman treatment," since this corresponds more closely to what actually happened.

II (a) In place of "Murders and ill-treatment at places in the Eastern Countries and in Eastern Russia" the following should be inserted: "Murders and inhuman treatment in places in the Eastern Countries and in the temporarily occupied territories of the Soviet Union."

In listing the concrete criminal activities under this heading there should be added a point reading as follows: "In the city of Smolensk and its environs—the number of Soviet citizens who were put to death or perished during the period of temporary occupation of those places by the Germans exceeded 135,000 persons."

II (b) In the last paragraph under subsection (b), the present text speaks of the "deportation of able bodied civilians for the purpose of slave labor and for other purposes." The sentence on this deportation should be expanded to include the deportation of Soviet citizens from the Ukraine, Belorussia, Lithuania, Latvia and other Soviet territories temporarily seized by the German army.

II (d) "Plunder of Public and Private Property" Point (i). It would be desirable to insert the following rendering:

"During the occupation of the Eastern Countries the German government and the German High Command carried out, as a systematic policy, a continuous course of plunder and destruction, as well as the transformation of whole regions into a 'desert zone,' including:

And further on in the text of the draft, before the words "Destruction of the estate of the poet Pushkin in Mikhailovskoye," include the sentence: "Destruction of the estate-museum of Leo Tolstoy, "Yasnaya Polyana," and the desecration of the tomb of this great writer."

Before the paragraph which begins with the words "Destruction in Estonia of cultural and industrial premises" place the following paragraph: "Destruction desecration and meaningless annihilation of such priceless monuments of the Christian Church, as the Elevo-Pecherskaya Lavra, and New Jerusalem in the Lietuvin region, etc.""
A Brief Statement on the Subject of
the Commission's Inquiry into the

17 September 1943

1. Commission Report: In usual form of this type of report recounts activities of Germans in North Caucasus, in particular: killing of prisoners, acts of terror and attacks, burning of villages and other property, shooting of women and children, prostitution of women and possible instances of mass murder.

2. Conviction Report: Details the destruction done by German and Italian troops in one of the principal Soviet industrial areas. Includes Russian translations of what are given by German and Italian soldiers and doctors as to how it was done. Also includes report on demobilization of rear area forces.

3. Commission Report: Same as printed document listed above except that it is typewritten, without photostate and personally signed by the members of the Commission.

4. Commission Report: Recounts spreading of typhus through systematic selection of persons suffering from the disease for isolation in these camps. The camps were kept in filthy condition so that the disease spread. Certain testimonies of infected persons who were sought out to be sent to the camps. Attached opinion of medical experts.

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6. Report on the introduction by the Germans in the "New Order" into Latvia, in accordance with a plan of murder of Soviet citizens, stating that Himmler himself was several times to inspect the "death factory." Says that around 700,000 persons were destroyed, including citizens of U.S.S.R., Great Britain, Czechoslovakia, Yugoslavia, and Holland. Germans came with prepared lists and mass arrests began immediately, especially of the intelligentsia, including the Rector of the University. One Professor who escaped gave testimony. Professor were made to clean the stairs of a four-story building with their tongues, and some were shot afterwards. Men were also put in water basins in winter and left there until the water froze solid. Also the commandant's children thrown in the air so he could shoot at them to amuse his 9-year-old daughter. The camp was a school for commanders who came from other cities to see how destruction was carried out.

7. Report on Latvia and the German occupation - Murder of 250,000 peaceful citizens, 327,000 Soviet prisoners of war, and putting into slavery of 17,000 citizens of Latvia in some war service, and dwellings. Germans took back the land and cattle given the peasants whom Latvia became a republic of U.S.S.R. and restored the economy of the landlords and rulers. Documents given showing that doctors in psychiatric hospitals were ordered by Germans. Bodies of murdered persons were burned after mass shootings of citizens. Villages were burned down on accusation of aiding Red Army men. Many details on the situation of the Jews, including sterilization. Special section on mistreatment of POWs.

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13. Photostat of typewritten document to which Goering's name is typed. No Russian translation.

14. A printed booklet. Duly authenticated by the EGO, with photostats of the original German texts attached (these photostats appear to be photostats of the pages in the
booklet, which contains photocasts of the originals, and not photocasts of the originals themselves).

Recommend the original German be translated. The Soviet booklet only translates excerpts into Russian.

15. The well-known order on branding of prisoners.
Signed by indistinguishable signature on behalf of the Chief of Police.

16. (Copy No. 14 of 31 copies.) Certified copy of Order signed by Reiselt, with covering memo to the Chiefs of the Legal Sections of the S.S. and the Courts, etc., signed on behalf of the Chief of the Principal Legal Administration of the S.S. at Munich.

Substance: Says that Fuehrer has heard that individual German soldiers, taking part in the struggle against guerrillas, have been held responsible for their actions, and in view of that the Fuehrer has ordered that the struggle is brutal and has nothing in common with the Geneva Convention. The struggle in the East and in the Balkans is so severe that troops have the right and the duty "to use any means, without limit, against even women and children if this will assure success." Then continues to say that no German taking part in military activities against guerrillas can be held responsible in disciplinary procedure or in court for his actions against bandits and their accomplices.

17. Certified copy of Order issued in Kiev and signed by Frentzen, G.S. Obergruppenfuhrer and General of Police.

Substance: In retreat, destroy all rails and blow up all trains. Load all grain to the last centner, and throw out all other freight, such as furniture, etc.

18. Order, signed by Major General of Military Command of Polov. Repeats that women and even children are serving as spies for guerrillas, making it possible for them to attack railroads, highways and bridges and ordering that all persons, regardless of age and sex found on the highway or near it must be considered as bandits and shot (excluding, of course, guards or workmen under supervision). Later section reduces force by saying that persons discovered in daylight must be detained and verified.

19. Certified copy of Order signed by Hoer in Vilnor. Following the undermining of the railway, inhabitants of 3 villages were evacuated and villages burned down, during which much ammunition exploded (believed to show relationship to guerrillas). People and cattle were sent to police - only one man escaped.
20. Report and supplement, signed by Commander of detail on expedition to clear woods of guerrillas. In supplement, it was stated that 20 persons from the civilian population of the populated place of Borueil went ahead of the troops as mine searchers, since it was learned that the road was mined.

21. Photostat of signed but uncertified copy of a directive issued at Gross, to all police organizations. Gives procedure for camps of workers, saying that the workers can leave the camps only to go out to work. Ministry of Labor is in charge of camps, although police supervision is not their responsibility. In occupied territories (with exception of camps having Estonians, Latvians, and Lithuanians and persons from Riga and Valki) the camps must be under guard. As the workers must be under guard when being transported.

22. Photostat of only front page showing IP 1. In translation, there appears signature of His Excellency, Law ordering registration of all local men from 15 to 65 and local women from 15 to 55 living in the occupied Eastern areas, not belonging to list of persons given in IP 2 (not shown) with the labor exchanges.

23. Same source and signature as No. 22 below. Giving rules that identifying marks be sewed to clothes on outside.

24. Dated Freydenfeld. Notice to all Police Departments under his jurisdiction, signed by Chief of the District Police, saying that the Chief of the Administrative Dept. at Freydenfeld, directs the police to pay special attention to identifying marks and, therefore, they are directed to use all means, in particular calling police reservists to verify the wearing of identifying marks by Police and Eastern workers, and to continue this verification often, especially on Sundays.


States that it is notice to certain specified S.Z. police organizations that the Reichskreiser S.Z. has ordered that women of foreign nationality in the occupied Eastern regions, who become pregnant as a result of sexual relations with members of S.Z. and the police, shall undergo an abortion. Russian doctors and women must be advised it is carried out for social reasons, and there must be no indication that there is an Order on this subject.

26. Photostat of printed bulletin with directive signed by Obersturmbannfuhrer Kramer, saying Jews must not walk on sidewalk but in single file on right side of street. Also forbids Jews
entrance into all parks and places for walking, and the use of benches or any public means of conveyance—taxis, horse-drawn vehicles, autotaxis, passenger boats and the like. Orders all owners of vehicles to display a sign on them, "Forbidden to Jews."

A second notice requiring Jews to wear yellow Star of David on sleeves and back, and forbidding them right to return to homes if they had fled. Also denied right to sell any real or personal property.

27. Photostat of printed copy of Collection of Laws, bearing signature signed by Reichskanzler, Theodor Dollfuß. The law states—ordering confiscation of all property of Jews, except household utensils needed to satisfy minimum personal needs and cash and deposits, etc., in value up to 100,000 Reichsmark.

28. Dated Leobersdorf. Certified copy of Order signed by Mayor of the Security Police, purporting to be on authority of Commandant. Forbids personal use of property confiscated from Jews, except in exceptional cases when permission is given and orders the property to be transmitted without charge to SS and Police organizations. States that if in spite of this, individual officers appropriating to their own use leather, nap, candles, etc., and given cases where one guilty of this was sentenced to 3 years prison as a reminder to others.

29. A printed booklet duly authenticated by the SS, with photographs of piles of human bones and skulls, the crematoria, the warehouse of 800,000 pairs of shoes, etc., with text detailing torture, mass shootings, gas chambers, etc.

30. Duly authenticated by SS album. One showing outline of camp, prisoners behind fences, and in crowded wooden huts (mostly women), piles of suitcases from all over Europe (including hotel suitcases from Vienna, Florence, Budapest, Switzerland), piles of clothes, women's hair (some already packed for shipment), soaking suitcases, massed corpses, funeral processions, burial services after Jews arrived. The other with pictures of living men, massed to the third degree (including 16-year-old Hungarian boy and 6-year-old Czech boy and 12-year-old Hungarian girl, etc. 2 and 4 year old Hungarian girls), persons with shaved heads, marks of beatings on backs. Collection of pictures of castrated male genital organs (some only one side, for experimental purposes).

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32. The full texts, as published generally elsewhere.