

Hamburg, 18th sept. 1947

Closing Address
on behalf of
the accused
T e s s m a n n

by counsellor Dr. TANTS.

May it please the Court:

The defendant TESSMANN has been charged on three different points.

- I. First of all it must be established whether Tessmann took part in the ill-treatment of members of the Allied Nations who were interned in the Police prison of Hamburg-Fuhlsbüttel. Not only does the evidence of the individual witnesses differ widely and considerably, but the statements are contradicting in every aspect and so far the picture is entirely unclear.

Dr. GLUCK insofar as is primarily a point of the prosecution as the statement of the former prisoner Gluck is concerned. He himself was in solitary confinement for quite a long time, up to 54 days, in a dark cell, hands and feet chained. Only every third or fourth day he got a warm meal. The duration of the detention as well as the manner in which it was carried out indubitably by far exceeded the orders given to the administrator of the prison. Tessmann himself makes the same statement in the witness-stand. Dr. Gluck was also undernourished. The size of his window was 10x 10 cm through which practically no light could come into the room. The witness LORD (citizen of Peru) states that Dr. Gluck's nerves had become very weak and his nervous condition was very low. Now Dr. Gluck alleges to have written several chits on newspaper concerning the time of his sufferings. When interrogated in South-Africa Dr. Gluck also talked about these chits. Accordingly the entire affair remains far from clear and clothed with the deepest darkness. How was he able, he, whose chains were only then taken from him, when he was to have a bath, to write these chits with a lead pencil in solitary confinement? He alleges to have found a small piece of pencil in the seam of his trousers. Concerning the truth of this allegation, how did he get some paper to write on? How was it possible for him, if he really should have got some paper, to write these sentences with hand-cuffs, without a table, without some pad and in utter darkness? The investigating Officer, Major WARNER states that he has found the originals and brought them to Bad Oeynhausen but that they were lost in London. On 23.4.44 Dr. Gluck writes: "Now it has been 52 days that I could not take off my clothes-". Possibly Major Warner has become a victim to a misleading purpose, for when taking a bath Dr. Gluck must have been able to take his clothes off and handcuffs. On this point the witness contradicts himself. One morning in May 1944 at 10,00 hrs Major Warner in his capacity as Investigating Officer found these chits while the sun was shining. But, so he says, no sunshine penetrated into the cell, although the former window had been exchanged for one of abt. 2 x 2 m, as the witness has stated. In spite of it the cell was in twilight and he needed a so-called storm-lantern. How then was it possible for Dr. Gluck to write in a handwriting so clear and legible?

As a witness Tessmann gives quite another version; Dr. Gluck had bribed the "Kalfaktor" (a convict, performing duties in the prison) and was confined for having attempted to escape. Neither, says