

Wilhelmsburg. When thus he had been proved to be lying, he wanted to tell the court the fairytale that in Wilhelmsburg as well as in Fuhlsbüttel 2 Italians had been shot to death. In this pious fairy tale the Dutchman van Leeuwen describes that at a distance of 3 - 4 metres Tessmann killed one Italian after the other at once and on the spot by a shot in the head. Allegedly both Italians were dead at once and the second Italian by no means tried to flee, did not struggle or defend himself, but let himself get shot, quietly standing still. One really must be astonished when hearing such evidence. Thereby the following becomes a fact: Again and again counsel for Tessmann asked whether anybody had heard or seen anything of this matter. But not one of the witnesses for the prosecution or the defense had heard a single word of it or hear anybody tell of it, or seen anything. Therefore the Dutchman van Leeuwen invented the story. Thus his whole evidence must be marked as valueless.

Van Eijs, also a Dutchman, as a witness, does not mention one word ref. illtreatment, no word ref. beating from Tessmann. The only witness who allegedly has been beaten is Major CROCHARD. He was not beaten by Tessmann, allegedly he only saw Tessmann beating other prisoners. Against this the fact points that Major Crochard was confined in a cell all the time and therefore cannot have seen anything definite. Evidently Major Crochard did not know Tessmann at all and probably mistook any one of the guards for him.

How was life in the Police prison Fuhlsbüttel at all? It becomes necessary to draw a very clear picture, to separate the truth from the untruth and to bring into accord the conflicting statements.

Many witnesses state that Tessmann was strict but a just man. He was a skilled gardener, had no professional training for this position nor was he qualified and able to offer resistance against his superior officials. At the close of the war this man Tessmann, who was a conscientious, faithful official, knew how to care for abt. 1000 prisoners. The daily coming and going of them was a matter of routine. The same number of prisoners, abt. 1000, in the course of one month, left prison and the same number entered prison. A big part of them were women. All this the administrator had to keep in order. A major part of the prisoners were criminals. Tessmann had to care for the food, distribution of work, guards, furthermore for the entire internal management. Tessmann certainly could do no more than to forbid his guards to beat the prisoners. This has been ascertained by the evidence of witnesses. Tessmann, in the witness stand stated that he punished his guards by transferring or reporting them, if/when they contravened against the orders issued by him. We heard from witnesses that, as far as employees offended by beating, it happened to those as mentioned in the evidence of Frau Rathmann. Spontaneously and impulsively. This was valid for deprivation of meals and shops.

After having examined the total amount of proofs quietly, impartially and seriously one cannot but come to the following result: the individual witnesses were partial in their evidence, partly influenced by self-suggestion, partly influenced by suggestion from outside. Only from a very few witnesses it can be said that they come near the truth. The witnesses did not lie, in any case they did not lie consciously, but they could not keep free from seeing matters not clearly through the glasses of a serious and sad past. Otherwise it would not have been possible that many incontestible witnesses testified to the contrary. For quite a number of witnesses has not said anything