

(Mr. K. E. Lochmann)

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LEGAL REFERENCES

Charter of the International Military Tribunal

Article 6

Article 6 (a)

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STATEMENT OF THE EVIDENCE

I. Positions Held

(a) Between 1921 and 1941, defendant Hess held the following positions, as charged in the indictment:

1. Member of the Nazi Party, 1920-1941

_____PS: German Führer Directory (1934-5) p.25

2. Deputy to the Führer, 21 April 1933 to 10 May 1941

_____PS: NSK (N.S. Party News), 27 April 1933, p.1

3. Reich Minister without Portfolio, 1 December 1933 - 10 May 1941

_____PS: Law to Secure the Unity of Party and State, 1 December 1933 (RGB I, p.1016)

4. Member of the Reichstag, 5 March 1933 - 10 May 1941

_____PS: The German Reichstag, 1936 p.180

5. Member of the Council of Ministers for the Defense of the Reich, 30 August 1939 - 10 May 1941

2018 PS: Decree of 30 Aug.1939 (RGBI, p.1539)

6. Member of the Secret Cabinet Council, 4 February 1938 - 10 May '41

1377 PS: Decree establishing a Secret Cabinet Council, 4 February 1938 (RGB I, p.111)

7. Successor Designate to the Führer, after the defendant Göring, 1 September 1939 - 10 May 1941

_____PS: Documents of German Politics, Vol.VII/1 p.264

8. General in the SS

_____PS: NSK (N.S. Party News) 26 September 1933, p.6.

(b) Between 1919 and 1941, defendant Hess held the following additional positions:

9. Private Secretary and A.d.C. to Hitler, 1925-1932

_____PS: The German Reichstag (1936) p. 180

10. Head of the Central Political Committee of the N.S.D.A.P., appointed 15 December 1932

_____PS: Volz, Dr.Hans: Dates of the History of the N.S.D.A.P. (1939) p.45

11. Reichsleiter of the N.S.D.A.P. (Member of the Party Directorate)

_____PS: NSK, 26 September 1933, p.6

12. Member of the Reichs Defense Council.

2261 PS: Reichs Defense Law of 4 Sept.1935 (Secret)

II. Promotion of the Accession to Power of the Nazi Conspirators

(Count One (D) 1.)

Immediately upon the termination of World War I, defendant Hess joined up with militaristic and nationalistic organizations. He became a member of the Thule Society and of the Free Corps App. In June 1920 he joined the Nazi Party.

____PS: German Fuehrer Directory (1934-5) p. 25

By 1923 he was a Munich SA leader and head of N.S. University Organization. He took an active part in the Nazi Putsch of 8-9 November 1923. As a result he was tried and convicted on a charge of high treason.

____PS: Volz, op. cit., p. 15-16

He spent 7½ months of his ^S original 18 months' sentence with Hitler at Landsberg Fortress.

____PS: German Fuehrer Directory (1934-5) p. 25

There Hitler dictated "Mein Kampf" to him.

____PS: Volz, op. cit., p. 21

After their release, defendant Hess remained extremely close to Hitler. In 1925, he became his private secretary and A.D.G.

____PS: The German Reichstag (1936), p. 180.

During the grave crisis of the Party which resulted from the sudden departure of Gregor Strasser, Head of the Political Organization of the Party, in December 1932, Hitler called on Hess to take charge of the newly formed Central Political Committee of the Party, in order to preserve its strength and unity.

____PS: Volz, op. cit., p. 45

Shortly thereafter, defendant took part in the decisive negotiations which brought the Nazi conspirators into power on 30 January 1933.

____PS: Volz, op. cit., p. 46

III. Establishment of Totalitarian Control over Germany.

(Count One (D) 2., 3. (a), (e).)

Upon the conspirators' accession to power, Hess was appointed Deputy to the Fuehrer of the NSDAP.

____PS: Hitler decree of 21 April 1933, in N.S.R.,
27 April 1933, p. 1

His broad powers and responsibilities in that position were officially described as follows:

established by his Order of 17 November 1933 for the purpose of "participating with the competent government agencies in all race and population measures". Defendant's office also had a Public Health Division, under Dr. Leonardo Conti:

PS: Organization Book of the NSDAP (1940) p. 330.

L-93: NS Yearbook (1939) p. 219-221.

Defendant Hess and his subordinates in the Party service engaged in the compulsory sterilization and the killing of persons afflicted with insanity or hereditary diseases.

D-181: Circular from Gauleader of South Westphalia, dated 21 Jan 37, re sterilization of the insane.

1969PS: Correspondence of Party official, dated 31 Dec 40 and 4 Mar 41 re Killing of the Insane.

842PS: Correspondence between Party officials dated 30 Dec 40 re Killing of the Insane.

In 1937, Defendant Hess publicly claimed credit for having used his Party organization in order to popularize this program of sterilization.

PS: Rudolf Hess: Speeches p. 242.

While the SA and SS, as independent Party formations, were not under the direct control of the defendant, he, nevertheless, gave active support to these organizations. He was instrumental in establishing the Hitler Grant and to direct part thereof to support the SA and SS.

D-151: Hess' correspondence re Hitler Grant.

When several SA men were convicted for mistreatment of inmates of the Hohnstein concentration camp, the prosecutor was expelled from the SA and two jurors were expelled from the Party.

784PS: Letters from Minister of Justice to Hess and SA Chief of Staff, dated 5 Jun 35.

V. PREPARATION FOR WAR (Count One, IV (D) 3 (f), (F) 2: (a), (d))

Defendant Hess' contributions to the war preparations of the Nazi conspirators were far-reaching. They fell into the fields of military preparedness, political planning, and foreign activities.

Even before 1933, he took an interest in the secret military training activities of the uniformed party organizations.

1143PS: Letter from Schickelanz to Hess, dated 30 Oct 32, re inclusion of NSDAP in secret Reichswehr Flying Program.

He signed the law introducing universal conscription in Germany.

1654PS: Decree of 16 March 1935 (RGBl, p. 369).

He showed that this was no mere formality for him when he declared in a speech to Army officers in 1937:

"When I spoke about conscription after the 16th of March 1935, in the formerly most radical plant of Munich.... to thousands and thousands of the same workers, who only a few years ago had been singing the Internationale, I was interrupted again and again by such applause and cheers as I would never have believed possible. That was the most beautiful and at the same time the most moving demonstration of my life."

PS: Rudolf Hess' Speeches, p. 240.

When the Reichs Defense Council was reorganized in 1935, Defendant Hess was included among its members to take charge of "the political direction of the Nation".

2261PS: Reichs Defense Law of 4 Sep 38, Para. 7 and 10 (not published).

He was also made a member of the Ministerial Council for the Defense of the Reich, to "guarantee the unity between Party and State" also within that body.

2018PS: Decree of 30 Aug 39 (RGBl, p. 1539).

2608PS: Frick's Lecture of 7 Mar 40 on "The Administration in War Time".

See: Trial Brief on "The Cabinet".

Finally, he was a member of the Secret Cabinet Council, formed to advise Hitler on foreign policy.

1377PS: Decree of 4 Feb 38 (RGBl, p. 111).

PS: Documents of German Politics, Vol. 7/1, p. 4.

The principal channel for Defendant Hess' activities in the foreign field was the Foreign Organization of the Party which he organized on 5 May 33.

PS: Organization Book of the NSDAP (1937), p. 151.

This Division had especially the task of using German citizens abroad for the purpose of spreading Nazi propaganda.

PS: Rudolf Hess: Speeches, pp. 37-38, 264-265.

In this connection, defendant Hess also participated in the administration of the Decree providing for the compulsory registration of all Germans abroad.

L-360-D: Decree of 3 Feb 1938 (RGBl. p. 113).

In addition to this official Section of the Party, Defendant Hess controlled numerous organizations concerned with political activities abroad. Thus, he issued detailed instructions by a Secret Order of 3 February 1939, for the camouflaged activities of these organizations under the secret direction of SS Group Leader Lorenz.

837PS: Secret Circular by Hess, dated 3 Feb 1939.

VI. PARTICIPATION IN WAR CRIMES AND CRIMES AGAINST HUMANITY
(Count One, IV (F) 6, Count Three, Count Four)

When the Munich Agreement forced Czechoslovakia to surrender the so-called Sudeten Territory to the Nazi Conspirators, the Defendant went to Reichenberg as Hitler's representative for the official incorporation of the Sudeten German Party in the Nazi Party on 5 November 1938. In his address on that occasion he emphasized repeatedly ^{that} the Nazi conspirators had been ready to go to war for the possession of the Sudetenland.

PS: Voelkischer Beobachter, 7 November 1938, p. 5.

When war did break out, defendant Hess was among those who signed the decree by which the city of Danzig was incorporated into Germany, and its citizens were compelled to accept German nationality.

PS: Decree of 1 Sep 39 (RGBl. p. 1547).

After the Occupation of Poland the Defendant signed the decrees which established the Government General of Poland and forced certain groups of Polish citizens to surrender their original allegiance and to accept German citizenship.

PS: Decree of 8 Oct 1939 (RGBl. 2042), Par. 6

PS: Decree of 24 Oct 39 (RGBl. p. 2077)

He actively participated in the series of legislative and administrative measures by which the inhabitants of Poland were deprived of their equal rights.

R-139: Correspondence between Hess' office and the Ministry of Justice concerning discrimination against Poles.

R-96: Correspondence of the Minister of Justice on the impending issuance of the discriminatory Decree of 4 Dec 41, in which reference is made to Hess' suggestion to introduce corporal punishment against the Poles.

R-141: Minutes of Conference directed by Hess' assistants, in which extreme measures are planned for discrimination and persecution of the Poles.

Going still further, defendant issued instructions according to which allied parachutists should be seized and "rendered harmless".

O62PS : Order of Defendant Hess, dated 13 Mar 40.

After the conquest of Poland, he enforced Hitler's orders prohibiting the reconstruction of the City of Warsaw or of any of Poland's destroyed industries.

EC 411: Order by Hess, 20 Nov 39.

On 10 May 41, Defendant Hess flew to Scotland for the purpose of seeking the British Government's active or passive support in the invasion of USSR Territory, planned by the Nazi Conspirators for 23 August 1939.

D- : Statement of British Secretary of State for Foreign Affairs in Parliament on 22 Sep 43.

ARGUMENT AND CONCLUSION

Of all the members of the Nazi conspiracy, defendant Hess was closest to Hitler from the first. As Hitler's secretary and A.D.C., as his Deputy, and finally as his Second Successor Designate, the defendant was at all times his direct representative in all Party matters. Thus the conspiracy's most powerful instrument of political action rested in his hands.

He used this power to penetrate and dominate the German government administration with National Socialist Functionaries; to control and influence all legislation; to persecute all independent groups, the churches, the trade-unions, and the Jews.

Being responsible for the political direction and control of the German people, through the Party, the defendant played a decisive role in preparing the nation for war. He furthered the secret rearmament of the Party's military formations; he signed the Conscription Law of 1935; he sat on the Reichs Defense Council, the inner Cabinet in which the heads of the conspiracy blue-printed the administrative economic and political preparation of their aggressive wars.

All through these years, from 1920 to 1941, he remained the most faithful and relentless executor of Hitler's aims and designs. This complete devotion to the success of the conspiracy was climaxed by defendant's flight to Scotland in an attempt to receive support for the aggression and invasion of the U.S.S.R.

The share of defendant Hess' participation in the Nazi Conspiracy is thus as great as that of the Party which he directed. The Party's crimes are his guilt.

Hess

36.01

(Mr. K. E. Lachmann)

A. SECTION OF THE INDICTMENT

(APPENDIX A, p. 28)

HESS:

The defendant HESS between 1921 and 1941 was a member of the Nazi Party, Deputy to the Fuhrer, Reich Minister without Portfolio, member of the Reichstag, member of the Council of Ministers for the Defence of the Reich, member of the Secret Cabinet Council, Successor Designate to the Fuhrer after the defendant Goring, a General in the SS and a General in the SA. The defendant HESS used the foregoing positions, his personal influence and his intimate connection with the Fuhrer in such a manner that: he promoted the accession to power of the Nazi conspirators and the consolidation of their control over Germany set forth in Count One of the Indictment; he promoted the military, economic and psychological preparations for war set forth in Count One of the Indictment; he participated in the political planning and preparation for Wars of Aggression and Wars in Violation of International Treaties, Agreements and Assurances set forth in Counts One and Two of the Indictment; he participated in the preparation and planning of foreign policy plans of the Nazi conspirators set forth in Count One of the Indictment; he authorized, directed and participated in the War Crimes set forth in Count Three of the Indictment and the Crimes against Humanity set forth in Count Four of the Indictment, including a wide variety of crimes against persons and property.

*Summarized &
Party
Deputy of Fuhrer
Reich Minister
Foreign Affairs
All laws signed
by him
Preparations for War
from above command.*

STATEMENT OF THE EVIDENCE

I. Positions Held

(a) Between 1921 and 1941, defendant Hess held the following positions, as charged in the indictment:

1. Member of the Nazi Party, 1920-1941

____PS: German Fuehrer Directory (1934-5) p. 25

2. Deputy to the Fuehrer, 21 April 1933 to 10 May 1941

____PS: NSK (N.S. Party News), 27 April 1933, p.1

3. Reich Minister without Portfolio, 1 December 1933 - 10 May 1941

____PS: Law to Secure the Unity of Party and State, 1 December 1933 (RGB I, p. 1016)

4. Member of the Reichstag, 5 March 1933 - 10 May 1941

____PS: The German Reichstag, 1936 p. 180

5. Member of the Council of Ministers for the Defense of the Reich, 30 August 1939 - 10 May 1941

~~4 September 1938~~

2018 PS: Decree of 30 Aug 39 (RGB I, p. 1539)

~~2261 PS: Reichs Defense Law of 4 September 1938 - (Secret)~~

6. Member of the Secret Cabinet Council, 4 February 1938 - 10 May 1941

1377-PS: Decree establishing a Secret Cabinet Council, 4 February 1938 (RGB I, p.111)

7. Successor Designate to the Fuehrer, after the defendant Goering, 1 September 1939 - 10 May 1941

____-PS: Documents of German Politics, Vol. VII/1 p.264

8. General in the SS

____-PS: NSK (N.S. Party News) 26 September 1933, p.6

(b) Between 1919 and 1941, defendant Hess held the following additional positions:

9. Private Secretary and A.d.C. to Hitler, 1925-1932

____-PS: The German Reichstag (1936) p. 180

10. Head of the Central Political Committee of the N.S.D.A.P., appointed 15 December 1932

____-PS: Volz, Dr. Hans: Dates of the History of the N.S.D.A.P. (1939) p. 45

11. Reichsleiter of the N.S.D.A.P. (Member of the Party Directorate)

____-PS: NSK, 26 September 1933, p.6

12. Member of The Reichs Defense Council,
2261 PS: Reichs Defense Law of 4 Sep 35 (Secret)

II. Promotion of the Accession to Power of the Nazi Conspirators

(Count One ^D (X) 1.)

Immediately upon the termination of World War I, defendant Hess joined up with militaristic and nationalistic organizations. He became a member of the Thule Society and of the Free Corps Epp. In June 1920 he joined the Nazi Party.

_____-PS: German Fuehrer Directory (1934-5) p. 25

By 1923 he was a Munich SA leader and head of N.S. University Organization. He took an active part in the Nazi Putsch of 8-9 November 1923. As a result he was tried and convicted on a charge of high treason.

_____-PS: Volz, op. cit., p. 15-16

He spent 7½ months of his original 18 months' sentence with Hitler at Landsberg Fortress.

_____-PS: German Fuehrer Directory (1934-5) p. 25

There Hitler dictated "Mein Kampf" to him.

_____-PS: Volz, op. cit., p. 21

After their release, defendant Hess remained extremely close to Hitler. In 1925, he became his private secretary and A.d.C.

_____-PS: The German Reichstag (1936), p.180

During the grave crisis of the Party which resulted from the sudden departure of Gregor Strasser, Head of the Political Organization of the Party, in December 1932, Hitler called on Hess to take charge of the newly formed Central Political Committee of the Party, in order to preserve its strength and unity.

_____-PS: Volz, op. cit., p. 45

Shortly thereafter, defendant took part in the decisive negotiations which brought the Nazi conspirators into power on 30 January 1933.

_____-PS: Volz, op. cit., p. 46

III. Establishment of Totalitarian Control over Germany.

(Count One ^D (2) 2., 3. (a), (b), (c), (d), (e), (f), (g), (h) ^S
~~(a), (d)~~)

Upon the conspirators' accession to power, Hess was appointed Deputy to the Fuehrer of the N.S.D.A.P.

_____-PS: Hitler decree of 21 April 1933, in: N.S.K.,
27 April 1933, p. 1

His broad powers and responsibilities in that position were officially described as follows:

"All the threads of the Party work are gathered together by the Deputy of the Fuehrer. He gives the final word on all intra-Party plans and all questions vital for the existence of the German people. The Deputy of the Fuehrer gives the directives required for all the Party work, in order to maintain the unity, determination and striking power of the N.S.D.A.P. as the bearer of the National-Socialist philosophy."

L-93: National-Socialist Yearbook, 1941, p.219

Thus, his first duty was to protect the cohesion of the Party. On 16 April 1934, he established the Censorship Committee for the Protection of National-Socialist writings, to prevent the publication of non-conformist opinions.

-PS: Volz, op. cit., p.61

He also took an active part in the suppression of the alleged intra-Party uprising of SA Leader Roehm, on 30 June 1934.

-PS: Hitler's Reichstag Speech of 13 July 1934, in: Ruesha, Gerd: The Third Reich (Berlin, 1933-1937) Vol. II, p. 239, 249-250.

The next task was to put the Nazi Party, in the person of defendant Hess, in control of the State. The first step was to give him a seat in the Cabinet which had in effect become the legislative organ of the Reich.

2001-PS: Law to Relieve the Emergency affecting National Reich of 24 March 1933 (RGB I, p.141), granting the Cabinet full legislative powers.

1395-PS: Law to secure the Unity of Party and State of 1 December 1933 (RGB, I p. 1016), making Hess a member of the Cabinet, and ordering all government agencies to "lend legal and administrative assistance" to the Party agencies.

As Cabinet Minister, defendant Hess signed the laws which helped to bring the German State and people under the control of the Party.

2002-PS: Law of 1 August 1934 (RGB, I p. 747) Consolidating the positions of Chief of State and Leader of the Party.

1393-PS: Law of 20 December 1934 (RGB, I p. 1269) Against treacherous attacks on Party and State.

By a further series of decrees defendant Hess obtained decisive control over all important aspects of public and private life in Germany:

Legislation:

D-138: Hitler Decree of 27 July 1934 providing for Hess' participation in the drafting of all legislation.

D-139: Hess' letter to Goebbels, dated 9 October 1939, setting forth the principles governing his participation in the lawmaking process.

D-140: Letter by Chief of Reichs Chancellory Lammers, dated 12 April 1938, announcing supplementary decree by which Hess' participation is extended, especially to the drafting of laws affecting individual States.

Civil Service Appointments:

PS: Decree of 24 September 1935 (RGBI, p. 1203) providing for the consultation of Hess in the appointment of Reichs and State civil servants.

PS: Decree of 10 July 1937 (RGBI, p. 763) providing for the participation of the Fuehrer's Deputy in the appointment of Reichs and State civil servants.

PS: Decree of 3 April 1936 (RGBI, p. 373) providing for Hess' participation in the appointment of Labor Service officials.

PS: Decree of 14 October 1936 (RGBI, p. 893) signed by Hess, regulating the status of Reichs and State civil servants.

Local Government:

2008PS: German Municipality Act of 30 January 1935 (RGBI, p. 49) providing for the participation of Party delegates.

PS: Ordinance of 10 June 1939 (RGBI, p. 995) providing for Hess' participation in the administration of Austria.

PS: Ordinance of 10 June 1939 (RGBI, p. 997) providing for Hess' participation in the administration of the Sudetenland.

Youth:

1392PS: Decree of 1 December 1936 (RGBI, p. 993) making membership in the Hitler Youth compulsory.

Education:

PS: Volz, op. cit., p. 623, re Order of 10 July 1934 setting up a University Commission of the NSDAP under Hess; Order of 18 July 1934 placing NS German Student League directly under Hess; and Order of 14 November 1934 delegating to Student League exclusive jurisdiction over political and ideological education of German students.

PS: Hess Decree of 3 June 1936 establishing the NS Aid Fund for the Struggle in the Universities, reported in "Ruehle, Gerd", The Third Reich, Vol. IV, 1937, p. 360.

PS: Volz, op. cit., p. 67, reporting on Order of 24 July 1935 establishing the NS Faculty Association within the Party organization.

The success of this legislation was described by Hitler as follows:

"In this Reich everybody who has a responsible position is a National Socialist. . . . Every institution of this Reich is under the orders of the ^{Supreme} political leadership. . . . The Party leads the Reich politically."

2715PS: Hitler's Speech to the Reichstag of 20 Feb 38 in: Das Archer, February 1938, p. 1441-2.

See: Trial Brief on Count One, IV (D) 3 (a).

L-93: National-Socialist Yearbook (1941) p. 219-222

IV. PERSECUTION (Count One, IV (D) 3 (b), (c) (2), (d))

A. As Deputy Leader of the Party, it was the task of Defendant Hess to realize its ideological program.

PS: NS Yearbook (1939) p. 189.

Thus his Chief of Staff, Martin, Bormann, issued numerous orders and communications directed against the independent churches.

113PS: Secret Order issued by Hess' office, signed Bormann, dated 27 July 1938, making ministers ineligible for Party offices.

675PS: Letter from Hess' office to Minister of Interior, signed Bormann, dated May 1938, agreeing to the invalidation of the Concordat between Austria and the Holy See.

838PS: Letter from Hess' Office, signed Bormann, dated 8 June 1939, referring to Hitler's Decree of 6 March 1939 which precluded Christian Scientists from joining the Party.

098PS: Letter by Bormann, dated 22 February 1940, discussing ways and means of eliminating religious instructions from the schools.

070PS: Bormann's report to Rosenberg, dated 25 April 1941, on the progressive substitution of National-Socialist mottoes to morning prayers in the schools.

089PS: Instructions from Bormann dated 8 March 1940 against further issue of newsprint to confessional newspapers.

101PS: Bormann's letter to Rosenberg, dated re undesirability of religious literature for members of the Wehrmacht, 17 Jan 40.

107PS: Circular letter to Party officials dated 17 Jun 38 re non-participation of Labor Service personnel in religious celebrations.

840PS: Party Directive, dated 14 July 1939 making clergy and theology students ineligible for Party membership.

Defendant Hess vigorously affirmed the Nazi conspirators' tenet of the superiority of the "German Race".

PS: Rudolf Hess: Speeches (Central Publishing House of the NSDAP 1940), p. 243.

He, therefore, signed the legislation which eliminated the Jews from the German community.

PS: Law for the Protection of German Blood and Honor of 15 Sep 35 (RGBl, p. 1146), prohibiting mixed marriages.

2124PS: Decree of 20 May 1938 (RGBl, p. 594) extending the Nuernberg Laws to Austria.

1417PS: Ordinance under the Reich Citizen Law, dated 14 Nov 35 (RGBl, p. 1333), depriving Jews of the right to vote and to hold public office.

PS: Ordinance under the law for the Protection of German Blood and Honor, dated 14 Nov 35 (RGBl, p. 1334)

Defendant Hess was especially active in the field of racial policy.

His office contained a special Race Policy Division under Dr. Walter Gross.

established by his Order of 17 November 1933 for the purpose of "participating with the competent government agencies in all race and population measures". Defendant's Office also had a Public Health Division, under Dr. Leonardo Conté:

PS: Organization Book of the NSDAP (1940) p. 330.

L-93: NS Yearbook (1939) p. 219-221.

Defendant Hess and his subordinates in the Party service engaged in the compulsory sterilization and the killing of persons afflicted with insanity or hereditary diseases.

D-181: Circular from Gauleader of South Westphalia^a, dated 21 Jan 37, re sterilization of the insane.

1969PS: Correspondence of Party official, dated 31 Dec 40 and 4 Mar 44 re Killing of the Insane.

842PS: Correspondence between Party officials dated 30 Dec 40 re Killing of the Insane.

In 1937, Defendant Hess publicly claimed credit for having used his Party organization in order to popularize this program of sterilization.

PS: Rudolf Hess: Speeches p. 242.

As Deputy Leader of the Party, Defendant Hess had full control, under Hitler, over the SA, the SS, the RSHA and the Order Police. He is, therefore fully responsible for their criminal acts.

1725PS: Decree of 29 Mar 35 (RGBl, p. 502), Par. 2, enumerating the SA and SS among the formations of the Party.

1335PS: Best, Dr. Werner, The German Police (1941) p. 103 and 108, describing RSHA and OD as formations of the SS.

See: Trial Brief on "The SA".

See: Trial Brief on "The SS".

Moreover, Defendant Hess gave active support to these organizations. He was instrumental in establishing the Hitler Grant and to direct part thereof to support the SA and SS.

D-151: Hess' correspondence re Hitler Grant.

When several SA men were convicted for mistreatment of inmates of the Hohnstein concentration camp, the prosecutor was expelled from the SA and two jurors were expelled from the Party.

784PS: Letters from Minister of Justice to Hess and SA Chief of Staff, dated 5 Jun 35.

V. PREPARATION FOR WAR (Count One, IV (D) 3 (F), (F) 2: (a), (d))

Defendant Hess' contributions to the war preparations of the Nazi conspirators were far-reaching. They fell into the fields of military preparedness, political, planning, and foreign activities.

His responsibility for the military training given in the SA, SS, and other uniformed organizations follows necessarily from his authority over all Party formations. In fact, he had been concerned with their secret military training even before 1933.

1143PS : Letter from Schickedanz to ^{Hess} Heil, dated 20 Oct 32, re inclusion of NSDAP in secret Reichswehr Flying Program.

He signed the law introducing universal conscription in Germany.

1654PS : Decree of 16 March 1935 (RGBl, p. 369).

He showed that this was no mere formality for him when he declared in a speech to Army officers in 1937:

"When I spoke about conscription after the 16th of March 1935, in the formerly most radical plant of Munich, ... to thousands and thousands of the same workers, who only a few years ^{ago} had been singing the Internationale, I was interrupted again and again by such applause and cheers as I would never have believed possible. That was the most beautiful and at the same time the most moving demonstration of my life."

PS: Rudolf Hess' Speeches, p. 240.

When the Reichs Defense Council was reorganized in 1938, Defendant Hess was included among its members to take charge of "the political direction of the Nation".

2261PS : Reichs Defense Law of 4 Sep 38, Para. 7 and 10 (not published).

He was also a member of the Ministerial Council for the Defense of the Reich.

2018PS
1-94 : Decree of 30 Aug 39 (RGBl, p. 1539).

See : Trial Brief on "The Cabinet".

Finally, he was a member of the Secret Cabinet Council, formed to advise Hitler on foreign policy.

1377PS : Decree of 4 Feb 38 (RGBl, p. 111).

PS : Documents of German Politics, Vol. V/1, p. 4.

The principal channel for Defendant Hess' activities in the foreign field was the Foreign Organization of the Party which he organized on 8 May 33.

PS : Organization Book of the NSDAP (1937), p. 151.

This division had especially the task of using German citizens abroad for the purpose of spreading Nazi propaganda.

PS : Rudolf Hess: Speeches, pp. 37-38, 264-265.

Defendant Hess also participated in the administration of the Decree providing for the compulsory registration of all Germans abroad.

^D
L-360-X : Decree of 3 Feb 1938⁸ (RGBI⁸ p. 113)

In addition to this official Section of the Party, Defendant Hess controlled numerous organizations concerned with political activities abroad. Thus, he issued detailed instructions by a Secret Order of 3 February 1939, for the camouflaged foreign activities of these organizations under the direction of SS Group Leader Lorenz.

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VI. PARTICIPATION IN WAR CRIMES AND CRIMES AGAINST HUMANITY
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Upon the outbreak of the war, Defendant Hess signed the decree by which the city of Danzig was incorporated into Germany, and its citizens were compelled to accept German nationality.

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After the Occupation of Poland the Defendant signed the decrees which established the Government General of Poland and ^{Forced} ~~freed~~ certain groups of Polish citizens to surrender their original allegiance and to accept German citizenship.

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PS: Decree of 24 Oct 39 (RGB p. 2077)

He actively participated in the series of legislative and administrative measures by which the inhabitants of Poland were deprived of their equal rights.

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Defendant also used his Party authority in order to issue instructions according to which allied parachutists should be seized and "rendered harmless

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On 10 May 41, Defendant Hess flew to Scotland for the purpose of seeking the British Government's active or passive support in the invasion of USSR Territory, planned by the Nazi Conspirators for 23 August 1939.

^D
Q- : Statement of British Secretary of State for Foreign Affairs in Parliament on 22 Sep 43.