

43,03

OFFICE OF U.S. CHIEF OF COUNSEL
FOR THE PROSECUTION OF AXIS CRIMINALITY
INTERROGATION DIVISION

Interrogation of Von Papen
By : Mr. Thomas Dodd.

22 October 1945 PM Place: Nurnberg

PERSONS IMPLICATED AND SUBJECTS:

1. Von Papen
 - a. Hindenburg's will and questions about Hindenburg's successor.
(pp 1, 2, 3&4)
 - b. Questions about Von Papen's defense lawyer and questions about the trial. (pp 5, 6, & 9)
 - c. Denies legality of Nurnberg trial. (pp 7 & 8).
 - d. Sabotage in Austria in 1937 (p 7)
2. Hitler
 - a. Attitude toward restoration of Monarchy (p 2)
3. Hindenburg
 - a. Relation with the Nazis in 1934 (p 4).
4. Hess
 - a. Tov's papers (p 6)

von Papen, 22 October 1945, Nuremberg

Von Papen says he drafted the original draft of Hindenburg's will personally, in March or April, 1934. Believes Hindenburg adopted it. Says he prepared the draft in Berlin, probably in his home (p.1).

Says that he and many others were concerned what would happen if Hindenburg should die; that therefore he had the idea to get Hindenburg to leave a last will to the Chancellor with regard to successorship (p.2).

There were 3 possibilities: Hitler might take the power himself; or, he might make Goering or somebody else President of the REICH. Both these possibilities were considered not good. The third possibility: restoration of the monarchy (p.2).

Hitler in conversation thought he might be willing to restore the monarchy if his work was somewhat finished. That one of the sons of the Crown Prince should be taken into Hitler's staff to know him and familiarize him with the business (p.2). This was the main idea in drafting the last will.

Perhaps in the summer 1934, Hitler changed his mind completely perhaps after his Italian trip and his conversations with the king of Italy. He was the absolutely opposed to restoration of monarchy, having seen its failure in Italy (p.2).

But Hitler liked the idea when the will was drafted. Papen referred to it in his talk with Darre (p.3). Papen still believes that no part of the original will has ever been published (p.3).

Papen agrees he will try to write out a draft as nearly as he remembers the original draft (p.4).

States that the national socialists after June 30, 1934, more or less took possession of Hindenburg's body, surrounding the place where he was. He tried several times to see him but it was impossible. At the time, Hindenburg was ill, not in bed, but getting weaker. (p.4).

Papen asks about the lawyers, Sarre and Scanzoni, whom he has selected. He does not know whether they are able to defend him in a political trial. Asks permission to have a short talk with Schacht, under supervision. Schacht would know these people, could advise him. His lawyer must know politics (p. 5 + 9).

Asks whether trial will be public, whether he may name witnesses, and is told that he may do so. Is told also that he can submit the question about the trial to a representative of the court, who will be able to give direct answers (p.6).

von Papen, 22 October 1945, Nuremberg

Papen says that Rudolf Hess, as deputy chief of the party, could not have signed the so-called Todt papers (p.6). Denies ever having heard of various plots against railways and bridges in Austria in 1937 (p.7).

Von Papen says he does not consider it the right of the International Tribunal to pass judgment on acts of Papen's government in 1932, seven years prior to the war, or even on the forming of the Hitler government in 1933, or the declaration of the Reich government as a criminal government, including even Hindenburg as a criminal. Says he owes it to Hindenburg, one of the outstanding figures in Germany's history, as well as to his dead friends in that government, especially von Elz and Guertner, to oppose vigorously (p.7).

Wants to know whether a new international law has been created since end of war, on the basis of which this court is judging these matters. Told he should take this up with his own defense counsel (p.8).

Papen stresses his responsibility to the German nation. Again expresses the wish to talk to Schacht (p.9).

Would like to get his memorial on Austria back, a typewritten document about the facts as to how I became Chancellor in 1932 and it was seized.

Says he left at Neumuenden, where he last stayed before his arrest, in one of his suitcases by French authorities. He is told an attempt will be made to locate it (p.9).