

FELICJAN LOTH

Seventh day of the trial

Presiding Judge: – Please call in [the] witness: [Mr.] Loth.

Witness Felicjan Loth, aged 32; physician; residing at Graniczna Street 5 in Zalesie, near Piaseczno; no relationship to the parties; sworn in on 30 December 1946.

Presiding Judge: – Please give the Tribunal an exhaustive account of what you know about this matter.

Witness: – High Tribunal, I held a very special post in the Pawiak prison: as a prisoner whose investigation was over, I was employed at the hospital as a surgeon. This post gave me an opportunity to observe, perhaps to a much greater extent than other prisoners could observe, all the acts of bestiality and the unbelievable methods that the Germans resorted to in order to extract some testimony from the accused.

Presiding Judge: – When were you arrested?

Witness: – On 20 February 1941.

Presiding Judge: – On what charge?

Witness: – On the charge of belonging to an organization. I was held in the Pawiak until the end of the uprising [Warsaw Uprising, 1944], which makes it three and a half years. The investigation in my case lasted half a year. I didn't work during that time, and I was locked in a cell. For three years I worked at the hospital as a surgeon.

Presiding Judge: – Was a sentence announced to you?

Witness: – No sentence was announced. Only later, when the surgeries performed and the treatment of Gestapo officers made my position strong enough for many of these people to trust me, I found out from them that I had been sentenced to death and that the sentence had been suspended because they needed me.

Presiding Judge: – There was no trial, was there?

Witness: – Absolutely nothing of this kind.

Presiding Judge: – Please continue.

Witness: – What I want to stress here are the ways in which investigations were conducted, utterly unbelievable to people until this war. In fact, the only thing the Germans resorted to was terrorizing, tormenting, and frightening the accused. They used the simplest methods for this purpose, mainly beating. The accused was never spared during interrogations, neither in the Pawiak, nor on Szucha Avenue. It was characteristic that, from the moment of one's arrest, from the moment of being brought to the Pawiak, the prisoner fell into a welter of screaming, beating, tormenting, and torture that were part and parcel of daily life there. A number of facts suggested that this was a method rather than distinct cases of sadism on the part of individuals. First of all, in the beginning the person arrested found themselves in Ward VII, known as the transitional ward, where torture and rampaging were always going on, continually, regardless of what *Wachtmeisters* [guards] were there. It was clear that the purpose of this was to terrorize the new prisoner. Other wards were calmer and more quiet, [but] the first days and weeks were the most eventful.

Presiding Judge: – Was this meant to psychologically prepare the prisoner?

Witness: – Yes, to psychologically break the person. When it comes to beating, it was commonly used as a method of interrogation. Naturally, as everything in the Pawiak, this also changed periodically. There were times of higher and lower intensity, just as there were periods of higher and lower arrest rates in Warsaw. But the beating was unbelievable in terms of the amount and the methods. It was not until my stay in the Pawiak that I understood what it actually meant to "tan someone's hide." If you repeatedly hit the skin with a hard object, the crushed blood vessels die and the entire beaten part of the skin looks as though it has been tanned; it becomes a hard and shining surface, like a sole. I saw hundreds of people beaten up like this, mainly on their buttocks, but not only [there]. There were periods

when the men's hospital in the Pawiak, which had around 80 beds, could not accommodate all the battered people. We were numb to that sight – it no longer made an impression on us. Many of the beaten people had to stay in the most horrible conditions in the cells of the prison wards. The conditions that we were able to provide at the hospital were very hard as well.

Beating, as I was saying, was the most common measure used to force the prisoner into submission. There were a number of other ways and methods, often utterly incredible and indescribable. Let me cite one case or two as examples. I remember one day a young boy was brought in directly from interrogation at Szucha Avenue. He was carried inside on a stretcher, naked and only covered with some kind of rag that remained of a blanket. What struck me was his peculiar facial expression, [it was] not a typical one in beaten people, when you are dealing with collapse or shock. His features were strangely sharpened, in a peculiar expression of general pain, and there was only a splutter of inarticulate sounds when I tried to ask him what the matter was and what had happened. When I raised the rag covering him, I saw a body strewn with brown spots more or less the size a one-grosz coin: from the neck, all over the chest, arms, legs, and even the penis and testicles. I couldn't understand what it possibly was. I was unable to communicate with the boy, as he only mumbled unintelligibly. Only after a closer look, the spots turned out to be burns. Two days later, when the boy came to [me], he said that during the interrogation he had been forced to undress and spread [out] on a table; four Gestapo officers held him by his arms and legs while a fifth one burned his body all over with a lit cigarette, spot after spot. Imagine [how] many cigarettes that German must have lit to burn a man like this. The whole front of the body, the entire chest, stomach, limbs, and even the penis.

They could find other methods, too. I remember a young boy who was beaten. They realized that after a few more blows he would never say anything again, so they came up with a totally Machiavellian idea. They interrupted the interrogation for half an hour, and in the meantime they brought in his mother from her flat; they started beating and torturing her in front of her son's eyes in order to make him talk. Not only physical but moral suffering was inflicted. I remember a young girl, aged sixteen, who was interrogated a few, or about a dozen times; to break her, they usually made her strip naked in the presence of the several men interrogating her. Naturally, I could cite tens and hundreds of such examples. One of the most monstrous things for me as a doctor was the fact that people were taken away to be

shot directly after serious operations. One day they would order me to save a man because he had [an] incarcerated hernia, and the next day an order arrived: take him away to be shot. I tried to intervene, but it was in vain. They made you take people with broken arms and legs off traction – traction is a method of fracture treatment – which means you had to take out a nail or wire driven through the bone to get them detached and take them from their bed to be shot. Naturally, they didn't respect pregnant women.

Prosecutor Siewierski: – Were pregnant women shot?

Witness: – Yes, and they were beaten – so many surgeries were necessary after miscarriages caused by beating. This is, roughly, the picture of the methods and practices.

Prosecutor Siewierski: – How was the Pawiak prison hospital financed?

Witness: – When it came to dressing material, we never received more or less 40 percent of what we required, only a part of this minimum. We received that from *Sanstelle* [?], a German physician, who was basically in charge of the Pawiak prison hospital.

Presiding Judge: – Did the physicians at the hospital have proper conditions to save severely beaten people?

Witness: – Regarding the appliances, there was very decent operating room equipment, an X-ray machine, and a fine laboratory.

Prosecutor Siewierski: – Dating back to the Polish times?

Witness: – No. There used to be a surgical hospital there before the war, but it was all destroyed in 1939; this surgical ward was not opened until autumn 1941. The entire operating room was very decently equipped with instruments, a sterilizer boiler, a laboratory, and an X-ray machine.

Presiding Judge: – Could every patient be admitted to the hospital? Whose decision was it?

Witness: – This varied. Initially, every patient qualified by a Polish doctor was admitted. In the second half of 1942 an order was issued that every patient qualified by a doctor had to be qualified again, and the prison commandant or his deputy could either permit or deny admission to the hospital.

Prosecutor Siewierski: And the remaining 40 percent?

Witness: We received the remaining 40 or even 60 percent only thanks to Patronat [Society for the Care of Prisoners]. Patronat rendered immense services in this respect. Despite the colossal difficulties that the Germans piled up, Patronat actually did much more than seemed possible. It supplied at least 60 percent of what we required: not only medicines and dressing materials, but also meals for patients at the hospital, because a first-rate hospital kitchen was out of the question. At first there was a makeshift kitchen, which provided slightly better food for the hospital; it was also run by Patronat, but it was closed down some time towards the end of 1941 or in the middle of 1942.

Prosecutor Siewierski: – What did gifts from Patronat look like?

Witness: – Patronat sent us lard or white bread, often officially and also often unofficially. But when it came to medicines, we would basically send a request confirmed by a physician from the central prison pharmacy located on Długa Street, and when dispatching the officially requested items the pharmacy for its part would enclose others from Patronat.

Prosecutor Siewierski: – Perhaps you could also say, if you have any knowledge about it, what was the area of activity of the administration that was part of *Abteilung Justiz* [Department of Justice] and a remnant of the Prison Administration Authority?

Witness: – As far as I know, this was different at various times. Initially, as long as the entire Pawiak was run and administrated by Poles, when even guards at prison wards were Polish, *Abteilung Justiz* was in charge of everything, except decisions concerning what to do with people; but after the Polish guard was finally disbanded sometime in 1942, subordination to *Abteilung Justiz* was restricted to medicines – and even that was the Gestapo physician's decision, though medicines were delivered via *Abteilung Justiz*. Many things were brought from Szucha Avenue; this was arranged by the prison commandant. Commandant was an administrative function; he did not interfere in prisoners' cases in the course of investigation at all: his task was only to make sure that fuel and water were supplied and that this or that functioned.

Prosecutor Siewierski: – So he was also subordinate to the office on Szucha Avenue.

Judge Rybczyński: – What force did he belong to?

Witness: – The SD [*Sicherheitsdienst*, Security Service].

Presiding Judge: – Were prison inspections carried out by German authorities?

Witness: – They were carried out, but I am not one hundred percent sure by whom, because we were unable to find out. Even if we were told the *Sturmführer's* surname, it didn't tell us anything.

Prosecutor Siewierski: – You presented how people were taken away to be shot after surgeries. Were those [patients] transferred from Szucha Avenue also taken to be shot?

Witness: – These cases were very frequent. [A patient] was executed the very next day, or he had a few days, weeks, or months for his wounds to heal.

Prosecutor Siewierski: – And if he was unable to walk on his own for the execution?

Witness: – Then he was carried on a stretcher.

Prosecutor Siewierski: – Based on the opinions there, could you present, chronologically, the places where executions took place?

Witness: – Until the burning of the ghetto, executions by shooting took place somewhere outside Warsaw – in Palmiry, as was commonly said. I don't know if Palmiry was the only place, or if there were others. After the burning of the ghetto, all executions began to be held in the ghetto area. The sites changed – there was no permanent one from the beginning to the end. They often shot only a few people, or one person. Sometimes they led prisoners straight to the gate on Dzielna Street and shot them there. Number 27 – it was opposite. It is hard to specify all the execution sites. A large number of executions were carried out in the neighborhood of Nowolipki and in the [concentration] camp on Gęsia Street.

Prosecutor Siewierski: – It was there that bodies were burned. From what date were you in the Pawiak?

Witness: – From January 1941.

Prosecutor Siewierski: – And were beaten people constantly brought in from the beginning?

Witness: – From the beginning, when I came [there]; perhaps they were not massacred as badly, though I myself was a patient for three weeks. But it was not so frequent then. The most intense period was the second half of 1943 until the end.

Judge Rybczyński: – Did the permanent German personnel belong to the SD?

Witness: – As far as I know, this varied. Some belonged to the SD, while others had been temporarily transferred from the SS to the SD.

Judge Rybczyński: – The surnames of the commandants of this prison?

Witness: – The prison governor was Polish when I arrived; the person in charge was a German non-commissioned officer, I don't remember the surname. The first officer was *Untersturmführer* Spengler. After him there was *Hauptsturmführer* Junk, followed by *Hauptsturmführer* Grabert, and then until the end there was *Hauptscharführer* Pietsch.

Attorney Chmurski: – I have a question. During your stay in the Pawiak, did doctors' inspections take place?

Witness: – We were under the supervision of a German doctor all the time: to the *Arzt Chef der Sicherheitspolizei der Distrikt Warschau* [Chief Physician of the Security Police for the Warsaw District], who generally worked on Szucha Avenue – he had his office there, where he saw Gestapo officials, and he would come to the Pawiak when it was necessary. Next, there was *Untersturmführer* Scherbel, an extraordinarily bad man and a very poor doctor; he only arrived when he was to segregate prisoners for transport, but there were not many transports at that time, once or twice a month, and sometimes there weren't any for two months.

He was succeeded by *Hauptsturmführer*, and then *Obersturmführer* Bober, a very good doctor in the full sense of the word, even though he was a German. We experienced a great deal of attention from him. He would come to the hospital quite often, twice a week, and sometimes more frequently. After him there was *Hauptsturmführer* Fryderyk, who came less frequently, though still fairly often.

Presiding Judge: – There are no further questions. The witness is free to leave. I am ordering a five-minute break.