

IX. RECONVENING OF MILITARY TRIBUNAL II FOR THE PURPOSE OF PERMITTING THE RECONSIDERATION OF ITS JUDGMENT

A. Introduction

On 7 June 1948, General Lucius D. Clay, the Military Governor, issued an order reconvening Military Tribunal II, "at the request of the judges constituting the Tribunal" and, "for the purpose of permitting such reconsideration and revision of its judgment as may be appropriate" in the Pohl case. The Tribunal reconvened in Nuernberg, and on 14 July 1948 issued an "Order Permitting Defendants to File Additional Briefs." The order reconvening the Tribunal and the order of the Tribunal permitting the filing of additional defense briefs are reproduced in B below.

B. Order of the Military Governor Reconvening Military Tribunal II and Order of the Tribunal Permitting Defendants to File Additional Briefs

HEADQUARTERS EUROPEAN COMMAND

GENERAL ORDERS }
No. 52 }

7 JUNE 1948

PURSUANT TO MILITARY GOVERNMENT ORDINANCE NO. 7

At the request of the judges constituting the Tribunal, Military Tribunal II as constituted by General Orders No. 85, Office of Military Government for Germany (U.S.), dated 16 December 1946, as amended by General Orders No. 5, same office, dated 21 January 1947, consisting of ROBERT M. TOMS, Presiding Judge, FITZROY D. PHILLIPS, Judge, MICHAEL A. MUSMANN, Judge, and JOHN J. SPEIGHT, Alternate Judge, is hereby ordered to reconvene at Nurnberg, Germany, on or about 12 July 1948 for the purpose of permitting such reconsideration and revision of its judgment as may be appropriate in the case of United States of America vs. Pohl, et al. (Case No. 4).

BY COMMAND OF GENERAL CLAY:

C. R. HUEBNER
*Lieutenant General, GSC
Chief of Staff*

OFFICIAL:

[Signed] G. H. Garde
G. H. GARDE
Lieutenant Colonel, AGD
Assistant Adjutant General

UNITED STATES MILITARY TRIBUNALS
SITTING IN THE PALACE OF JUSTICE,
NURNBERG, GERMANY
AT A SESSION OF MILITARY TRIBUNAL II
HELD 14 JULY 1948, IN CHAMBERS

The United States of America
vs.
Oswald Pohl, et al., Defendants.

Order Permitting Defendants to File Additional Briefs

Case No. 4

On 7 June 1948 General Lucius D. Clay, Military Governor of the U.S. Zone of Occupation, issued General Order No. 52, ordering this Tribunal to convene at Nurnberg, Germany, on or about 12 July 1948 for the purpose of permitting such reconsideration and revision of its judgment as may be appropriate in the case of United States of America *vs.* Oswald Pohl, et al., Case 4.

In pursuance of that order, Tribunal II has reconvened at the Palace of Justice in Nurnberg to carry out the mandate of the Military Governor.

The record in this case discloses that at the conclusion of the proofs, each defense counsel was allowed 1½ hours to present oral closing arguments with the exception of counsel for defendant Pohl, who was allowed 3 hours. The thoroughness with which the respective cases for the defendants were argued is shown by the number of typewritten pages of the several written arguments.

Oswald Pohl	152 pages
August Frank	79 pages
Georg Loerner	63 pages
Heinz Karl Fanslau	19 pages
Hans Loerner	18 pages
Erwin Tschentscher	56 pages
Max Kiefer	36 pages
Franz Eirenschmalz	50 pages
Karl Sommer	54 pages
Hermann Pook	22 pages