

DOENITZ'S COUNSEL LOOKS TO NIMITZ

Would Question American in Writing on U. S. Navy's Actions During War

NUREMBERG, Germany, March 5 (AP)—Defense counsel for Grand Admiral Karl Doenitz asked today for a sworn statement from Admiral Chester W. Nimitz, in an attempt to prove that American submarines operated under "sink without warning" orders, and also requested British confidential fleet combat orders to merchant vessels.

The International Military Tribunal announced that Hermann Goering's defense would open on Thursday. Tomorrow the court will hear applications for witnesses for Grand Admiral Erich Raeder, Baldur von Schirach, Fritz Sauckel and Col. Gen. Alfred Jodl. Raeder's counsel, it was said, will seek to introduce evidence that Raeder, as commander in chief of the German navy, used all his influence to avoid war with the United States and was unaware of the Japanese attack on Pearl Harbor until after it occurred.

Doenitz's attorney, Capt. Otto Kranzbuehler, told the tribunal that he expected the submission of an interrogatory to Admiral Nimitz to show:

(1) "United States submarines attacked all ships with the exception of United States and Allied vessels without warning in specified operational waters."

(2) "United States submarines attacked all Japanese ships without warning, at least from the time it could be surmised that Japanese merchantmen would resist being taken as prizes."

(3) "United States submarines did not assist shipwrecked people in such waters where the submarine would have endangered herself through such assistance."

When the British prosecutor, Sir David Maxwell-Fyfe, contended that any answers that Admiral Nimitz might give would be irrelevant because the defense was merely trying to prove that the United States had violated the rules of war, Kranzbuehler replied: "On the contrary, I am of the opinion that the United States acted strictly within the limits of international law." He said that he would try to prove that the United States "gave identical orders as the German naval high command" for submarine warfare because of strategic considerations.

Kranzbuehler asserted that one British confidential fleet order directed merchantmen not to attempt to rescue crews of torpedoed ships when U-boats were believed to be still lurking within striking range. The tribunal took Kranzbuehler's requests under consideration.

Julius Streicher, notorious Jew-baiter, told the tribunal that he had opposed anti-Semitic violence, learned of mass extermination of Jews only by reading Swiss newspapers and lived in "banishment" from high Nazi circles after 1940.