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1

2 INTERPRETER [GERMAN]: Mr Ernst, thank you very much for being prepared to  
3 receive me and thank you very much for being prepared to make yourself  
4 available to the Commission of Inquiry.

5

6 ERNST [GERMAN]: No problem.

7

8

9 MR ERNST: No problem.

10

11 THE PRESIDENT: Counsel Assisting saw Herr Ernst on  
12 19 June 2008, and I have read a transcript of that  
13 interview...

14

15 INTERPRETER [GERMAN]: The Counsel Assisting has already conducted a  
16 conversation, an interview with Mr Ernst on 19 June 2008, and I have seen  
17 a transcript of that interview.

18

19 THE PRESIDENT: ... and I understand that Counsel Assisting wish to  
20 clarify some matters arising from that interview.

21

22 INTERPRETER [GERMAN]: And I have seen or I have understood that the  
23 Counsel Assisting has a few further questions in relation to that  
24 transcript.

25

26

27 THE PRESIDENT: Herr Ernst, I understand that you are not willing to  
28 take an oath to tell the truth, but I also understand that  
29 you are prepared to affirm to me that what you are saying  
30 and what you said on the last occasion was and is the  
31 truth.

32

33 INTERPRETER [GERMAN]: Mr Ernst, I have had to realise that you are not  
34 prepared to give this evidence under oath. However, I have also  
35 understood that on the other hand you are prepared to affirm that what  
36 you stated last time is the truth.

37

38 ERNST [GERMAN]: No problem.

39

40

41 MR ERNST: No problem.

42

43 THE PRESIDENT: Very well. I will proceed on the basis  
44 that what you are telling me is the truth.

45

46 INTERPRETER [GERMAN]: Very good. Thank you. So I shall assume that what  
47 you are telling me or have told me is the truth.

1

2 THE PRESIDENT [GERMAN]: Sincere thanks.

3

4 ERNST [GERMAN]: We don't have anything to hide; the failure was with the  
5 command of the Sydney and not with us.

6

7

8 MR ERNST: We have nothing to disguise. This mistake was  
9 done by Sydney, at the end of the day.

10

11 ERNST [GERMAN]: With Collins on board as Commander, we probably would not  
12 have gotten away.

13

14 MR ERNST: If Mr Collins had  
15 been the Commander of that ship, probably we would not have  
16 survived this.

17

18 THE PRESIDENT: I just want to get from Herr Ernst what he  
19 saw, rather than his speculation about matters.

20

21 INTERPRETER [GERMAN]: I would actually rather like to come back to what  
22 you really saw, rather than your current speculations on the course of  
23 events.

24

25 ERNST [GERMAN]: Yes, no, that's fine by me. Let's begin.

26

27

28 MR ERNST: Okay. Let's start.

29

30 <LUDWIG ERNST, interviewed:

31

32 LEUT TYSON: Q. Herr Ernst, what I'd like to do,  
33 I'd like to direct attention to some aspects of your  
34 evidence, what you told us on the previous occasion, and  
35 then I'm going to ask you some questions that arise from  
36 some of those things that you told us.

37

38 INTERPRETER [GERMAN]: Now I would like to go through a few points in the  
39 transcript and ask you some questions in relation to them to clarify  
40 these points once more.

41

42 ERNST [GERMAN]: Please.

43

44 LEUT TYSON: So first I want to  
45 ask you some questions about calculations and distances  
46 between Kormoran and Sydney.

47

1 INTERPRETER [GERMAN]: The first set of questions will deal with  
2 calculations and distances on board the Kormoran.  
3  
4 LEUT TYSON: Now, you explained to us that  
5 your responsibility was to prepare the documents for the  
6 artillery and calculate the various angles and ranges for  
7 Kormoran's guns.  
8  
9 INTERPRETER [GERMAN]: You have explained to us that you were in charge of  
10 maintaining the documents of the artillery and also of calculating the  
11 various elevation settings and sideward settings.  
12  
13 ERNST [GERMAN]: Yes.  
14  
15 LEUT TYSON: You explained that you did this by hand,  
16  
17 unlike your previous experience on Deutschland,...  
18  
19 INTERPRETER [GERMAN]: You have also explained to us that you did that by  
20 hand, contrary to your previous experience on board the Deutschland.  
21  
22 LEUT TYSON: ...and you  
23 explained that at your battle station on 19 November 1941,  
24 you were present with the artillery officer Skeries, as  
25 well as some other people.  
26  
27 INTERPRETER [GERMAN]: And you have further explained that on 19 November,  
28 that your battle station together ..., that there were also [Mr] Officer  
29 Skeries as well as several other persons present.  
30  
31 LEUT TYSON: Now I would like to come to  
32 the question.  
33  
34 INTERPRETER [GERMAN]: Now I would like to come to the questions.  
35  
36 LEUT TYSON: Now, in the transcript previously, this is  
37 what you said to us. I will just ask Herr Thomas to read...  
38 it.  
39  
40 INTERPRETER [GERMAN]: Nothing, I was just looking ...  
41  
42 LEUT TYSON: ...read the question first...  
43  
44 INTERPRETER [GERMAN]: The question was: And during the battle, what did  
45 you do, Mr Ernst? Nothing, your answer there, I'll just read it aloud, ...  
46  
47 ERNST [GERMAN]: Nothing, I ...

1  
2 MS ERNST [GERMAN]: He's already reading it aloud.  
3  
4 INTERPRETER [GERMAN]: I need to read it aloud first ...  
5  
6 LEUT TYSON: ...and then the answer.  
7  
8 (Excerpt from transcript read in German)  
9  
10 THE PRESIDENT: Would he like to read it himself?  
11  
12 INTERPRETER [GERMAN]: Exactly, you can read it with me at the same time.  
13 Nothing, I was just looking, because my calculations for the guns I  
14 needed ... , those I had done already prior to that, of course, and I  
15 reduced them to 10,000 metres, 8,000, to 1,000 – and 1,000 metres, and  
16 when the shooting then began at 900 metres, then our guns did not need  
17 any lead angles and no elevation angle.  
18  
19  
20 LEUT TYSON: Q. With those calculations that you did,  
21 can you tell us what did you do with them? Who did you  
22 give them to, if anyone?  
23  
24 INTERPRETER [GERMAN]: These distances which you had calculated, what did  
25 you do with them then, to whom did you pass them on?  
26  
27 ERNST [GERMAN]: They were not needed because the Sydney had approached us  
28 to 900 metres, so the 10,000, 5,000 and 1,000 metres were no longer  
29 required. At 900 metres, our shells took approximately a little longer  
30 than a second to reach the Sydney. So, I don't know, do you know the  
31 meaning of "v0" ["v zero"]?  
32  
33 INTERPRETER [GERMAN]: What? v0?  
34  
35 ERNST [GERMAN]: v0 – the initial velocity of our shells was approximately  
36 at 800 metres, as far as I still remember.  
37  
38 A. Nothing, because all these calculations were not  
39 needed anymore because, in fact, the Sydney, when the  
40 firing started, was at 900 metres, at a distance of  
41 900 metres, so the calculations of 10,000, 5,000 and 1,000  
42 metres were not needed anymore. Our shells needed a little  
43 bit more than 1 second to overcome the 900 metres between  
44 Sydney and Kormoran. We had the VO, that's the first speed  
45 of our shells, they had a speed of 800 metres per second.  
46  
47 Q. We understand that your evidence was quite clear, that

1 when you said that Sydney got to 900 metres you didn't need  
2 to do any calculations. We understand that.

3

4 INTERPRETER [GERMAN]: They have understood, because the Sydney was so  
5 close, that you did not have to do any calculations any more.

6

7 Q. However, what  
8 we thought you were saying, before any firing started,  
9 before Sydney got close, as she approached, you were doing  
10 calculations; is that correct or not?

11

12 INTERPRETER [GERMAN]: But we have understood it in the way that before,  
13 while the Sydney was still approaching, before the battle began, you were  
14 still occupied with your calculations.

15

16 ERNST [GERMAN]: That was a breeze. That was a simple calculation, because  
17 I had to do that each time we came across a prize. So that was no  
18 problem.

19

20 A. Yeah, but that was quite an easy job, there was not  
21 much to do, because I had done this task already many times  
22 with any other ship we captured before.

23

24 Q. But just to explain to others who don't understand how  
25 these things work, when you did those calculations, what  
26 did you do with them? Did you give them to Skeries, did  
27 you discuss them with Capt Detmers or someone else? What  
28 did you do with the calculations?

29

30 INTERPRETER [GERMAN]: But to totally clarify this once more, and to make  
31 it practically clear especially for others, for lay people, how this  
32 worked: what did you normally do with these calculations? Did you discuss  
33 them with Detmers, or with Skeries? Or?

34

35 ERNST [GERMAN]: I made the calculations, and as I made them, they were,  
36 if they were required, used by the artillery. I didn't [...] any artillery  
37 officer ... I had the training for that, after all.

38

39 A. No, I was trained to do that. I didn't have to  
40 discuss this with any other officer. My calculations were  
41 just usually given to the gun operators.

42

43 Q. And how did it get from you to the gun operators?

44

45 INTERPRETER [GERMAN]: How did this information get from you to the gun  
46 operators?

47

1 ERNST [GERMAN]: By telephone.

2

3 A. Via the telephones.

4

5 Q. So that's a telephone on the signalling deck where you

6

7

8

9 were through to each gun position?

10

11 INTERPRETER [GERMAN]: That means, on the signalling deck where you were,  
12 you had a telephone through which you were connected with each gun?

13

14 ERNST [GERMAN]: That was a shared telephone line which was connected to  
15 each gun as well as to the bridge, and the person who was addressed would  
16 reply, and those who did not need it, they just listened in, but it  
17 always reached the correct station.

18

19 A. Well, what we had on there were interconnected  
20 telephones, and everything that was sent through these  
21 telephones - well, they were connected to the bridge and  
22 the signalling deck and the various guns, and everything  
23 that was sent through these telephones could be heard by  
24 anybody who was connected to it, and the person to which a  
25 message was directed just confirmed having received such  
26 message.

27

28 Q. Thank you. Now, can you explain the particular  
29 ranges. In your answer last time you referred to  
30 particular distances - 10,000 metres, 8,000 metres and  
31 1,000 metres.

32

33 INTERPRETER [GERMAN]: Thank you very much. In your last interview you  
34 said that there were certain settings for the various distances, one for  
35 10,000 metres, then for 8,000 metres and for 1,000 metres.

36

37 Q. Can you explain, when Sydney was  
38 approaching, how would you do calculations - would you do a  
39 calculation every thousand metres or did the artillery  
40 officer say, "Do a calculation at these metres"? Can you  
41 please explain to us why you picked particular distances to  
42 do calculations at?

43

44 INTERPRETER [GERMAN]: What we would like to know in more detail is how  
45 that worked precisely. Did you receive instructions from the artillery  
46 officer who told you to perform calculations at 10,000, 8,000, 1,000 or  
47 at 1,000 ...

1

2 ERNST [GERMAN]: No, no, no. That was automatically part of it. I made the  
3 calculations for the relevant distances, and I didn't [...] any instruction  
4 from the artillery officer ..., that was part of it, that was my task,  
5 after all.

6

7 INTERPRETER [GERMAN]: Part of what? Who [...] you...?

8

9 ERNST [GERMAN]: That was my job. My job during alarm if any ... I have  
10 already said last time ...

11

12 INTERPRETER [GERMAN]: So you had basically learnt it like that, that it  
13 is to be done at 10,000, 8,000 and 1,000?

14

15 ERNST [GERMAN]: There are also different distances where I also  
16 calculated it, so that, if it was needed, it would not take me too long  
17 to do.

18

19 A. There was no artillery officer involved in this.

20 That is something I have learnt in my training as being

21 what I was. I had prepared these calculations for 10,000,

22 8,000 and 1,000 metres so that in case they were needed

23 I wouldn't need much time to produce these calculations.

24

25 THE PRESIDENT: Q. I don't understand. My understanding

26 from reading the transcript is that you were on a deck

27 above the bridge...

28

29 INTERPRETER [GERMAN]: I don't completely understand. From what I have

30 heard or read in the transcript, I understood that during the battle you

31 were on a deck above the bridge.

32

33 ERNST [GERMAN]: Yes. The bearing deck.

34

35 THE PRESIDENT: Q. ...and that from there you first saw the

36 Sydney when you think she was about 33km away?

37 INTERPRETER [GERMAN]: And that from there, you saw the Sydney for the

38 first time when she was approximately 33 km away.

39 ERNST [GERMAN]: At that point, we did not see anything. Our rangefinder

40 established: object 330 hectometres, that's 33 km, and that was still

41 behind the line of horizon. But the Sydney certainly came up quickly, and

42 there we first saw the foremast, the funnels, the towers and the bridge,

43 and at 20 km, the whole of the Sydney lay in front of us.

44 A. Well, at 33km, we didn't see anything. This

45 information we had from our rangefinder. That gave the

46 information that there was an object at 33km, at a distance

47 of 33km. But the Sydney approached very fast, and then we

1 saw the funnels and the superstructure of the Sydney and  
2 then she was more or less 20km away.

3

4 Q. As Sydney approached, did the person on the  
5 rangefinder advise what the distance between the two ships  
6 was?

7

8 INTERPRETER [GERMAN]: When the Sydney was approaching, did the person at  
9 the rangefinder state the respective distances? Or measure them?

10

11 ERNST [GERMAN]: Erich Westphal announced the first measurement with 330  
12 hectometres, passed it down to the bridge, with the added remark:  
13 "probably a war ship". Subsequently Detmers came up to the bearing deck,  
14 stood behind the rangefinder and had a look at his opponent. He went down  
15 to the bridge, reversed course and gave the alarm.

16

17 A. It was Mr Westphal who took the first distance, and he  
18 reported - that was 33km. He reported this to the bridge  
19 and said it is probably a warship. Then Capt Detmers came  
20 up to the signalling deck and checked the rangefinder  
21 himself and watched this enemy ship for a while. Then he  
22 went down again and changed his course, veered away, and  
23 gave the alarm.

24

25

26

27

28 Q. Were there any distances between the two ships given  
29 by the rangefinder, apart from the 33km?

30

31 INTERPRETER [GERMAN]: Was there any further information given by the  
32 rangefinder concerning the distance, apart from this initial 33 km  
33 reading?

34

35 ERNST [GERMAN]: Yes, he passed it on continuously, as he determined the  
36 distance.

37

38 A. No, we did this continuously, whenever he had a new  
39 distance.

40

41 Q. Who would he tell it to?

42

43 INTERPRETER [GERMAN]: To whom did he report the distance?

44

45 ERNST [GERMAN]: Artillery officer, Skeries, and I was next to him; I  
46 heard it, of course. We were in the same spot.

47

1 A. To the artillery officer, Mr Skeries, and I was next  
2 to him so I --

3

4 Q. Next to Mr Skeries?

5 A. Next to Mr Skeries, that's how I understood it.

6

7 Q. So you knew the decreasing distances between the ships  
8 as they were reported to Herr Skeries?

9

10 INTERPRETER [GERMAN]: So you knew to what extent the distance between the  
11 two ships had decreased, as these distances were passed on again and  
12 again to Mr Skeries, yes?

13

14 ERNST [GERMAN]: [at the same time] Yes – yes – yes.

15

16 A. Yes.

17

18 Q. Do you recall the distances that were told to  
19 Herr Skeries as they reduced?

20

21 INTERPRETER [GERMAN]: And do you remember how these distance details were  
22 passed on in each case to Mr Skeries when you stood next to him?

23

24 ERNST [GERMAN]: Yes.

25

26 A. Yes.

27

28 Q. So do you recall –

29

30 ERNST [GERMAN]: Acknowledged by the artillery officer, by me, I don't  
31 know [and Messerschmidt, I believe, was also on the bearing deck, as well  
32 as the head fire fighter, Schneider, but ...

33

34 A. Yes, we all received or heard these messages -  
35 together with me also Mr Messerschmidt, who was also on the  
36 signalling deck, as well as our - he was responsible for  
37 the fire, that was Mr Schneider.

38

39 Q. Do you recall when it was that you did the  
40 calculations for the gunnery at a distance of  
41 10,000 metres?

42

43 INTERPRETER [GERMAN]: Can you still remember that you did the  
44 calculations for the guns when the distance of 10,000 metres was  
45 announced?

46

47 ERNST [GERMAN]: We can forget about all of that. I'd gone through that,

1 and it became critical for us when at 900 metres distance a double signal  
2 went up on the Sydney, and we did not have a reply to that. I don't know  
3 the extent to which there had been an exchange of signals between the  
4 Kormoran and the Sydney prior to that, I don't know that, but I saw the  
5 double signal on the Sydney and Detmers called up to Skeries: "Skeries,  
6 it will start soon!" And then came the removal of the disguise and that  
7 was at 900 metres distance, and that was exactly what I as a normal  
8 seaman did not comprehend, that the Sydney [...] so close to us, and if you  
9 get yourself the letters collected in 1942 by the Admiralty of the seamen  
10 perished on the Sydney and if you have a look at them, then there are  
11 some of them who regard Commander Burnett very critically because of his  
12 behaviour in the case of objects unknown to him. And we were an unknown  
13 object.

14  
15 A. Well, we don't have to talk about this anymore,  
16 because when the Sydney was at 900 metres we received the  
17 double signal, and this signal was a signal to which we did  
18 not have the answer, and I remember how Detmers shouted up  
19 towards the deck where Skeries was, "It will start soon,"  
20 and then the battle started.

21  
22 There's also something what I will never understand as  
23 a normal seaman, how the Sydney could have come so close at  
24 this stage.

25  
26 There is also something I would like to mention: if  
27 you read the letters written by people from Sydney - I  
28 think they were published in 1942 - then you also see that  
29 Burnett received heavy criticism from these people,  
30 especially when they were approaching unknown objects and  
31 we were an unknown object.

32  
33  
34 Q. Well, that's not correct. He received criticism from  
35 one sailor who had been on the ship for three days.

36  
37 INTERPRETER [GERMAN]: That is not quite correct, he was criticised by a  
38 seaman who had been on the ship for only three days.

39  
40 ERNST [GERMAN]: I don't know that ...

41  
42 Q. In any  
43 event, that is by the bye. I just want to get this  
44 witness's evidence.

45  
46 ERNST [GERMAN]: We had a man who – somehow they were connected – and  
47 there were three who were critical. But whatever.

1

2 A. Well, we had one man. He said there were three people  
3 who were critical, but anyway, let's go on with it.

4

5 Q. Does it mean that the guns on Kormoran were given no  
6 information about range distances at any time before they  
7 opened fire?

8

9 INTERPRETER [GERMAN]: Does all that mean that the guns on board the  
10 Kormoran did not receive any distance information before the fire, the  
11 battle broke out?

12

13 ERNST [GERMAN]: They did not need any. They only need the distance, after  
14 all, when they are swung out and want to fire.

15

16 A. They didn't need that because the point when they need  
17 the distance information is when they are swung out and  
18 when they are ready to fire.

19

20 Q. When they were swung out, when you say the distance  
21 was some 900 or 800 metres, were they given any information  
22 for firing purposes at that time?

23

24 INTERPRETER [GERMAN]: When the guns were swung out then, at 900 metres  
25 distance, as you say, did they then receive any information as to how  
26 they had to fire or any other information?

27

28 ERNST [GERMAN]: No, there were the instructions and the order from the  
29 artillery officer: "As soon as the target is picked up, fire as much as  
30 you can get out." There was no salvo rate or anything. The man from the  
31 Sydney, who we met with in January 2000, also asked: "Have you had a  
32 salvo rate?" and I said: "No". And this is the strange thing: I have not  
33 found out from anyone how many shots of ammunition were brought up close  
34 [Translator's note: use of the – unusual – verb "vormannen" (literally:  
35 "fore-manning") – to bring up ammunition manually from below in  
36 preparation of firing].

37

38 INTERPRETER [GERMAN]: Forema ...?

39

40 ERNST [GERMAN]: Brought up, from below to up above, that is what we  
41 called "vorgemannte Munition" [Translator's note: literally: "fore-manned  
42 ammunition"]. So we did not rely on ammunition elevators, because if we  
43 had relied on ammunition elevators, you would risk that with the first  
44 shot, which went into the engine of our ship, our ammunition elevators  
45 would have stood still.

46

47 A. There were no instructions or orders given. The only

1 instruction we had or that was given to the guns was  
2 whenever the target was there to shoot as much as possible.  
3 There was also no order given in respect to a salvo rhythm.  
4 They just shot as they liked. Also, I was asked this  
5 actually by somebody who sailed before this on Sydney, or  
6 something. I met him in 2000 and he also asked me about  
7 salvos, and I explained to him already, no, there weren't  
8 any salvos.

9  
10 Another story is what I don't know is how many  
11 ammunition was prepared to be loaded into the guns without  
12 using the elevators, because with the first hit in our  
13 engine room, the elevators would not have worked anymore,  
14 but I don't know that, as I said, how many ammunition was  
15 prepared without.

16  
17 LEUT TYSON: Q. I want to now clarify another aspect of  
18 your evidence from the last occasion, Herr Ernst.

19  
20 INTERPRETER [GERMAN]: I now would like to clarify again another point  
21 from last time with you.

22  
23 LEUT TYSON: You told  
24 us last time about the running time of torpedoes and you  
25 said that the running time of the torpedo from Kormoran  
26 towards Sydney was 52 seconds and you said, "That's how  
27 also how we came - how we know that Sydney was - the  
28 distance between Sydney and Kormoran was below  
29 1,000 metres".

30  
31 INTERPRETER [GERMAN]: Last time, you also gave us details in regard to  
32 the running time of the torpedoes ...

33  
34 ERNST [GERMAN]: 52 seconds.

35  
36 INTERPRETER [GERMAN]: Exactly, 52 seconds. But you also said that, based  
37 on these 52 seconds, you could establish that the Sydney was at a  
38 distance of under 1,000 metres.

39  
40 ERNST [GERMAN]: Exactly, because the running time of our torpedoes for  
41 1,000 metres was one minute.

42  
43 A. Yes, that's because the running time for our torpedoes  
44 for 1,000 metres was exactly 1 minute.

45  
46 Q. But can you explain, this running time of 52 seconds,  
47 is that something that was told to you at the time of the

1

2 battle with Sydney, was it calculated at the time, or is  
3 that a figure that you've calculated in your mind after the  
4 event?

5

6 INTERPRETER [GERMAN]: Yes, but these 52 seconds, is that something you  
7 were told later or did you yourself, was that calculated or have you  
8 thought of that yourself. – Let me finish translating first!

9

10 ERNST [GERMAN]: [in part at the same time] I have ..., slowly! I have from  
11 a fellow soldier from Vienna ... – he is deceased – and his wife wrote to  
12 us that she still had things from Max; the nephew was not interested in  
13 them, whether she should throw them out or not. So I said to her: "We'll  
14 come around, and I'll have a look at them." And amongst these things,  
15 there was a document from the torpedo mechanic who released the  
16 torpedoes. And the torpedoes were of course all timed by stopwatch. In  
17 the instant when they took off, the mechanic pressed his stopwatch, and  
18 according to the mechanic's measurement, the torpedo reached the Sydney  
19 after 52 seconds.

20

21 INTERPRETER [GERMAN]: And that was written in this correspondence of his.

22

23 MS ERNST [GERMAN]: In the report.

24

25 ERNST [GERMAN]: In a report which I received from the widow of an  
26 Austrian mate.

27

28 A. Well, how I knew this is there was one comrade - he  
29 was Austrian and lived in Vienna. When he died, his wife  
30 sent us a letter in which she told us that her nephew is  
31 not interested in the letters and documents her husband had  
32 and asked us whether we want any of this or whether she  
33 should throw them away. Then we went there to look, have a  
34 look at the documents, and we found a letter from this  
35 person, he was a torpedo mechanic, and we found his report  
36 about the encounter with the Sydney, and there in this  
37 report we found that he had stopped with his watch the  
38 52 seconds for the torpedo running time.

39

40 Q. What was his name?

41

42 INTERPRETER [GERMAN]: What was his name?

43

44 ERNST [GERMAN]: The mechanic?

45

46 INTERPRETER [GERMAN]: Yes?

47

1 ERNST [GERMAN]: Gustav Thieme. [Translator's note: uncertain spelling of  
2 name; this spelling is used in the following translation but sometimes  
3 the name also sounded like "Diem", possibly due to dialect.]

4

5 A. Gustav Thieme.

6

7 ERNST [GERMAN]: He is dead. And now something else, concerning this whole  
8 circus. We have met often, be it in Hamburg or in the vicinity of  
9 Würzburg, but the Sydney was never again sunk by us.

10

11 MS ERNST [GERMAN]: ... was never spoken about again.

12

13 ERNST [GERMAN]: The Sydney was never spoken about again, I did that and  
14 that, they did that and that, and that was this and this, the Sydney's  
15 fault. It was not spoken about again.

16

17 MS ERNST [GERMAN]: They were only family meetings.

18

19 A. Another thing I would like to add,  
20 we had a number of meetings after the war, either here,  
21 near here in Wurzburg or in Hamburg and one thing we've  
22 never talked about again was what we did on Sydney,  
23 what happened on Sydney. We never ever talked about this  
24 again.

25

26 THE INTERPRETER: Then Ms Ernst added, "We just talked  
27 about family affairs."

28

29 LEUT TYSON: Q. This letter from Gustav Thieme, do you  
30 still have a copy of that?

31

32 INTERPRETER [GERMAN]: Have you still got a copy of these papers, the  
33 document from Mr Thieme?

34

35 ERNST [GERMAN]: Do we still have that, Mum?

36

37 MS ERNST [GERMAN]: I think so.

38

39 A. I think so.

40

41 Q. Just to make it clear –

42

43 ERNST [GERMAN]: One moment. The document is not by Gustav Thieme himself,  
44 I believe.

45

46 A. One thing, this letter or document is not written by  
47 Mr Thieme himself. I don't know.

1  
2 ERNST [GERMAN]: That I don't know.  
3  
4 MS ERNST [GERMAN]: I have two large drawers full. I'd have to search for  
5 it.  
6  
7  
8 MS ERNST: I have two large drawers and I would have to  
9 search through them.  
10 MS ERNST [GERMAN]: If we find it, we can send it to you somehow.  
11  
12 THE PRESIDENT: Q. Do we know who did write the letter?  
13  
14 INTERPRETER [GERMAN]: Do you know who has written this document?  
15  
16 ERNST [GERMAN]: No.  
17  
18 MS ERNST [GERMAN]: It is not written on it ...  
19  
20 ERNST [GERMAN]: Nothing is written on it.  
21  
22 MS ERNST [GERMAN]: It says in the front.  
23  
24 ERNST [GERMAN]: It does? Good.  
25  
26 MS ERNST [GERMAN]: Yes, but I must look for it. Now that would take too ...  
27  
28  
29 MS ERNST: I have to search it, which will take too much  
30 time right now. I could send it by post if you want it.  
31 I think the address of whoever wrote this document is  
32 stated on top of the document, but I don't know it now.  
33  
34 LEUT TYSON: Q. It may be that at the end of the  
35 interview we'll make some inquiries about how we could get  
36 a copy of that, Herr Ernst.  
37  
38 INTERPRETER [GERMAN]: We can discuss after the interview whether we could  
39 obtain a copy of it ...  
40  
41 ERNST [GERMAN]: If we find it, no problem.  
42  
43  
44 A. If we find it, no problem.  
45  
46 THE PRESIDENT: Thank you.  
47

1 LEUT TYSON: Q. Another topic I asked you about on the  
2 last occasion, I was asking you about your observations of  
3 HMAS Sydney before the outbreak of the gunfire.

4

5 INTERPRETER [GERMAN]: Another point, which we had also discussed already  
6 on the last occasion, was that I asked you about your observations which  
7 you made in person of the Sydney before the battle broke out.

8

9 LEUT TYSON: You told  
10 us as Sydney was approaching Kormoran you were calculating  
11 the values Kormoran needed for the artillery.

12

13 THE PRESIDENT: No, that's not right. My understanding is  
14 that he calculated them before they approached.

15

16 LEUT TYSON: Q. At page 10 in the transcript you said:

17

18 I was on the top deck, on the bearing deck,  
19 hiding, and apart from this I was  
20 calculating the values we needed for the  
21 artillery.

22

23 INTERPRETER [GERMAN]: Yes, you said then: "I was on deck, on the bearing  
24 deck, taking cover, and nothing else. Also, I calculated the values for  
25 the artillery, and only then it started."

26

27

28 A. Yeah.

29

30 Q. Is that true, were you calculating the values "we  
31 needed for the artillery" as Sydney approached Kormoran at  
32 different distances?

33

34 INTERPRETER [GERMAN]: And is it correct that you, when the Sydney was  
35 approaching, were in the process of calculating the various values for  
36 the various distances?

37

38 ERNST [GERMAN]: That was normal.

39

40 MS ERNST: [GERMAN]: Yes?

41

42 ERNST [GERMAN]: Yes.

43

44 A. Yeah, that was normal.

45

46 Q. I then asked you questions about flag signals and  
47 morse signals.

1

2 INTERPRETER [GERMAN]: After that I then asked you about flags and morse  
3 signals ...

4

5 ERNST [GERMAN]: I did not see any.

6

7 A. I didn't see any.

8

9 ERNST [GERMAN]: We did not see any because we, we were behind the  
10 bulwark, behind the cover on the bearing deck.

11

12 A. Well, I didn't see any because we  
13 were hidden behind the armour on the signalling deck.

14

15 Q. I was just setting the background for the question.  
16 That is what I was coming to ask you about.

17

18 INTERPRETER [GERMAN]: I had actually just intended to clarify the  
19 background for this question. That was actually exactly what I wanted to  
20 ask now.

21

22 Q. If you assume,  
23 just for the purpose of the question, that flag signals  
24 were sent from Sydney to Kormoran, can you explain how it  
25 is that if you're on the signalling deck you did not see  
26 those flag signals?

27

28 INTERPRETER [GERMAN]: If we now just assume that there were signals, flag  
29 signals being sent by the Sydney ...

30

31

32 THE PRESIDENT: Sydney to Kormoran or Kormoran to Sydney?

33

34 LEUT TYSON: Q. From Sydney to Kormoran.

35

36 INTERPRETER [GERMAN]: That flag signals were sent from the Sydney to the  
37 Kormoran ...

38

39

40 THE INTERPRETER: Sorry, now I was interrupted. Sorry.

41

42 LEUT TYSON: Q. Okay, we will go back.

43

44

45 THE PRESIDENT: Q. Did you ever see Sydney signal by  
46 lamp?

47

1 INTERPRETER [GERMAN]: Did you ever see whether the Sydney [...] morse  
2 signals with lamps ...

3

4 ERNST [GERMAN]: No.

5

6 A. No.

7

8 Q. Did you ever see Sydney –

9

10 ERNST [GERMAN]: The only thing I saw were the two flags before Detmers  
11 gave the alarm. Or before he prompted the removal of the disguise.

12

13 A. The only thing I saw were the two flags that were  
14 hoisted on Sydney before Mr Detmers - shortly before  
15 Mr Detmers gave the order to remove the disguise.

16

17 Q. That were hoisted on the Sydney?

18

19 INTERPRETER [GERMAN]: Those were hoisted on the Sydney?

20 ERNST [GERMAN]: The two flags? The Sydney, yes.

21

22 A. Yes.

23

24 ERNST [GERMAN]: They went up on the Sydney and briefly afterwards ..., it  
25 is likely that that was some kind of identifying signal that the Sydney  
26 was asking of us, which we did not have.

27

28 A. Yeah, they were hoisted on Sydney just shortly  
29 before our captain gave the order to remove the disguise,  
30 and what I assume is they were asking with these flag  
31 signals for our recognition signal.

32

33 LEUT TYSON: Q. But you yourself couldn't understand  
34 those flag signals?

35

36 INTERPRETER [GERMAN]: But you could not understand these yourself?

37

38 ERNST [GERMAN]: No, I didn't. No, I didn't.

39

40 A. No, I couldn't understand them.

41

42 Q. As you explained last time, before those signals, you  
43 didn't see any morse signals or any flag signals from  
44 Sydney to Kormoran?

45

46 INTERPRETER [GERMAN]: Before that, you did not [...] any signals ...?

47

1 ERNST [GERMAN]: No, I didn't. No exchange. No radio, no blinking signal.  
2 At the time we were behind the bulwark of our cover and we did not see  
3 any of that. The only thing I saw were the two officers probably from the  
4 engine, standing at the aft of the ship.

5

6 A. No, I didn't see anything because we were hiding  
7 behind our camouflage and I didn't see any light or  
8 flag signals before. The only thing I could see were the  
9 two officers, I think, of the engine room who were on the  
10 aft ship.

11

12 ERNST [GERMAN]: Yes, nothing else.

13

14

15 Q. These two flags that were hoisted on Sydney, I want  
16 you to put out of your mind what anyone else told you about  
17 those flag signals afterwards. At the time of the  
18 engagement with Sydney on 19 November 1941, when those  
19 two flags were hoisted which you saw, did any of the other  
20 men on the signalling deck or the bridge discuss those  
21 signals? Did they say what they were or did they have a  
22 conversation about them?

23

24 INTERPRETER [GERMAN]: Now I would like to come back again exactly to  
25 these two flags that you saw and I would really like to ask you to make  
26 sure that you forget everything that others have said about them but only  
27 relate your personal recollections of them. Can you recall, when these  
28 two flags were hoisted on board the Sydney, whether they were in any way  
29 commented on or discussed by any of the other persons located on the  
30 bearing deck?

31

32 ERNST [GERMAN]: No, nothing, no comment.

33

34 INTERPRETER [GERMAN]: They did not speak about it at all?

35

36 ERNST [GERMAN]: No, it was not spoken about. The flags went up and  
37 Detmers said: "Skeries, it'll start soon."

38

39 A. No, there were no comments or discussions on the  
40 signalling deck. The only thing that happened, when these  
41 two flags were hoisted, Detmers said to Skeries, "It's  
42 going to start soon."

43

44 THE PRESIDENT: Q. Before those two flags were hoisted  
45 on Sydney, did you see anyone on Kormoran signalling with  
46 flags?

47

1 INTERPRETER [GERMAN]: Before these two flags were hoisted on board the  
2 Sydney, were you able to observe on board the Kormoran whether any flags  
3 were hoisted there?  
4

5 ERNST [GERMAN]: No.

6  
7 A. No, I didn't see anything.

8  
9 LEUT TYSON: Q. I just want to come back to something  
10  
11 you've just said, and you mentioned it on the last  
12 occasion.

13  
14 INTERPRETER [GERMAN]: Now I would like to come back to something which  
15 you have said just now, but which you also mentioned on the last  
16 occasion.

17  
18 LEUT TYSON: I asked you about what activity you saw on  
19 Sydney's decks before the gunfire started...

20  
21 INTERPRETER [GERMAN]: Back then, I had asked you which activities you  
22 were able to observe on board the Sydney before the battle began ...

23  
24 LEUT TYSON: ...and you did say,  
25 as you have just now said again, that you saw two men in  
26 the aft part of Sydney wearing white uniforms with caps?

27  
28 INTERPRETER [GERMAN]: And back then you said, actually what you have said  
29 just earlier, that actually you saw exactly two persons at the aft of the  
30 ship who were wearing white uniforms. And ...

31  
32 ERNST [GERMAN]: No. Khaki. They had khaki uniforms ... – I already said  
33 that at the last time, they were not wearing white uniforms. That was  
34 engine personnel, they were wearing visored caps and khaki uniforms.

35  
36 A. No, they were not wearing white uniforms. I think the  
37 last time I said khaki colour and they were engineers from  
38 the engineer crew and they wore hats, though.

39  
40 LEUT TYSON: I just want to briefly pause to ask  
41 Herr Thomas just to look at that on page 14.

42  
43 THE INTERPRETER: Sorry, yes, that is definitely my  
44 mistake, yes. I didn't understand this word probably.

45  
46 LEUT TYSON: Khaki.

47

1 THE INTERPRETER: Yes.

2

3 LEUT TYSON: Q. Pardon me, Herr Ernst. There was just a  
4 slight error in translation?

5

6 INTERPRETER [GERMAN]: Apologies, that was indeed a small translation  
7 error back then.

8

9 ERNST [GERMAN]: No problem.

10

11 A. No problem.

12

13 Q. I just want to ask, when you saw Sydney before the  
14 gunfire broke out, did you see any activity associated with  
15 the aeroplane on Sydney?

16

17 ERNST [GERMAN]: No. Aeroplane? The engine was running, but then they  
18 positioned the aeroplane on zero and then, I don't know what happened  
19 after that. In any case, in the instant when it is positioned on zero, if  
20 the Sydney fires a salvo, the aeroplane of course is wrecked.

21

22 INTERPRETER [GERMAN]: The Kormoran fired off a salvo?

23

24 ERNST [GERMAN]: No, the – one moment!

25

26 INTERPRETER [GERMAN]: No, he asked about the aeroplane on board the  
27 Sydney, not on board the Kormoran.

28

29 ERNST [GERMAN]: No, no, not on board the [could not be understood,  
30 background noises], but when the aeroplane on the Sydney is in a zero  
31 position and the Sydney fires a shot, then the frame of the aeroplane is  
32 too much ... – that was a sailcloth-covered aeroplane, not a metal plane –  
33 then it is all done for, then the machine can not be used any more.

34

35 INTERPRETER [GERMAN]: With zero position you mean, it was already being  
36 swung back again?

37

38 ERNST [GERMAN]: Exactly.

39

40 A. Well, the engines were running, but then the engines  
41 were turned off and the aeroplane was swung back in in a  
42 neutral position, because the problem is if they had fired  
43 with the aeroplane being in a non-neutral position, being  
44 swung out, they would have destroyed the aeroplane with  
45 their own firing.

46

47 Q. But, Herr Ernst, what the Commission is interested in

1 hearing is what you yourself saw. This information you've  
2 given about the engine of the plane running and the  
3 catapult, is that something you saw at the time on  
4 19 November 1941?

5

6 INTERPRETER [GERMAN]: The Commission of Inquiry is of course very  
7 interested in obtaining your personal information as an eyewitness, and  
8 what I would then like to ask in this context: have you seen yourself, in  
9 person, that the engines were running on the aeroplane?

10

11 ERNST [GERMAN]: The aeroplane was in the start position.

12

13 MS ERNST [GERMAN]: Whether you have seen it.

14

15 ERNST [GERMAN]: Yes, I have seen that.

16

17 A. Yes, I have seen it myself.

18

19 ERNST [GERMAN]: And the engine was running. And then it was positioned  
20 back to zero and the engine was switched off and then was off.

21

22 A. Yes, I've seen it myself,  
23 and the engines were running, but then the engines were  
24 turned off and it was swung back.

25

26 THE PRESIDENT: Q. How far away was Sydney when you saw  
27 that?

28

29 INTERPRETER [GERMAN]: How far away was the Sydney at that time?

30

31 ERNST [GERMAN]: Whether it was fifteen hundred metres, well, I cannot  
32 exactly say that any more today.

33

34 A. Something I cannot tell anymore. Approximately  
35 1,500 metres.

36

37 ERNST [GERMAN]: Short. The distance was not all that large.

38

39 A. It was not a long distance.

40 LEUT TYSON: Q. When you say the engines were running,  
41 do you mean the propeller was turning? What do you mean by  
42 that comment about engines running?

43

44 INTERPRETER [GERMAN]: When you say the engines were running, does that  
45 mean that the propellers were turning?

46

47 ERNST [GERMAN]: Yes.

1

2 A. Yes.

3

4 Q. Also, Herr Ernst, did you notice any activity  
5 associated with any of Sydney's boats, any of her pinnaces?  
6 Were any of those being lowered as she approached Kormoran?

7

8 INTERPRETER [GERMAN]: Then I would still like to ask you about the boats  
9 which were on board the Sydney, the pinnaces, were any of them lowered  
10 down when she was approaching the Kormoran?

11

12 ERNST [GERMAN]: No, nothing – she did not have that many pinnaces,  
13 actually.

14

15 A. No, I didn't see anything of that and she didn't have  
16 so many extra boats anyway.

17

18 ERNST [GERMAN]: They would have had to fire a shot across the bow of our  
19 ship first, we would have had to be stationary and then the prize  
20 examination party would have come on board the Kormoran, and that was not  
21 the case.

22

23 A. No, then they should have  
24 fired across our bow and then the prize control party could  
25 have come to our ship, but that was not the case.

26

27 THE PRESIDENT: Q. Did you see the propellers on the  
28 aeroplane stop?

29

30 INTERPRETER [GERMAN]: Did you see the propellers stop turning?

31

32 ERNST [GERMAN]: Yes. In that instant when the aeroplane was on zero,  
33 meaning in the lengthwise position, well, I don't know how it is in  
34 Australia, with us it was in a zero position, then that was the end, then  
35 the engines were switched off; anyway, it only had one engine.

36

37 A. Well, as soon as it was in the neutral position, that  
38 is, swung back in - I don't know what it's called in  
39 Australian - that's when the propellers were not running  
40 anymore.

41

42 Q. So you saw the aeroplane moved from the position when  
43 you first saw it?

44

45 INTERPRETER [GERMAN]: So did you see how the aeroplane was moved after ...  
46 – so you first saw it, for the first time, and you saw how it was moved  
47 back again.

1  
2 ERNST [GERMAN]: [speaks at the same time, could not be understood] ... then  
3 it came back, to zero position, and then the engines were off.  
4  
5 A. Yes. When I first saw it, it was in the launching  
6 position, and then it was swung back into the neutral  
7 position, and that's the point when the engines were turned  
8 off.  
9  
10 Q. Was it the aeroplane that moved or the catapult that  
11 moved?  
12  
13 INTERPRETER [GERMAN]: Was it the aeroplane that moved or the catapult  
14 that moved?  
15  
16 ERNST [GERMAN]: The aeroplane stands on the catapult and it was swung  
17 back with the catapult slide.  
18  
19 A. Of course the aeroplane is positioned on a catapult  
20 and the aeroplane was on a slight - on the catapult and was  
21 swung back in, the catapult.  
22  
23 Q. What was swung back in? The catapult was swung back  
24 in?  
25  
26 INTERPRETER [GERMAN]: The catapult was swung back?  
27  
28 ERNST [GERMAN]: Yes, and the aeroplane was on top of it.  
29  
30 A. Yes, the catapult was swung back in and on top of it  
31 there was the aeroplane.  
32  
33 Q. Thank you.  
34  
35 LEUT TYSON: Q. Herr Ernst, I now want to come to  
36 another question, which is about the orders that were given  
37 on the day of the battle between Sydney and Kormoran.  
38  
39 INTERPRETER [GERMAN]: Now I would like to come to another point. This is  
40 about the orders which were given during the battle or on the day of the  
41 battle.  
42  
43 LEUT TYSON: First, to go over some of the things you told us last time,  
44 you said before the battle began you heard Skeries give  
45 orders, "Have the guns ready. Aim at target.  
46 Bring ammunition and stock the guns with more ammunition"?  
47

1 INTERPRETER [GERMAN]: First now I would like to come to a point with you  
2 which was before the battle. You said last time that Skeries had given  
3 the following orders: "Getting ready – get the guns ready, aim at the  
4 target, bring ammunition close and bring more ammunition to the guns."  
5

6 ERNST [GERMAN]: Yes. That is what we mean by [Translator's note: See  
7 above; literally:] the "fore-manning of ammunition".

8 A. That's exactly what we understand under foremanning of  
9 ammunition.  
10

11 Q. Are they things that you heard before the battle began  
12 with Sydney, before the firing began, from Skeries?  
13

14 INTERPRETER [GERMAN]: Are these things that you heard before the battle,  
15 things Mr Skeries said?  
16

17 ERNST [GERMAN]: With the fore-manning?  
18

19 INTERPRETER [GERMAN]: Yes.  
20

21 ERNST [GERMAN]: I indeed passed on the orders to the guns.  
22

23 A. Yes. Well, I have forwarded these orders to the guns.  
24

25 Q. So you passed on those orders to the 15cm guns and the  
26 10 other guns on Kormoran?  
27

28 INTERPRETER [GERMAN]: So you passed these orders on to the 15 cm guns and  
29 to the other guns?  
30

31 ERNST [GERMAN]: Yes. Yes.  
32

33 A. Yes.  
34

35 Q. When you spoke to the gun stations, is there a captain  
36 or a Commander of each individual gun station who you would  
37 speak to with these orders?  
38

39 INTERPRETER [GERMAN]: When you passed these orders on to the individual  
40 guns, was there an individual gun operator at each gun who received these  
41 orders?  
42

43 ERNST [GERMAN]: The orders were [...] to the order transmitter at the gun ...  
44 – it was not the gun operator who had the telephone on but an extra man,  
45 and he stated the orders which I passed on from the artillery officer to  
46 the guns, he spoke them out further along at the gun.  
47

1 A. No. They were passed on to the person responsible for  
2 forwarding messages. There was special person at each gun,  
3 and this person was wearing the headphones, and he received  
4 these orders and passed them on to the gun operator.

5  
6 THE PRESIDENT: He received the orders from Herr Ernst?

7  
8 THE INTERPRETER: From Mr Ernst and then passed them on to  
9 the gun operator.

10  
11 ERNST [GERMAN]: I was only the go-between between artillery officer and  
12 guns.

13  
14  
15 THE INTERPRETER: I was just the person in between the  
16 artillery officer --

17  
18 THE PRESIDENT: Q. Between Herr Skeries?

19  
20 THE INTERPRETER: Yes, between Herr Skeries, the artillery  
21 officer, and the guns.

22  
23 ERNST [GERMAN]: And so far, I have not heard from any of the gun crews  
24 who I have met with how much ammunition they had brought up.

25  
26  
27 THE INTERPRETER: And so far I have never heard from any of  
28 the gunning crew how much ammunition they had prepared.

29  
30 LEUT TYSON: Q. You also told us about another order  
31 that was given. You said Herr Skeries give an order,  
32 "As soon as you have, can aim at the target, shoot with all  
33 you can"?

34  
35 INTERPRETER [GERMAN]: Back then, you also said that the order came from  
36 Mr Skeries: "As soon as the target is picked up, fire as much as you can  
37 get out."

38  
39 ERNST [GERMAN]: Exactly. That was exactly what Skeries, or what I passed  
40 on from Skeries to the guns. As soon as they come up ... and that now is  
41 the difference between salvo rate and free shooting. And at the last  
42 meeting, that was only a few weeks ago, I have [...] with Erhard Saalfrank  
43 ...

44  
45 INTERPRETER [GERMAN]: May I briefly ask something: the difference between  
46 salvo rate and free shooting?

47

1 ERNST [GERMAN]: Yes.

2

3 INTERPRETER [GERMAN]: In what way?

4

5 ERNST [GERMAN]: As soon as you shoot the picked up target without an  
6 order, triggering as soon as the shell and the cartridge is in; and the  
7 salvo rate is: loading, waiting until the order comes to shoot. That is a  
8 salvo rate. And that was the important thing.].

9

10 A. Yes, exactly. That's what I've said. It's also the  
11 difference between salvo attack and free shooting because  
12 there was no special order given as when to shoot. The  
13 order was, "As soon as you can reach the target, shoot with  
14 all you can."

15

16 Q. That order, Skeries gave that to you. What did you do  
17 with that order?

18

19 INTERPRETER [GERMAN]: This order which Skeries gave to you, what did you  
20 do with the order?

21

22 ERNST [GERMAN]: I passed it on to the guns. That was my task, after all.

23

24 A. I've passed it on to the guns. That was my task.

25

26 ERNST [GERMAN]: One moment. In this case, I was [as] the BÜ, and BÜ means  
27 "Befehlsübermittler", "order transmitter", BÜ is the abbreviation for the  
28 man who passes it on.

29

30 A. I

31 was the bu, that stands for befehlsübermittler, which in  
32 English is the transmitter of messages.

33

34 Q. This order about "as soon as you can, aim at the  
35 target, shoot with all you can," can you be precise about  
36 the timing of that order? Was that an order that was given  
37 after Kormoran started to fire or was that just before  
38 Kormoran started to fire?

39

40 INTERPRETER [GERMAN]: This order, to fire as soon as the target is picked  
41 up with all you had, was that given before the battle started or just as  
42 the battle was already ...

43

44 ERNST [GERMAN]: No, that was already done before the start of the battle,  
45 because in the moment when it was "Remove the disguise", the hatches went  
46 up, the guns came out, and then they fired.

47

1 A. No, that was given before the firing started, because  
2 in the moment when the order was given to remove the  
3 disguise, these guns were ready to start firing.

4

5 Q. The order "remove the disguise", can you explain who  
6 made that order, how did that order come about?

7

8 INTERPRETER [GERMAN]: The order to remove the disguise, can you say from  
9 whom it came and how it was passed on?

10

11 ERNST [GERMAN]: The order came from Detmers and was passed on to the guns  
12 via artillery officer and me.

13

14 A. The order was given by Detmers, and then passed on to  
15 the artillery officer and then to me and I passed it on.

16

17 Q. Did you hear Capt Detmers giving that order to  
18 Skeries, or is that something that came over a telephone to  
19 Skeries from Detmers? Do you know about that?

20

21 INTERPRETER [GERMAN]: Do you still know whether this order was given  
22 directly by Detmers to Skeries or whether it was given via the telephone?

23

24 ERNST [GERMAN]: No. Detmers was on the bridge and called loudly and  
25 forcefully: "Remove the disguise", and that applied to everyone, we did  
26 not need a telephone or anything for that. We all heard it, and I then  
27 passed it on to the guns because they of course were further away.

28

29 A. No, Detmers stood on the bridge and shouted very loud  
30 to remove the disguise, and we all could hear that.  
31 I passed this on to the guns later then.

32

33 Q. Just to try to be very precise, he simply said, did  
34 he, "Remove the disguise," rather than also saying  
35 something about firing? Is that correct?

36

37 INTERPRETER [GERMAN]: Now to be totally accurate in this: So he said:  
38 "Remove the disguise", but he did not say anything yet about "Fire at  
39 will".

40

41 ERNST [GERMAN]: That was superfluous. That was superfluous, "Fire at  
42 will", because in that instant when the disguise was removed in that  
43 case, fire was given immediately because even prior to that the guns had  
44 had the order: "As soon as the target is picked up, fire as much as you  
45 can get out." Not everything happened on order. In that case in that  
46 moment it went freely.

47

1 A. No, that was not needed in this moment because the  
2 guns had received this other order before, this other order  
3 we talked about to shoot as much as you can as soon as you  
4 can reach the target, so it was not required to have  
5 another order to start firing.

6  
7 THE PRESIDENT: Q. I don't understand that. I thought  
8 you said that the order to fire as much as you can was  
9 given by Skeries after Detmers had given his order.

10  
11 INTERPRETER [GERMAN]: Now I don't understand that. As far as I understood  
12 you earlier, it was such that ...

13

14

15 THE INTERPRETER: Sorry, can you just repeat to make this  
16 very clear?

17

18 THE PRESIDENT: Q. I thought you had told me that the  
19 order given by Skeries to fire as much as you can was an  
20 order given by him after Detmers had given the order to  
21 remove the disguise?

22

23 INTERPRETER [GERMAN]: As far as I understood you earlier, it was such  
24 that the order was given by Skeries after the order came to remove the  
25 disguise.

26

27 ERNST [GERMAN]: But yeah. The instructions to the guns were: "As soon as  
28 the target is picked up ..." – and that is only possible once the disguise  
29 is removed – "as soon as the target is picked up, fire as much as you can  
30 get out." Without order, there was no extra order or anything. Everyone  
31 knew that. Indeed everyone who stood opposite knew that.

32

33 A. No, it was said that - well, they had received the  
34 order to shoot as much as they can before, before they --

35

36 THE INTERPRETER: Sorry.

37

38 THE INTERPRETER: The order to fire as much as they can as  
39 soon as they could reach the target was given before the  
40 order to remove the disguise. That was something they had  
41 already, and then as soon as the disguise was removed, they  
42 could fire as much as they want without any extra-special  
43 order.

44

45 LEUT TYSON: Q. Just to be very clear, I want you to  
46 think of the moment when the guns started firing.

47

1 INTERPRETER [GERMAN]: Now to totally clarify this once more: I would like  
2 to come to the point, to the exact moment when the first shots were fired  
3 ...

4  
5 LEUT TYSON: Are you  
6 able to tell us, just before that time, what was the order  
7 of events with these orders before the guns actually  
8 started firing?

9  
10 INTERPRETER [GERMAN]: Could you explain that to us once more precisely  
11 how, in which sequence the orders were given, before the first shot was  
12 even fired, up to the first shot?

13  
14 ERNST [GERMAN]: The instructions that the guns had to shoot immediately  
15 when they picked up the target came before the disguise was removed, and  
16 then came at first the removal of the disguise, the guns were moved out  
17 and, as far as I remember, the first gun fired the first shot and that  
18 went into the water short of target. So, there was not much further  
19 order-giving after that. It went without saying that then, in the instant  
20 when the – indeed, the “Remove the disguise” was at the same time “Fire  
21 at will”.

22  
23 A. The instructions were given before the disguise was  
24 removed, and so that this previous order to shoot as much  
25 as you can as soon as you can reach anything came before  
26 the order to remove the disguise. When the disguise was  
27 removed, the first gun gave the first shot - that did not  
28 reach its target, it was too short, but of course it was  
29 for everybody something that was clear, that as soon as the  
30 disguise was removed it was the time to start firing, that  
31 no extra order for this was required.

32  
33 THE PRESIDENT: Q. The guns could not fire until the  
34 disguise was removed, in any event.

35  
36 THE INTERPRETER: Exactly.

37  
38 INTERPRETER [GERMAN]: The guns could not fire before the disguise was  
39 removed.

40  
41 ERNST [GERMAN]: And at that moment when the disguise was removed, it was  
42 also “Fire at will”.

43  
44  
45 THE INTERPRETER: And as soon as the disguise was removed, it  
46 was open fire.

47

1 LEUT TYSON: We'll just have a short break to change the  
2 tape.

3

4 INTERPRETER [GERMAN]: Short break to [...] the tape [cut off].

5

6

7 SHORT ADJOURNMENT

8

9 THE PRESIDENT: We'll now resume.

10

11 LEUT TYSON: I was now going to move on to another topic,  
12 Commissioner, if that is convenient to you.

13

14 Q. I now want to ask about some of the evidence you gave  
15 us last time about the flags that were flying on Kormoran  
16 at the time of the battle with Sydney.

17

18 INTERPRETER [GERMAN]: Now I would like to ask you some questions relating  
19 to the flags, also something we already discussed last time, the next  
20 questions ...

21

22 Q. It is very  
23 important to hear what you actually saw on the day, as

24

25 opposed to what other people may have told you afterwards  
26 or what you may have read about.

27

28 INTERPRETER [GERMAN]: Here it is very important that you tell us exactly  
29 what you actually saw and not what you heard from other people or what  
30 you read later on.

31

32 ERNST [GERMAN]: Yes.

33

34 Q. Do you recall that on the  
35 last occasion you circled on a diagram I showed you your  
36 action station during this battle?

37

38 INTERPRETER [GERMAN]: Initially I would like to present you with a  
39 drawing on which you circled your battle station at the last interview  
40 date.

41

42 A. Yes.

43

44 LEUT TYSON: Mr President, would it be convenient that  
45 that document perhaps be marked as exhibit 28?

46

47 THE PRESIDENT: Yes, that will be exhibit 28.

1  
2 INTERPRETER [GERMAN]: Mr President, may I hand you this as Exhibit Number  
3 28?  
4  
5  
6 EXHIBIT #28 DIAGRAM SHOWN TO HERR ERNST PREVIOUSLY ON WHICH  
7 HERR ERNST MARKED HIS ACTION STATION DURING THE BATTLE  
8  
9 LEUT TYSON: Q. There are different flags that can fly  
10 on a ship - a national flag or a war ensign.  
11  
12 INTERPRETER [GERMAN]: As is well known, there are different flags that  
13 can be hoisted on board a ship, such as the national flag or the war  
14 ensign ...  
15  
16 LEUT TYSON: Q. It may even  
17 be that there is another flag as well, which is a  
18 Commander's pennant or a Commander's pennant of  
19 Capt Detmers.  
20  
21 THE INTERPRETER: Sorry, what's a Commander's pennant?  
22  
23 LEUT TYSON: It's just described in some of the accounts,  
24 a flag for the Commander of the ship.  
25  
26 THE INTERPRETER: For himself? For Mr Detmers?  
27  
28 INTERPRETER [GERMAN]: Then there is also the possibility that the  
29 Commander's flag is hoisted.  
30  
31 ERNST [GERMAN]: There was just a pennant. On each ship where there was a  
32 Commander, there was just one pennant: the Commander's pennant. And that  
33 was only flown at the commissioning. When we commissioned the auxiliary  
34 cruiser, the pennant was flown, and then no more.  
35  
36  
37 LEUT TYSON: Mmm.  
38  
39 THE WITNESS: That was just one of the small triangular  
40 flags for the Commander and we only used it on the day the  
41 service of Kormoran as a warship started. That was the  
42 only time it was ever used.  
43  
44 LEUT TYSON: Q. Okay. That is very useful.  
45  
46 INTERPRETER [GERMAN]: Thank you very much.  
47

1 LEUT TYSON: Q. I just want  
2 to ask you to explain, perhaps by reference to this  
3 document exhibit 28, where the flag masts were on Kormoran,  
4 please.

5  
6 INTERPRETER [GERMAN]: I would like to ask you to mark, here on this, what  
7 we have already admitted as Exhibit , where the flag masts of the  
8 Kormoran were.

9  
10 LEUT TYSON: Q. Can you start, please, by showing us where the  
11 German war ensign normally flew from?

12  
13 ERNST [GERMAN]: Here.

14  
15 INTERPRETER [GERMAN]: Could you first point out where normally the German  
16 war ensign was flown, on which mast?

17  
18 LEUT TYSON: Q. Perhaps you can mark  
19 that with a cross.

20  
21 ERNST [GERMAN]: That was here.

22  
23 INTERPRETER [GERMAN]: Could you maybe please mark a cross, with the pen,  
24 for instance? – That was the war ensign that was hoisted there?

25  
26 ERNST [GERMAN]: And then there was another war ensign here. That was  
27 flown when the disguise was removed and this one here as well.

28  
29 A. They were both hoisted when the order of remove the  
30 disguise was given.

31  
32 THE PRESIDENT: Can you describe those, please?

33  
34 LEUT TYSON: Q. The first cross you made on the highest  
35 mast at the stern, what flag flew on that mast?

36  
37 THE PRESIDENT: Just make a note that Herr Ernst marked  
38 two crosses - one at the aftermast and the other --

39  
40 LEUT TYSON: At a mast just above the signal deck.

41  
42 THE PRESIDENT: Thank you.

43  
44 INTERPRETER [GERMAN]: I would just like to record for the minutes, for  
45 the records, that Mr Ernst marked two crosses, one at the aftermast and  
46 one above the bearing deck.

47

1 ERNST [GERMAN]: And the flag at the aftermast was already up when the  
2 Sydney arrived, and it was slipped first, it was tied together and was  
3 held with a slip knot, and the signalling sailor Otte, he slipped it, and  
4 here, the flag above the bearing deck, that was hoisted by Otto Wendroth  
5 as the disguise was removed.

6

7

8 THE INTERPRETER: Yes, and I must add that the flag on the  
9 aftmast was already up there, it was just tied with a slip  
10 knot, and then the signalling person,

11

12 INTERPRETER [GERMAN]: What was the name again of the signalling sailor at  
13 the aftermast?

14

15 ERNST [GERMAN]: Otte; he is dead.

16

17 THE WITNESS: Mr Otte, he just had  
18 to pull a rope and then this would fly open, whereas on the  
19 signalling deck it was Mr Wendroth who had to hoist this  
20 flag.

21

22 LEUT TYSON: Q. I just want to take it step by step.  
23 Whereabouts on Kormoran did the national flag - for  
24 example, a Japanese flag, a Russian flag, a Netherlands  
25 flag, what mast did that fly from?

26

27 THE PRESIDENT: If it was flying at all.

28

29 LEUT TYSON: Q. I'm not asking at this stage on the  
30 event. I'm saying, generally, on Kormoran what was the  
31 mast used to fly national flags?

32

33 INTERPRETER [GERMAN]: I would like to proceed step by step. On which mast  
34 of the Kormoran was the national flag hoisted when it was flown, be it  
35 the German, the Russian, the Japanese one, whichever.

36

37 ERNST [GERMAN]: Also on the aftermast.

38

39 A. It was also at the aftmast.

40

41 LEUT TYSON: Herr Ernst has indicated the mast which he  
42 put the first cross on, the aftmast on Kormoran.

43

44 Q. Now I would like to take you to 19 November 1941.

45

46 INTERPRETER [GERMAN]: Now I would like to discuss with you the  
47 19.11.1941.

1

2 Q. It  
3 is very important, as I said, we want to hear what you  
4 actually saw on the day, rather than what someone might  
5 have told you afterwards.

6

7 INTERPRETER [GERMAN]: And as just before, I would like to stress again  
8 how important it is that you tell us exactly what you saw and not what  
9 was reported to you by others or ... that we make a clear distinction  
10 there.

11

12 Q. Before the gunfire began, can  
13 you please tell the President whether you could see the  
14 flag masts on Kormoran?

15

16 INTERPRETER [GERMAN]: Before the battle began, could you please tell us  
17 and explain to the President whether you were able to see the flag masts  
18 of the Kormoran then?

19

20 ERNST [GERMAN]: Yes. Yes. Because they were higher than our position.

21

22 A. Yes, because they were higher than the position we  
23 were at.

24

25 Q. Did you actually look at the flag masts before the  
26 firing broke out?

27

28 INTERPRETER [GERMAN]: And did you actually observe the flag masts before  
29 the battle broke out?

30

31 ERNST [ENGLISH]: No.

32

33 A. No. No,

34

35 ERNST [GERMAN]: No. To this day, I would like to see the faces of the  
36 officers of the Sydney when they saw our war ensign.

37

38 A. I didn't see them. Today I would really like  
39 to know what the officers on board or on bridge of Sydney  
40 thought in that moment when they saw our war ensign.

41

42 Q. So you didn't see what flags were flying on Kormoran  
43 before the firing broke out?

44

45 INTERPRETER [GERMAN]: So you could not see which flags were actually  
46 hoisted on board the Kormoran before the battle broke out.

47

1 ERNST [GERMAN]: I don't know exactly, but I assume that the Dutch flag  
2 was up.  
3 A. I don't know exactly, but I assume that the Dutch flag  
4 was flying.  
5  
6 THE PRESIDENT: Q. Where? Where do you assume it was  
7 flying?  
8  
9 INTERPRETER [GERMAN]: Where, do you believe ...  
10  
11 ERNST [GERMAN]: At the aftermast.  
12  
13 A. At the aftmast.  
14  
15 LEUT TYSON: Q. But you didn't see it, you're saying;  
16 that's just an assumption?  
17  
18 INTERPRETER [GERMAN]: You did not see it yourself, that was an  
19 assumption.  
20  
21 ERNST [GERMAN]: That is correct, [ yes, I assume so.  
22  
23 A. Yes, I assume so. I haven't see it myself.  
24  
25 Q. What about after the firing started and during the  
26 firing, did you ever see what masts were flying on  
27 Kormoran's --  
28  
29 THE PRESIDENT: What flags.  
30  
31 LEUT TYSON: Q. -- what flags were flying on Kormoran's  
32 masts?  
33  
34 INTERPRETER [GERMAN]: What about after the battle had begun, or for the  
35 duration of the battle, could you see which flags were flying on which  
36 masts of the Kormoran then?  
37  
38 ERNST [GERMAN]: Yes, yes, the flag above the bearing deck was flying, and  
39 it was the biggest version we had. And the one in the gaff as well. I did  
40 not have anything else to do, after all.  
41  
42 INTERPRETER [GERMAN]: Where in the gaff? Where do you mean?  
43  
44 ERNST [GERMAN]: Yes, that is the aftermast.  
45  
46 INTERPRETER [GERMAN]: At the spreader or something, yes.  
47

1 A. Well, on the signalling deck we had the war ensign  
2 hoisted. It was also the biggest one of these war ensigns  
3 we had. Whereas on the aftmast at the spreader of the  
4 aftmast also the war ensign was flying.

5

6 Q. You saw both those flags, both those war ensigns,  
7 flying during the fighting with Sydney?

8

9 INTERPRETER [GERMAN]: And you saw that both of these flags were hoisted  
10 during the battle with the Sydney? Yes?

11

12 ERNST [GERMAN]: Yes. Just as I saw the flag on the Sydney.

13

14 A. Yes, as well as I have seen the flag on Sydney.

15

16 Q. What was the flag flying on Sydney?

17

18 ERNST [GERMAN]: The white war ensign of the Australians.

19

20 A. The white flag, the war flag of the Australians.

21

22 Q. The white ensign. You have told us about a slip knot  
23 arrangement with the flags. Can you please --

24

25 THE PRESIDENT: With one flag.

26

27 LEUT TYSON: Q. With one of the flags. Can you please  
28 explain which of the flags the slip knot arrangement was  
29 with?

30

31 INTERPRETER [GERMAN]: You told us just earlier that at one of these war  
32 ensigns a slip, slip knot ... that it was fixed to the slip knot. Could you  
33 tell us which of the two was held like that?

34

35 ERNST [GERMAN]: At the rear on the aftermast, because the one on the  
36 bearing deck was lying on the deck, on the boat.

37

38 A. That was the one at the aftmast, because the one we  
39 hoisted at the signalling deck was lying on the deck before  
40 it was hoisted.

41

42 THE PRESIDENT: Q. That's lying on the deck on which you  
43 were standing?

44

45 INTERPRETER [GERMAN]: That means on the deck where you were standing?

46

47 ERNST [GERMAN]: Exactly.

1

2 A. Exactly.

3

4

5 LEUT TYSON: Q. Earlier today you mentioned Mr Otte and  
6 I think you might have mentioned Mr Wendroth,...

7

8 INTERPRETER [GERMAN]: Earlier you have already mentioned Mr Otte and Mr  
9 Wendroth ...

10

11 LEUT TYSON: Q. ...and you have  
12 told us what they did.

13

14 INTERPRETER [GERMAN]: And you have told us what they were doing.

15

16 LEUT TYSON: Q. Is that something that you saw  
17 happening on the afternoon of 19 November 1941 or is that  
18 something that those two gentlemen have told you after the  
19 battle was over?

20

21 INTERPRETER [GERMAN]: Is that something that you were able to observe  
22 yourself on this afternoon of 19 November 1941, how they were doing that,  
23 or is that something that these two gentlemen have told you afterwards?

24

25 ERNST [GERMAN]: With Otte, I know it because he had his action station  
26 there. And Otto Wendroth was with us on our deck, on the bearing deck. So  
27 he was taking cover next to us.

28

29 A. No, I know this personally because it was Mr Otte's  
30 action station to be there, and Mr Wendroth was there with  
31 us on the signalling deck, he just laid there covered as we  
32 did.

33

34 Q. So you saw Mr Otte do what you have just told us?

35

36 INTERPRETER [GERMAN]: So you saw that Mr Otte did what you have just told  
37 us? You saw that as he was doing it?

38

39 ERNST [GERMAN]: Yes. He only needed to pull, to pull the line, and then  
40 the flag was flying by itself.

41

42 A. Well, all he had to do was to pull the line and then  
43 the flag would open.

44

45 Q. Are you able to say when he did that - did he do that  
46 before the firing or after the firing?

47

1 INTERPRETER [GERMAN]: Can you tell us precisely when he did that? Before  
2 the battle, after the battle, during the battle ...

3

4 ERNST [GERMAN]: When the disguise was removed, both the flags were flying  
5 openly, the one above the bearing deck and the one at the gaff.

6

7 A. In the same moment when the order was given to remove  
8 the disguise - or when that was given, then immediately  
9 these both two flags were hoisted or opened.

10

11 Q. How long did it take for the flags to open?

12

13 INTERPRETER [GERMAN]: How long did it take until the flags were hoisted  
14 or opened?

15

16 ERNST [GERMAN]: Excuse me, were you in the Navy? Do you know what a slip  
17 knot is? Please. Do it, try it. And in the instant when that is pulled it  
18 is flying openly, and Otto Wendroth, he had the flag lying on the ground  
19 with us, on the deck, and he merely pulled it up and [could not be  
20 understood]. One moment, up there, there runs a line, so it was maybe  
21 just two metres. Or three metres.

22

23 A. Excuse me, were you at the Navy? Do you know what a  
24 slip knot is? It means you just have to pull and  
25 immediately the flag flies.

26

27 Q. Herr Ernst, this is for the benefit of the tape and  
28 for other people.

29

30 THE INTERPRETER: Sorry, I'm not finished yet.

31

32 THE INTERPRETER: So it was just very quick. Whereas  
33 Mr Wendroth, where the flag was lying on the floor, he had  
34 to hoist it really, but just two metres, so - yeah.

35

36 ERNST [GERMAN]: It's a shame, Otto is ill, seriously ill. Otherwise I  
37 would have said, you go to him and ask him directly.

38

39 MS ERNST [GERMAN]: He has declined it. It says on the list that he is not  
40 able to. He needs to be taken to bed and all. May I?

41

42

43 THE PRESIDENT: Q. If you saw Herr Otte removing the  
44 slip knot, you must also have seen if there was another  
45 flag on that mast?

46

47 INTERPRETER [GERMAN]: If you saw how Mr Otte opened the slip knot, then

1 you must also have seen if there was another flag flying on that mast.

2

3 ERNST [GERMAN]: That one was gone. At that moment, that one was gone. He  
4 only needed to release and let go.

5

6 A. He just had to open it or untighten it at the bottom  
7 and then the other flag would come down.

8

9 Q. Was there another flag to come down?

10

11 INTERPRETER [GERMAN]: Was there another flag that had to be pulled down?

12

13 ERNST [GERMAN]: Presumably the Dutch one. Because we were travelling as  
14 Straat Malakka.

15

16 A. I assume it was the Dutch flag, as we were disguised  
17 as Straat Malakka.

18

19 Q. I know you're assuming that, but did you see it?

20

21 INTERPRETER [GERMAN]: I know that you are assuming that, but did you see  
22 it yourself?

23

24 ERNST [GERMAN]: I don't know that any more today. That is 60 years ago.

25

26 A. I don't know. It's 60 years ago.

27

28

29

30

31 LEUT TYSON: Q. Herr Ernst, I wanted to turn to a final  
32 topic.

33

34 INTERPRETER [GERMAN]: Now I would like to come to the last point.

35

36 LEUT TYSON: Q. On the last occasion, after the tape ended you told  
37 us about how you were involved in the arrangements to  
38 remove the lifeboat from inside the hatch?

39

40 INTERPRETER [GERMAN]: Last time after the recordings had actually  
41 finished, you told us again to what extent you were involved in removing  
42 the lifeboats from the hatches.

43

44 ERNST [GERMAN]: Yes.

45

46 A. Yes.

47

1 Q. For the benefit of the tape and the other people who  
2 are going to hear about this, can you please explain what  
3 you did and how you got the life raft out of inside the  
4 hatch?

5

6 INTERPRETER [GERMAN]: In order to have that also on a recording  
7 afterwards, I would like to ask you to explain to us once more how back  
8 then you got the lifeboats out, how all that happened.

9

10 ERNST [GERMAN]: There were others there before us who had tried it. To be  
11 precise, they had at two "Tallien"- waists ? [could not be understood]  
12 got the boats up but could not remove them because the boats were too  
13 deep in the hatch. And we also said, we won't be able to remove them any  
14 more, and now comes the strange thing: we turned around, and when we had  
15 turned around, I saw an image from my childhood in front of me. And I saw  
16 how our threshing machine operator at home levels out his threshing  
17 machine with a winch. And then I asked: "Do we have a winch anywhere?"  
18 And then they said: "Yes, there is a winch at the first gun"; we fetched  
19 it, then we pushed the boats up in front at the keel, and at the instant  
20 when the keel was on the edge of the hatch, one was able to pull them out  
21 from the outside. That way, 120 men still got to shore. – Uwe [unsure  
22 whether name was understood correctly], do you know what the translation  
23 is for a winch? You don't know that either.

24

25 INTERPRETER [GERMAN]: Yes, that's a "winch".

26

27 A. So I can tell you how it happened. We had two - we  
28 tried it first with ropes, and we had to lift it, the  
29 lifeboats inside these hulls already, but we couldn't get  
30 them over the coamings on the side of the hatch because  
31 they were too low in there. Then I turned around and at  
32 that certain moment I remembered a picture from my  
33 childhood, how the person who was responsible for or who  
34 operated the mowing machines, these huge mowing machines  
35 you have from the country, how he used the wind to bring  
36 these mowing machines in a horizontally perfect position.  
37 Then I asked around, "Do we have a winch on board?", and  
38 somebody said, "Yes, at the first gun we do have one," and  
39 so we put this winch under the keel of the lifeboats and  
40 could lift them with this winch over the coaming, and in  
41 the end that meant that we could save the lives of another  
42 120 men.

43

44 Q. How long did it take to get that boat out from inside  
45 the hatch and into the water?

46

47 INTERPRETER [GERMAN]: How long did it take approximately to get the boat

1 out of the hatch and lowered into the water?

2

3 ERNST [GERMAN]: I cannot say that any more today. Because the boats were  
4 pulled out from the outside and then thrown over board and then they  
5 still had to be readied, all bailed out.

6

7 INTERPRETER [GERMAN]: What still needed to be done with them?

8

9 ERNST [GERMAN]: Bailed out, because the boats were full of water. All the  
10 boats had metal buoyancy tanks and did not sink, and then they were  
11 bailed out, and only then we got in. And afterwards even, Diebitsch  
12 [spelling?] got hold of us and sent us down: "Fetch provisions from the  
13 load". There are people who claim that there was no light any more on our  
14 foreship but the light was burning until the Kormoran blew up in the air.  
15 And so we fetched provisions up from down in the load, meat, tinned food,  
16 corned beef and whatever we could lay our hands on.

17

18 A. I cannot say today anymore how long it really took,  
19 but you have to imagine it must have taken some time  
20 because once they were lifted over the coamings, they were  
21 thrown into the water, they had metal tanks so they  
22 wouldn't sink, but still they were full of water because we  
23 had to throw them in the water and that also took some  
24 time.

25

26 Then, when we were in the boats, then Mr Diebitsch  
27 also told us to back on board of Kormoran again and to get  
28 some supplies, and what I don't understand, well, our  
29 machines were not working anymore, we didn't have energy,  
30 but in the foreship the lights were still going, they were  
31 still turned on, the lights were still working, and they  
32 worked in fact until the moment when the Kormoran exploded.

33

34 Well, anyway, as I said, we went onboard again to get  
35 some supplies, Mr Diebitsch told us, so we got some meat,  
36 some corned beef and other things.

37

38 Q. When the lifeboat was lowered into the water, can you  
39 remember what the sea conditions were, what the sea state  
40 was?

41

42 INTERPRETER [GERMAN]: When the life boats were lowered into the water,  
43 can you remember what the swell was like?

44

45 ERNST [GERMAN]: Zero. No swell.

46

47 A. Zero. There was no swell.

1

2 LEUT TYSON: Mr President, they're the questions on behalf  
3 of Counsel Assisting.

4

5 THE PRESIDENT: Thank you.

6

7 Q. I just have two matters. I understand, Herr Ernst,  
8 that you left in the lifeboat with Capt Detmers?

9

10 INTERPRETER [GERMAN]: Thank you. I have only two small matters left: Mr  
11 Ernst, you said that the lifeboat, that Captain Detmers was in it as  
12 well.

13

14 ERNST [GERMAN]: Yes.

15

16 A. Yes.

17

18 Q. Do you know what happened to the Kriegsmarine flag on  
19 Kormoran?

20

21 INTERPRETER [GERMAN]: Do you know what happened to the war ensigns that  
22 were on the Kormoran?

23

24 ERNST [GERMAN]: They were sunk in the Indian Ocean in a gas mask  
25 container. Detmers fetched it/them [Translator's note: ambiguous] down,  
26 and were [...] into a gas mask ... how the gas mask, where that came from,  
27 that I don't know. But they were sunk in a gas mask container.

28

29 A. They were scuttled in a box that was usually used for  
30 gas masks. Detmers took them off the boat and put them  
31 into this box and then he sank them in the Indian Ocean.

32

33 Q. Did he take both flags off or only one?

34

35 INTERPRETER [GERMAN]: Did he take both flags with him or just one?

36

37 ERNST [GERMAN]: Only one, because the one above the bearing deck ... it was  
38 burning there, nothing got away from there any more.

39

40 A. No, he just took one, because the one on the  
41 signalling deck was burning there and he couldn't reach it.

42

43 Q. So he took the one from the aftermast?

44

45 INTERPRETER [GERMAN]: So he took the one from the aftermast?

46

47 ERNST [GERMAN]: Yes.

1 Thank you.

2 ERNST [GERMAN]: And then there was the ammunition from the 3/7 which was  
3 still up there, the ammunition also blew up.

4 A. Yes. No, because the ammunition of the 3.7cm guns  
5 exploded.

6

7 Q. The last matter is torpedoes. I understand from the  
8 evidence previously given, on the last occasion, that you  
9 did not see the Kormoran firing its torpedoes, but you did  
10 see a torpedo hit Sydney. Is that correct?

11

12 INTERPRETER [GERMAN]: One matter, the second matter to which I would like  
13 to come back again, is the torpedoes and from your evidence at the last  
14 interview I could gather that you could not see that a torpedo was fired  
15 from the Kormoran, but that you were able to see that a torpedo hit the  
16 Sydney.

17

18 ERNST [GERMAN]: Moment! Slowly. Dieter and Petrus, who were still on  
19 board, were released after the battle because Detmers feared that the  
20 fire might spread to the torpedo room.

21

22 INTERPRETER [GERMAN]: I believe, this is about, not after the battle,  
23 because it's in the ...

24

25 ERNST [GERMAN]: Not during the battle, as ...

26

27 INTERPRETER [GERMAN]: This is about the torpedo which when the ... I  
28 believe last time you said that the Sydney was hit by a torpedo.

29

30 ERNST [GERMAN]: That was an above-water torpedo.

31

32 INTERPRETER [GERMAN]: Yes, exactly, and this is about the above-water  
33 torpedoes.

34

35 ERNST [GERMAN]: Yes.

36

37 INTERPRETER [GERMAN]: And you said last time that you could not see how  
38 they were fired from the Kormoran but you could see that they had hit the  
39 Sydney. Is that correct?

40

41 ERNST [GERMAN]: That could not be seen. For I was above on the bearing  
42 deck, and the torpedoes were below. First a hatch had to be opened, then  
43 the torpedoes were moved out, and the tubes, if they protruded from the  
44 vessel's side by maybe one or one and a half metres, then that was a lot,  
45 and we could not fire under-water torpedoes on the Sydney because with  
46 those, one has to aim with the whole ship. So it is ...

47

1

2 THE INTERPRETER: First, Mr Ernst gave the wrong answer.  
3 He didn't understand exactly what you meant. He was  
4 talking about the underwater torpedoes released after the  
5 battle was over. Then when I repeated this question and  
6 clarified this he said, "Yes, that's correct, because I was  
7 on the signalling deck and I could see very well the  
8 torpedoes, but I could not see the - how they were fired."

9

10 THE PRESIDENT: Q. So I'm correct in my understanding  
11 that you didn't see it fired, but you did see it hit the  
12 Sydney?

13

14 INTERPRETER [GERMAN]: So did I understand that correctly, while you could  
15 not see the torpedoes when they were fired, you did see how they hit.

16

17 ERNST [GERMAN]: That I did.

18

19 A. Exactly.

20

21 Q. Am I also correct in understanding that you did not  
22 see Sydney fire torpedoes at Kormoran after she had gone  
23 astern of Kormoran, although you heard about it later on?

24

25 INTERPRETER [GERMAN]: Is it then also correct, have I then also  
26 understood correctly, when you state that you did not see the Sydney fire  
27 any torpedoes after she had passed by the stern of the Kormoran?

28

29 ERNST [GERMAN]: No, I did not see that.

30

31 A. Yes, I have not seen this.

32

33 THE PRESIDENT: They are the only matters I had.

34

35 LEUT TYSON: That is all from us, Mr President.

36

37 THE PRESIDENT: Herr Ernst, thank you very much indeed for  
38 your help. You have been of great assistance to the  
39 Inquiry.

40

41 INTERPRETER [GERMAN]: Mr Ernst, thank you very much for your assistance,  
42 you have really done the Commission of Inquiry a great service.

43

44 ERNST [GERMAN]: No problem. No problem.

45

46

47 LEUT TYSON: Thank you, Herr Ernst.

1

2 ERNST [GERMAN]: A question, my wife has baked a cake ...

3

4 [End of tape 1]

5

6

7 (Although formally adjourned, the Inquiry resumed  
8 shortly thereafter)

9

10 [Beginning of tape 2]

11

12

13 LEUT TYSON: Q. Herr Ernst, on the last occasion,  
14 I asked you some questions about some of the various  
15 theories and alternative accounts that have arisen about  
16 the battle between Sydney and Kormoran.

17

18 INTERPRETER [GERMAN]: At our last meeting, Mr Ernst, I have already  
19 explained to you the various theories and alternative reports regarding  
20 the encounter between the Kormoran and the Sydney and asked you about  
21 that.

22

23 LEUT TYSON: Q. I asked you a  
24 question about the involvement of a Japanese submarine in  
25 this action, and I also asked you whether you ever saw any  
26 survivors of Sydney in the water following the battle.

27

28 INTERPRETER [GERMAN]: Among other things, I have asked you whether you  
29 could see any Japanese submarine which was involved in the action and  
30 whether you saw any survivors from the Sydney who were in the water.

31

32 ERNST [GERMAN]: We did not see any submarine, not a Japanese one nor any  
33 other, and we were so far from the Sydney, and that is what I already  
34 said on the last occasion, I admire the ability of the Sydney to get as  
35 far away from us as they did. We were standing still, and the Sydney only  
36 sank at a distance of twelve miles, I believe, from ours, the wreck of  
37 the Kormoran, after all, and also saw that [could not be understood] and  
38 then, I believe it's not likely that there were many survivors on the  
39 Sydney. Because I have a picture from the Internet, which our son printed  
40 out, of the Sydney, there are three hits very close together. And I have  
41 said before at some point, I do not think that any shots from us went off  
42 the mark, or they were unexploded shells. The Sydney also fired an  
43 unexploded shell on us. But otherwise, there was no one, dead or alive.  
44 If there had been any survivors, then they would have been saved by us.  
45 That goes without saying, but she was too far away. And we, we stood  
46 still because our engine had failed. The first salvo that hit us, a shot  
47 into the engine, a direct hit and everything was done for. And then on

1 top of it, the hit into the engine room ignited as ..., I am not from the  
2 engine room, I don't know, but we had this tank in the engine room in  
3 which the fuel to be consumed for the day was warmed up. The why and  
4 wherefore ... , or was softened for the engine ... and that drained out and  
5 burned. And this fire then slowly spread aft in the bilge and has  
6 probably caught Ammunition Room 3. I still see it to this day, it blew  
7 up, and after the Ammunition Room 3, the mines blew up; the Ammunition  
8 Room 3 was the initiating explosive for the mine load. And they were  
9 situated close together.

10

11 MS ERNST [GERMAN]: But that was not the question.

12

13 ERNST [GERMAN]: Pardon?

14

15 A. Well, we didn't see a Japanese U-boat, nor did we see  
16 any other U-boat. As I said on the last occasion already,  
17 referring to the survivors now, we didn't see any survivors  
18 because they were far too far away.

19

20 What I ask myself still today is how the Sydney could  
21 still proceed for such a long distance, because, as I have  
22 gathered now, it was found 12 miles away from Kormoran,  
23 so that's quite a distance, but if you ask me personally,  
24 I also don't believe that there were many survivors on  
25 board of Sydney. As I have seen now from a picture that my  
26 son found on the Internet about the wrecks that were found  
27 of Sydney, I could see that there were three hits in a very  
28 short distance. I don't think that there were many  
29 survivors for this.

30

31 Also, I don't believe that one of our - not one of our  
32 shots did not hit its target. There may have been  
33 occasionally some shells that did not explode, same as  
34 for Sydney, also some of her shells did not explode, but  
35

36 I think every single shot we fired at Sydney hit its  
37 target.

38

39 If there had been survivors in the water, we would  
40 have, of course, rescued them. That's very, very clear.  
41 But the Sydney moved away and we were there standing still,  
42 we were stationary, as our engines did not work anymore,  
43 because what happened is that one of the shells from Sydney  
44 destroyed our engine room, and what exactly happened was  
45 that it hit one of the daily tanks we used to put our  
46 diesel in and they were also used to heat the diesel or the  
47 fuel we needed and this all burned and this fire went

1 through the bilge to the aft and slowly approached the mine  
2 deck, which was very dangerous, and I can remember that in  
3 the end - at first the fire reached the ammunition room  
4 number 3, which exploded, and shortly after that the mine  
5 deck exploded, so the ammunition room number 3 was sort of  
6 the initial ignition for the mining deck in the end.

7

8 Q. Thank you, Herr Ernst. I just want to put some other  
9 theories to you, because it's important that the  
10 Commissioner sees what an eyewitness says in response to  
11 these theories.

12

13 INTERPRETER [GERMAN]: Thank you very much, Mr Ernst. I would like to  
14 present you with some other theories because it is very important for us  
15 that the President sees what an eyewitness has to say to these individual  
16 theories.

17

18 Q. One of the theories suggests that on  
19 19 November 1941 Kormoran pretended to surrender and did  
20 surrender and lured Sydney close and then fired on her.  
21 Did you see Kormoran with a white flag on 19 November 1941?

22

23 INTERPRETER [GERMAN]: One of them says that the Kormoran showed the white  
24 flag or wanted to give up or pretended to surrender, and then indeed  
25 surrendered just for the purpose of luring the Sydney as close as  
26 possible. Did you see on 19 November 1941 whether there was a white flag  
27 hoisted on board the Kormoran?

28

29 ERNST [GERMAN]: No, nothing. And as for the luring close ... I saw the  
30 Sydney come over the line of horizon, I saw the Sydney come up over the  
31 line of horizon, and then only after 14 km she turned towards us, towards  
32 the Kormoran, because she was still following her southern course, and  
33 then after 14 km she came towards us. And Skeries said, I still hear  
34 Skeries today, as he said we'll make a "shake hands" with her and then  
35 they will continue and so will we, however ... because: at 5,000 metres no  
36 signal and no shot across the bow. Then 4,000 metres, 3,000 metres. And  
37 at 900 metres, then the two flags rose on the Sydney, and there I only  
38 saw the upper tip and then Detmers said: "Skeries, it'll start soon" and  
39 then came the removal of the disguise, but otherwise, a white flag, no. –  
40 Detmers joined the Reichsmarine as a cadet and was trained by officers of  
41 the Imperial Navy, and he was an honorable man from head to toe. And, we  
42 said it already on the last occasion, even in the boat, Detmers did not  
43 pass on, issue or recommend any rules of conduct for imprisonment, no.  
44 The only one who did that was Hans Böhm. And Hans Böhm, I don't know in  
45 which boat he was, was a mate of mine, and he said: "When you get to  
46 shore, don't convey anything about the engine, anything about arms, you  
47 don't know anything." And most of them did that. And coincidentally, as

1 far as I can remember, I was in the hand rudder room during the battle.  
2  
3 INTERPRETER [GERMAN]: Excuse me, I did not understand that acoustically  
4 just now. Where were you?  
5  
6 ERNST [GERMAN]: Pardon?  
7  
8 MS ERNST [GERMAN]: In which room ...  
9  
10 INTERPRETER [GERMAN]: Where were you at the end? In which room were you  
11 at the end?  
12  
13 ERNST [GERMAN]: Well, not in any room.  
14  
15 MS ERNST [GERMAN]: You have just said something.  
16  
17 ERNST [GERMAN]: Yes, I might have eventually said that at the  
18 interrogation in Australia, that perhaps I purportedly was in the hand  
19 rudder room.  
20  
21 INTERPRETER [GERMAN]: Precisely hand ...? How ist he room called?  
22  
23 ERNST [GERMAN]: Hand rudder room!  
24  
25 INTERPRETER [GERMAN]: Hand rudder room!  
26  
27 ERNST [GERMAN]: Hand rudder room, yes, and that is a substitute in case  
28 the rudder engine fails ...  
29  
30 INTERPRETER [GERMAN]: ... fails so that one [...] per hand ...  
31  
32 ERNST [GERMAN]: ... and that was in the bottom of the ship, but please,  
33 Hans Böhm was the only one who said in his boat, nothing about arms,  
34 nothing about encounters and the like ...  
35  
36 INTERPRETER [GERMAN]: May I first translate now, please?  
37  
38 A. No, I did not see any white flag, not at all - not at  
39 all, there weren't any white flags.  
40  
41 What happened was - now this point refers to luring  
42 Sydney closer to us - when she came over the horizon she  
43 followed another course and then she still continued this  
44 course for about 14km, and that was the point when she  
45 changed her course and came towards us, and after that it  
46 was Skeries' impression that they would shake hands and say  
47 farewell to each other and that nothing would happen.

1 Also, he was supported in this idea because after she had  
2 approached to 5km we did not receive a shot across our bow,  
3 no signals were sent; only when she had approached to this  
4 final distance of 900 metres and showed her two signals,  
5 then that was the point when everything happened.

6  
7 About the survivors again, Detmers was a recruit or  
8 was trained at the officers school of the Imperialist Navy,  
9 that was the German Kaiser's Navy, he was a cadet there and  
10 he was a man of honour from head to toe. Also, as  
11 I explained last time already, he did not give any  
12 recommendations or any instructions as to how to react in  
13 the case of interrogations.

14  
15 The only person who said something about how to behave  
16 in the event of any interrogations was my friend Mr Hans  
17 Boehm. He said, "Don't say anything about our machines,  
18 the weapons or any encounters we had. Don't say anything  
19 about it," and as far as I remember, during this  
20 interrogation I said I was in the replacement rudder room,  
21 that's the room underneath - in the stern of the ship if  
22 the main rudder does not work anymore, you can operate it  
23 manually, and I said in the interrogation that I was there.

24  
25 Q. Another theory suggests that on 19 November 1941  
26 Kormoran pretended that there was a medical emergency on  
27 board or that there was some issue of distress affecting  
28 the ship and lured Sydney in that way. Did you see any  
29 evidence of those things happening on 19 November 1941?

30  
31 INTERPRETER [GERMAN]: Another theory stated that the Kormoran pretended a  
32 medical emergency to lure the Sydney close, or a different kind of  
33 problem or damages on board.

34  
35 ERNST [GERMAN]: No.

36  
37 INTERPRETER [GERMAN]: Did you see any of that?

38  
39 ERNST [GERMAN]: No, nothing like it.

40  
41 A. No, I have not seen anything like that.

42  
43 LEUT TYSON: Mr President, they were the final matters  
44 Counsel Assisting wanted to put.

45  
46 THE PRESIDENT: I think you should put the machine-gunning  
47 episode.

1

2 LEUT TYSON: Q. I have asked you some questions about  
3 survivors in the water. Did you ever see any survivors off  
4 Sydney in the water being machine-gunned?

5

6 INTERPRETER [GERMAN]: I have already asked you about the survivors of the  
7 Sydney in the water. Did you see whether any of the survivors of the  
8 Sydney in the water were shot with machine guns?

9

10 ERNST [GERMAN]: I have already said last time: the distance between the  
11 Sydney and us was too big. How should we shoot with a machine gun at the  
12 Sydney which was already two or three kilometres away, or then at the end  
13 twelve miles from us?

14

15 A. As I explained last time already, the distance between  
16 Sydney and Kormoran was far too high as to be able to shoot  
17 survivors of Sydney with our machine guns.

18

19 THE PRESIDENT: The answer is "no", I take it?

20

21 LEUT TYSON: Q. So, Herr Ernst, the answer to that  
22 question is "no"; is that correct?

23

24 INTERPRETER [GERMAN]: So the answer to the question is "no"?

25

26 ERNST [GERMAN]: No.

27

28 A. No.

29

30 ERNST [GERMAN]: Listen: We were in Canberra at the museum, and among  
31 other things, there is the rubber dinghy which supposedly drifted to  
32 shore on the Christmas Islands in 1942, I believe it was in February or  
33 March. That was on display there. I had a look at it and said, "Well,  
34 with a boat like that, nobody even gets as far as one kilometer", as it  
35 was riddled with holes. There was a theory that these were bullet holes  
36 from machine guns. However, Barbara Winter whom I also told this, said to  
37 me: "No, those are not bullet holes, those were all souvenir hunters who  
38 wanted a piece of the rubber boat." And indeed, now the rubber dinghy is  
39 behind a plastic wall.

40

41 A. Also, one thing I must add is that I was in the  
42 museum in Canberra where one of the rubber boats of Sydney  
43 is exhibited. I think it was found in February/March 1942  
44 and it is exhibited now there. I must tell you, I thought  
45 you cannot go with this rubber boat for, like, not even 1km  
46 because it had so many holes in it, and then  
47 Barbara Winter, who also interviewed me, told me that these

1 holes were not caused by shells of machine guns, but by  
2 souvenir hunters who wanted to have a piece of this rubber  
3 boat. That's also, I think, why they've put this rubber

4

5

6

7 boat behind a glass, to protect it.

8

9 ERNST [GERMAN]: Yes.

10

11

12

13

14 LEUT TYSON: Mr President, they were the questions on  
15 behalf of Counsel Assisting.

16

17 ERNST [GERMAN]: Something else that disturbs me about the whole rubber  
18 dinghy and the dead person: the man did not have any papers on him, and  
19 what was even more interesting for me is that he did not wear any Navy  
20 clothes, neither outer clothing nor underclothing, and that's why the  
21 whole issue, the whole matter of the supposed dead man from the Sydney,  
22 is rather implausible for me.

23

24

25 THE INTERPRETER: Also, another thing that concerns me, in a  
26 way, is that with this dead body that was found in the  
27 rubber boat, he did not have any papers with him and he  
28 also did not wear any Navy clothes - neither upper clothes  
29 nor underwear, nothing from the Navy. I think that this  
30 dead person, the presumably dead person - well, he was  
31 dead, but presumably from the Sydney, to me this doesn't  
32 sound very credible.

33

34 THE PRESIDENT: Thank you.

35

36 INTERPRETER [GERMAN]: Good, thank you very much.

37

38 THE PRESIDENT: This is some additional  
39 evidence that's just been taken from Herr Ernst  
40 supplementary to that previously taken. Thank you,  
41 Herr Ernst.

42

43 INTERPRETER [GERMAN]: Thank you very much.

44

45 ERNST [GERMAN]: You are welcome.

46

47 INTERPRETER [GERMAN]: We are closing now, and these were some questions

1 additional to Mr Ernst's evidence.

2

3

4 THE INQUIRY ADJOURNED ACCORDINGLY

5

6 [End of tape 2]

7

8

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