

COMMISSION OF INQUIRY INTO THE LOSS OF HMAS SYDNEY II

Before The Hon TRH Cole AO RFD QC

Held at the Residence of Mr Ernst Hildenbrand
[REDACTED] Germany

Counsel Assisting: LEUT Matthew Tyson
LEUT Stephen Harper

On Thursday, 3 July 2008
(Day 6)

1 THE PRESIDENT: I have come to the home of Mr Ernst
2 Hildenbrand in [REDACTED] in Germany to take evidence from
3 you. Thank you very much for agreeing to see us. As I'm
4 about to take evidence from you for the Commission, I would
5 ask you to take the oath.

6
7 <ERNST HILDENBRAND, sworn:

8
9 THE PRESIDENT: Thank you very much indeed.

10
11 LEUT TYSON: Q. Herr Hildenbrand, I should just
12 introduce myself. My name is Leut Matthew Tyson. I'm here
13 with Herr Frank Thomas, interpreter, and my colleague,
14 Leut Stephen Harper. We are here on behalf of the Cole
15 Commission of Inquiry into the circumstances surrounding
16 the loss of HMAS Sydney II. Sir, could you start, please,
17 by telling us your full name?

18 A. Ernst Hildenbrand.

19
20 Q. What was your date of birth?

21 A. 23 September 1920.

22
23 Q. Sir, can you please tell us what your address is?

24 A. [REDACTED]

25
26 Q. Sir, just before the outbreak of World War II, what
27 was your occupation?

28 A. I was a gardener.

29
30 Q. You were a sailor on Kormoran. Could you tell us,
31 please, whose division you were in? Who was in charge of
32 the division?

33 A. I volunteered for the navy as a young boy, when I was
34 16, 17 years old, and then in 1940 I became also volunteer
35 in the Kriegsmarine.

36
37 Q. Were you in Skerries' division or von Goessel's
38 division?

39 A. Yes, I was in the division of Mr Goessel, who was our
40 division officer.

41
42 Q. And can you tell us, please, sir, what were your
43 duties on Kormoran? What did you do?

44 A. I was trained at the guns, at the 15cm guns, that's
45 where I was, but then we had a crew that was divided into
46 three groups. First there were the people who operated the
47 guns, then there were called shells, and then they were

1 called cartridges. Well, it was three divisions - the
2 first one at the gun, the second one were the people who
3 transmitted the orders and I was in the third group they
4 called the shell or grenade.
5

6 Q. Can you please explain what was the third group, what
7 did you do? Did you load munitions?

8 A. No, no, no, I was a seaman and, as a seaman, we have
9 many tasks on board, like cleaning and everything, but also
10 we were - well, I did help in the operation of the guns and
11 I was at the fifth gun under our division officer
12 Mr Goessel n.
13

14 Q. Sir, I want to take you to the afternoon of
15 19 November 1941 when Kormoran met Sydney. Do you
16 remember the alarm to go to battle stations ringing that
17 afternoon?

18 A. Well, I have to say a bit about it. It was about
19 4 o'clock in the afternoon, 16 o'clock, to be true, and my
20 watch just had finished and we were sitting down to have
21 our lunch or to eat something when then the alarm rang, and
22 then we ran to our guns and the first thing we saw was just
23 the steam column that we thought was a steamer - or the
24 smoke column, sorry, coming up there, and then as the ship
25 approached, we could see that it belonged to what we called
26 the grey class. We didn't know at this point that it was
27 Sydney, but we knew it was a warship.
28

29 Q. Sir, you said you ran to the gun. Which gun did you
30 run to?

31 A. I ran to the fifth gun, which is in the aft on the
32 starboard side. That was the one where my battle station
33 was.
34

35 THE PRESIDENT: Q. That's the 15cm gun?

36 A. Yes.
37

38 LEUT TYSON: Q. Sir, I'll show you a diagram which is a
39 sketch plan of Kormoran. Could you please indicate on that
40 diagram where that 15cm gun was that you were at? This is
41 the bow and the stern.
42

43 THE PRESIDENT: I'll just mark that. I'll put a cross
44 where Mr Hildenbrand put a mark and I'll mark that diagram
45 exhibit 16.
46

47 EXHIBIT #16 SKETCH PLAN OF KORMORAN INDICATING LOCATION

1 OF 15 CENTIMETRE GUN BEING BATTLE STATION OF
2 MR ERNST HILDENBRAND

3
4 THE WITNESS: I've just read a book from Kormoran again.
5 It's also included in there.

6
7 LEUT TYSON: Q. Sir, that 15cm gun that you were at, did
8 that have any type of camouflage or disguise?

9 A. Yeah, they were disguised with flaps and they were
10 lifted up and had counterweights on the other side and that
11 made - it was quite easy to lift them up. In the worst
12 case, they could be lifted up.

13
14 Q. When you received an order to fire, how long did it
15 normally take to remove the camouflage and have the gun
16 ready to fire?

17 A. Well, the Sydney needed quite a long time for it,
18 but - it was just a question of a few minutes.

19
20 THE PRESIDENT: Q. Did you ever get an order to fire, or
21 did you just get an order to remove the camouflage?

22 A. Well, no, that was much later. Well, first we sighted
23 Sydney at 4 o'clock, as I said before, and then at
24 half past 5 the order was given to remove the disguise and
25 then the order to start firing.

26
27 LEUT TYSON: Q. Sir, on this particular 15cm gun, what
28 was your precise role? What did you do on that gun?

29 A. Well, my job was to bring the ammunition or the
30 grenades from the elevator and to load it into the cannon
31 and then after me there came this other person to put the
32 shell on it and who pushed it and - well, that was my job,
33 yes.

34
35 THE PRESIDENT: Q. When you say " the grenades", do you
36 mean --

37
38 LEUT TYSON: Shells?

39
40 THE PRESIDENT: Q. -- shells?

41
42 THE INTERPRETER: Good question.

43
44 THE WITNESS: When I said "grenade", it's the actual
45 bullet, including the fuse, and then I think it's the
46 cartridge.

1 THE INTERPRETER: Does that make sense?

2

3 LEUT TYSON: Yes.

4

5 Q. I want to ask you how orders to fire actually reach
6 the gun position? Does Skeries send, through a telephone
7 on the ship, an order to a commander of the gun, or does
8 the order come over a loudspeaker to actually fire?

9 A. Well, there was a director's control unit and all
10 orders were given from there directly to the several guns,
11 and then these people who transmitted the orders, they were
12 responsible for setting the elevation and for aiming with
13 the guns, and then it was to wait for the alarm, then it
14 was my job to load the gun with the bullets.

15

16 THE PRESIDENT: Q. I just want to go back a bit. When
17 Kormoran sighted another ship and the captain said, "Go to
18 action stations," how was that communicated?

19

20 THE INTERPRETER: Sorry, I think this was wrong. Can you
21 please repeat your question, so we make it clear again?

22

23 THE PRESIDENT: Q. When the Kormoran sighted another
24 ship and the captain gave the order to go to action
25 stations, how were the crew told to go to action stations?

26 A. Well, we were at the gun and then, yes, yes, yes, we
27 heard it all, everything was transmitted via loudspeakers.
28 Then the whole thing started, they showed their flags, and
29 that's when the signalling process started, and then
30 suddenly the Sydney was next to us. Well, I was 21, I was
31 very curious, and we all looked through every single gap
32 within the ship to see what's happening there on the other
33 side and she was very quick and approached very quickly and
34 I was very, very scared, and of course we didn't know
35 what's going to happen. We were scared.

36

37 LEUT TYSON: Q. I might just ask a question: you went
38 to action stations, did you, because the alarm rang, as
39 opposed to an actual order saying, "Go to action stations"?
40 Is that correct?

41

42 THE INTERPRETER: I asked again if this alarm was given by
43 loudspeakers or by other means - that was your question,
44 wasn't it, as I understood it?

45

46 LEUT TYSON: Yes.

47

1 THE INTERPRETER: Anyway, his answer is there was a
2 director control unit and the alarm was given - was
3 generally - everybody knew it and then we only knew that we
4 had to run to our action stations.
5

6 THE PRESIDENT: Q. Was it a bell system or did somebody
7 say, "Go to action stations"?

8 A. No, it was a siren. It could be heard all over the
9 ship, because in the moment of the battle, everybody had to
10 be obviously at his action station.
11

12 LEUT TYSON: Q. Sir, you mentioned earlier that the
13 alarm first rang at about 1600 hours and at 1730 you talked
14 about an order to fire being given. Do you remember that?

15 A. Yes.
16

17 Q. I want to ask you, in that period of about one and a
18 half hours, what did Kormoran do? Did she change her
19 position at all, did she continue on the course she was
20 first at?

21 A. Well, we just went parallel for quite a long period -
22 well, not parallel, sorry. Kormoran just followed her
23 course, just straight, and that took one and a half hours.
24 We were there and just looked at this big cruiser, Sydney,
25 which was for us very impressive because we were just a
26 merchant ship.
27

28 Q. Do you remember anything about Kormoran moving from a
29 northerly direction and then turning westward?

30 A. No, no.
31

32 THE PRESIDENT: Q. Could you see Sydney when you were at
33 your action stations for that one and a half hours before
34 the camouflage was lifted?

35 A. Yes, of course, only they were just 900 metres away.
36 I could see everything. I could see sailors on board and
37 I could see the turrets and of course we were very curious
38 what's happening there. It was a big impressive ship.
39

40 Q. But when Sydney was 900 metres away, were the
41 camouflage flaps up or down?

42 A. No, everything was still disguised.
43

44 LEUT TYSON: Q. Sir, can you please explain how you were
45 able to see Sydney then if the camouflage was already up --
46

47 THE PRESIDENT: Down.

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LEUT TYSON: Q. -- down at that stage?

A. Well, we could see through little gaps in between the camouflage and we could observe how the signals were exchanged and things like that, the signalling process.

Q. There were actually peepholes into the side of the ship, were there?

A. There were just, like, long things like that.

THE PRESIDENT: Q. Slits?

A. Slits in between the camouflage pieces.

Q. Did you ever see Sydney when she was further away than 900 metres?

A. Yeah, of course I could see her approach. When we heard the news that there's - at first we thought it was a steamer. Anyway, when we heard this news that the steamer was approaching, we were so curious that we tried to see what ship was approaching there, and then she came closer and closer and when for a very long period she went abeam of us, more or less parallel, we asked ourselves how long will this take, and that's how it was.

LEUT TYSON: Q. Sir, can I just take you through that period: did you see any changes in Sydney's course during that time?

A. Well, we were going on a northerly course and the Sydney came from this direction, first of all, and came very, very quickly.

THE PRESIDENT: Q. From the East?

A. Yes, and it was so impressive that this ship was so quick. I mean, our ship, or our merchant ship, the Kormoran, was only able to do 15 knots. In a funny way, we couldn't get enough of Sydney, because we are sailors and the sea is our life and ships are our life, so we were very interested in how the ship looked and to see her approach in such a quick pace.

LEUT TYSON: Q. At any stage did you see Sydney change her pace or change her position and move away from Kormoran?

A. No, it came directly towards us - well, it came from the side and then --

THE INTERPRETER: Well, as he described it, you know,

1 moving this direction.

2

3 THE WITNESS: And I know by coincidence that it was
4 900 metres the distance, because the people responsible for
5 transmitting the orders for the elevation, and things like
6 that, they said 900 metres, and that's how they set the
7 guns, for a distance of 900 metres.

8

9 LEUT TYSON: Q. You heard that in your gun crew?

10 A. No, they received the message 900 metres and I heard
11 it, yes.

12

13 Q. Sir, can you tell us, did you observe any activity on
14 Sydney's decks at all during this period before the firing
15 started?

16 A. Well, I didn't see much. I didn't see many. There
17 were just a few sailors. I mean, probably they were also
18 curious what's happening there on the other ship, or what
19 ship that is, but not many, just a few were there on deck.
20 Even the turrets were not pointed at us. They were still
21 pointed towards forward and they didn't - no, they were not
22 pointing at us at all.

23

24 Q. You talked about an order to fire being given at 1730.
25 Where were Sydney's turrets pointed at 1730 hours?

26 A. They were directed straightly forward or aft to
27 behind. They were not pointed at us, not at all. I'm
28 still asking myself today why this was like this, because
29 I could see it all through these slits and the camouflage,
30 I could see all this, so I don't know why they did it, but
31 they were not pointed at us.

32

33 Q. Did you have the opportunity to see whether there was
34 any activity involving Sydney's aeroplane?

35 A. No, I didn't see anything happen there. The engines
36 were not running and it was not moved to any direction. It
37 looked to me, if I might say, a lesson in peace time.

38

39 Q. What about any of Sydney's boats on her decks? Did
40 you see any attempt to lower a boat into the water or
41 anything like that?

42 A. No, I haven't seen anything like that. I've seen a
43 lot and - but there weren't even people going around and
44 trying to lower these boats and they were not lowered.
45 There was nothing happening, in fact, on deck.

46

47 Q. What about signals from Sydney? Did you see any morse

1 lamp signals or any flag signals from Sydney?
2 A. No, I just heard or just noticed that one or two times
3 they tried to declare their position and they didn't
4 understand each other or didn't answer correctly, something
5 like that, but it's not really something I have seen.

6
7 Q. Is signalling something that you're not trained to
8 understand or you don't understand those signals?

9 A. A little bit, but it's all gone now. I can't remember
10 nowadays.

11
12 Q. Can I just ask you, do you remember whether lamps were
13 being used or whether it was just flags?

14 A. When she approached, I remember that morse lamps were
15 used.

16
17 Q. Sydney used morse lamps?

18 A. Yes.

19
20 Q. At any stage between this period of 1600 hours to
21 1730 hours, were the smoke generators being used on
22 Kormoran to generate smoke, or anything like that?

23 A. No, not at all.

24
25 THE PRESIDENT: Q. When the camouflage was lifted, where
26 were Sydney's guns pointing?

27 A. Now I have to - how do I say this? - I have to lie
28 exactly. That's just the job I have. But I remember that
29 they turned at that point because they were also shooting
30 them (inaudible) start to shoot, but whether they really
31 shot I can't remember now. We were then quite busy doing
32 our job at our gun that we didn't see much more of the
33 other ship.

34
35 LEUT TYSON: Q. Just before the camouflage was removed
36 and just before the firing started, were you in a position
37 to see what flags, what ensigns, were on Kormoran, what
38 were hoisted?

39 A. Yeah, I can remember that well because we had the
40 people responsible for hoisting the flags and they hoisted
41 the war ensignage, or the war ensign, at the same time as
42 the Dutch flag under which we sailed was lowered.

43
44 Q. Whereabouts on the Kormoran was the Dutch flag and
45 where was the war ensign? Perhaps, Herr Thomas, on
46 exhibit 16 Herr Hildenbrand could indicate where the two
47 different flag poles were.

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THE PRESIDENT: I'll mark that one. I'll mark that A.

Q. What was there?

A. That's where both flags were - the Dutch and the ensign flags.

Q. Both flags?

A. Well, not at the same time. At the same position, more or less. One was hoisted, whereas the other one was lowered.

Q. So they were both on the same mast?

A. Yes, yes.

LEUT TYSON: Q. The orders that were given before the firing started, can you remember as best you can in precise terms what the order was?

A. Well, it was when both ships were parallel at this time and these people responsible for transmitting orders had received the order to - or more or less the message how to set the guns up, like elevation height, things like that, and then came the order to remove the disguise and at this time we had already loosened the counterweight of the camouflage system, so at this point the guns were already pointed in the right direction and then came the order to start fire.

Q. Is that an order that you yourself heard, or is it an order that went to the gun crew commander?

A. It was only to the gun commander, yes.

Q. Who was the gun commander on your gun?

A. Mr Saal frank, yes.

THE PRESIDENT: Q. What did he do when he received that order?

A. He forwarded this order and then the shooting started, firing.

LEUT TYSON: Q. How long did that take, from when the order was given to fire to before your gun fired? Do you know how long that took?

A. That was just a question of seconds, because as the gun crews from the port side, they didn't have anything to do, they helped us, and it was them who had loosened the counterweights and who also helped us to bring bullets and

1 water from the elevator.

2

3 Q. Which gun fired first? Was it one of the 15cm guns?
4 Was it your gun? Do you know which gun fired first on
5 Kormoran?

6 A. No, that was more or less simultaneous, because they
7 all received the order at the same time and then they had
8 their - well, their position, or, no, their targeting was
9 already done and so it was more or less at the same time.

10

11 Q. When you say "simultaneous", do you mean just the 15cm
12 guns or did also the 2cm guns fire at about the same time
13 the 15cm guns fired?

14 A. It was completely free. They all shot at the same
15 time. It was free to shoot once the order came ready to
16 fire, start firing.

17

18 THE PRESIDENT: Q. Including the 3.7?

19 A. Yes.

20

21 LEUT TYSON: Q. During the battle, when the guns were
22 fired, were you trying to fire as fast as you could or was
23 there a salvo coordinated by Skeries? Did you have to wait
24 and did the guns all fire simultaneously in a salvo?

25 A. Well, it was free to fire as you liked, but then the
26 gun commander, he was the one who coordinated salvo and he
27 said, like, salvo, stop fire, salvo fire, salvo fire.

28

29 Q. Sorry, the gun commander on your gun or do you mean
30 Skeries in director control?

31 A. No, the 15cm guns, they have fired in the same rhythm,
32 so it was a coordinated salvo, and this coordination was
33 done by Skeries from the director control unit.

34

35 Q. Did you aim for specific targets on Sydney or parts of
36 Sydney or were you just firing in her general direction?

37

38 THE INTERPRETER: Sorry, I just didn't hear the first part
39 of the sentence.

40

41 LEUT TYSON: Q. I want to ask you about whether your
42 guns were targeted at particular parts of Sydney. Did you
43 fire at targets on Sydney, were you given targets, or was
44 it just general firing in her direction?

45 A. No, the guns were already in a position - or targeted
46 already, so there was no other target, no specific target.

47

1 THE PRESIDENT: Q. Which part of Sydney were you trying
2 to hit? If you can't remember, say so.

3 A. I can't tell, really, if it was the centre or the aft
4 or the stern. I cannot tell, really. It might be - well,
5 it was all set up before the firing started, our guns, and
6 then they just shot. Once it started, I didn't hear what
7 the orders were anymore.

8
9 Q. Did you see where in fact Sydney was hit?

10 A. Well, when the first smoke disappeared, I could see
11 that the front gun turrets were already damaged and didn't
12 work anymore.

13
14 THE PRESIDENT: Q. What about the bridge? Could you see
15 the bridge?

16 A. No, I could neither see our bridge, nor the bridge of
17 Sydney.

18
19 LEUT TYSON: Q. Is that because of the extent of the
20 smoke?

21 A. No, our own bridge I couldn't see at all anyway, that
22 was clear, and the bridge of Sydney I also couldn't see it,
23 and suddenly there was just fire everywhere. It started to
24 burn.

25
26 Q. Do you remember what shells you used in your 15cm
27 gun - was it the base-fused shells or the nose-fused
28 shells?

29 A. Nose-fused shells.

30
31 Q. Do you remember, in relation to when Kormoran fired,
32 when Sydney started to fire back against Kormoran?

33 A. No, I cannot really tell, because we were so busy
34 doing our job. I just heard that - suddenly it was said we
35 got hit. But that's all. I cannot tell really in relation
36 where and what - how it was.

37
38 Q. Sir, you described earlier the position of the
39 two ships at the beginning of the action. Did Sydney and
40 Kormoran stay in that position at all times after the
41 firing started or was there a movement in the relative
42 position of the ships?

43 A. Well, no, the Sydney slowed down a bit and then she
44 changed her course and passed our stern. That's when she
45 came on our port side later and then she was already
46 burning quite a lot, and that's all we could see of her and
47 then - well, later she disappeared and then we had to

1 abandon ship and then we didn't take so much care of what
2 was happening to Sydney anymore.

3
4 THE PRESIDENT: Q. So was it like this?

5 A. Well, I assume it was more drifting.

6
7 Q. That's the stern.

8
9 THE INTERPRETER: Yes, that's what he says, that she moved
10 like from the --

11
12 THE PRESIDENT: Q. The stern this way?

13 A. Yeah, that's because also - but that's what I heard
14 later in the prisoner of war camp, my friends told me that
15 the Sydney fired two torpedos at us. That's probably why
16 she moved this course, to fire those torpedos, which were
17 in the aft of the ship but we weren't hit by these
18 torpedos. It was a twin torpedo which was shot at us, but
19 it didn't hit us, but this was only something I heard from
20 other people in the prisoner of war camp.

21
22 Q. So you don't know whether Sydney fired torpedos from
23 the port side or the starboard side?

24 A. No, it was from the port side. No, it was - we even
25 saw people there. They were fired from the port side, and
26 we could even see people there, although they didn't fire
27 this, but I think in the end they did fire them and they
28 had to be in this position to be able to fire them, the
29 torpedos, in this direction.

30
31 Q. That means that they were fired from the same side
32 that had been bombarded in the whole battle?

33 A. Yes, exactly. Exactly. Yeah, exactly. It was all on
34 the port side of Sydney and then we have here these aft
35 turrets and one of them was still shooting at us and that's
36 the one that hit us three times, I think.

37
38 LEUT TYSON: Sorry, we just need to stop for a moment for
39 the tape. The tape has run out.

40
41 SHORT ADJOURNMENT

42
43 LEUT TYSON: Thank you, Leut Harper, the tape has now
44 started again.

45
46 Q. In that short intermission, sir, you were making some
47 comments about Sydney. Can you just repeat, please, what

1 you just told us?

2 A. It's all impossible. I cannot believe it still today.
3 I ask myself why did they come so close. I mean, the guys
4 that were there, they were all friends, they were sailors
5 as well, they love the sea, and I just can't understand why
6 he came so close. It doesn't want to go into my brain.

7
8 Also, the last thing we heard of him - also, they must
9 have known that there were auxiliary cruisers in the area
10 around. I think, as far as we know, they should know that.
11 How can they do such a mistake, to come so close to a ship
12 which might be an auxiliary cruiser? They should have
13 known that. And the last thing he said was, "Have a nice
14 journey." I still can't believe this today, why he made
15 such a mistake.

16
17 Q. When you make that reference to, "Have a nice
18 journey", can you please tell us what you're referring to?

19 A. Yeah, well, of course I do. He was going next to us,
20 and I will explain it to you. Then that's when he told us
21 "have a safe journey", but then he asked us for our secret
22 sign and, well, of course after this the firing started.

23
24 Q. What you've just told us, is that something you saw
25 yourself or is that something that other members of
26 Kormoran told you after this battle?

27 A. No, that was transmitted by the loudspeakers on board.
28 We heard how he said, "Have a nice journey," and then,
29 "Secret sign". Generally, everything that was said on
30 board was transmitted by these loudspeakers. In fact,
31 everybody could hear all the time what's happening. Even
32 if it was Skeries or somebody, you could hear it on the
33 loudspeakers.

34
35 Q. So is it the case, for example, let's say that Ahlbach
36 is having a conversation with Capt Detmers or von Goessel n
37 is having a conversation with Capt Detmers on the bridge,
38 did those conversations go through Kormoran?

39
40 THE PRESIDENT: Q. Over the loudspeakers?

41 A. No, those kind of things, if they were discussing
42 under themselves, those were not transmitted via the
43 loudspeakers.

44
45 Q. Who was it who said over the loudspeaker, "Have a nice
46 voyage"?

47 A. It must have been somebody from the bridge. I don't

1 know if it was the commander. It must have been the
2 commander, yes. It can only have been the commander who
3 said he wishes us a safe journey.

4
5 LEUT TYSON: Q. How long was it between "Have a nice
6 journey" and "Show us your secret sign"? How long? What
7 was the interval of time between those two things being
8 reported to you?

9 A. Must have been a very short period, because shortly
10 after this came the order to remove the disguise, so it
11 must have been a very short period. Well, it wasn't useful
12 anymore, so our commander said we now had to show them who
13 we were.

14
15 Q. What you have just said, "Our commander said we had to
16 show them who we were," is that something as well that you
17 heard through the loudspeaker?

18 A. No, no, that was just my comment.

19
20 Q. I just want to go back to a line of questioning that
21 Commissioner Cole was asking you about before the tape
22 stopped about the change in the relative positions of the
23 two ships. On 1 December 1941 when you were being
24 interrogated in Australia, the account of your interview
25 says that you drew sketches of the action. Do you remember
26 that?

27 A. I am to have done this? No, I cannot remember.

28
29 THE INTERPRETER: Just repeat this again.

30
31 LEUT TYSON: Q. It says "Hildenbrand. 1 December".

32
33 THE PRESIDENT: Q. Just let me read parts of it to you.

34
35 THE INTERPRETER: "Drew sketches of action and position of
36 guns and torpedo tubes". Yes.

37
38 THE PRESIDENT: Q. Just let me read.

39
40 THE INTERPRETER: Are you reading it and I shall translate
41 it?

42
43 THE PRESIDENT: Yes, please.

44
45 THE INTERPRETER: Okay, sorry.

46
47 THE PRESIDENT: Q. Do you remember that on 1 December,

1 after you had been rescued, you were interrogated by some
2 Australian military officers from the Trocas.

3
4 LEUT TYSON: No, this was back at camp.

5
6 THE PRESIDENT: No, it's not.

7
8 Q. Do you remember being interrogated?

9 A. Yes, yes.

10
11 Q. Was that on the Trocas or back at camp?

12 A. It was in the camp at Perth and it was somebody called
13 Mr Moon.

14
15 Q. His notes of the questions that he asked you and your
16 answers are as follows. It says this, "He was on duty" -
17 that's you. You were on duty on the 15cm gun aft
18 starboard - that's correct?

19 A. Yes, correct, yes.

20
21 Q. During the action your gun fired 50 shots.

22 A. Yeah, that's quite possible. I mean, it's 66 years
23 ago now. It might be a bit more, a bit less, but more or
24 less that's correct, yes.

25
26 Q. Then the notes say, "The range: 1100 metres"?

27 A. I can only say what I heard, that it was 900 metres.

28
29 Q. Then it goes on, "Many hits seen on the cruiser"?

30 A. Yeah, that's true.

31
32 Q. "Setting fire at first to the bow, then the bridge.
33 No damage aft."

34 A. That's not true. I cannot have said this, because if
35 I was there at the aft at my gun, I couldn't have seen what
36 was happening there at the front gun, and those are there
37 and those are there, I cannot have said this. I would
38 never have said this. Something is wrong about this.

39
40 Q. Then it says your ship, the Kormoran, had six 15cm
41 guns and six torpedo tubes, four above the water line and
42 two below?

43 A. Yes, correct.

44
45 Q. Then it says "Loading for the guns" - that's
46 Kormoran's guns - "was immediately below each gun"?

47 A. Well, yeah, that's correct. Where the grenades were

1 stored, the shells were stored, this room was for the fifth
2 and the sixth turret both together, and that's also where
3 the elevator was which brought the shells up to where the
4 guns were.

5
6 Q. Then the notes say that you said that the Kormoran
7 opened fire sometime before the cruiser - that's Sydney -
8 fired?

9 A. Yes, I cannot deny that.

10
11 Q. And it says, "First sight of the cruiser on the
12 horizon coming towards Kormoran at high speed"?

13 A. Yes, correct.

14
15 Q. Then it says, "Cruiser asked their name" - that's
16 Kormoran's name - "Didn't know what the reply was"?

17 A. That's also something I cannot really answer. The
18 only thing I can remember is that our signalling crew was
19 there with the signal, the ensign signal, but above this
20 I cannot remember.

21
22 Q. Then the notes say, "The cruiser" - that's Sydney -
23 "then came up on the starboard side of the ship to
24 approximately 1200 metres"?

25 A. No. No, it was 900 metres. At least that's why I -
26 what I heard those days when the orders for the guns were
27 transmitted.

28
29 Q. Then the notes say, "When asked for secret challenge
30 they" - that's Kormoran - "opened fire"?

31 A. Yes, of course, that's because they wanted to have our
32 secret code, they wanted to have a code.

33
34 Q. "First salvo hit the cruiser. Second salvo, cruiser
35 on fire"?

36 A. Yes, well, it took fire and all that, but I cannot
37 remember nowadays if it was after the second salvo. That's
38 something I don't know.

39
40 Q. The notes go on, "Kormoran continued firing as quickly
41 as possible"?

42 A. Yeah, that's what I said in the beginning. Yes,
43 that's right.

44
45 Q. It says, "The cruiser when hit continued at fair
46 speed, then stopped and dropped at stern, broadside on, to
47 take up position at slightly astern on port side."

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THE INTERPRETER: What is "dropped astern"? What is this?

THE PRESIDENT: Stopped astern, dropped behind, dropped back. "Dropped astern broadside on".

THE INTERPRETER: What is "broadside on"? Can you explain this to me?

LEUT TYSON: That's the broadside.

THE INTERPRETER: Yes. Okay.

THE PRESIDENT: Q. "To take up position at slightly astern on port side".

THE INTERPRETER: That's what I've said already.

THE PRESIDENT: Q. The cruiser - that's Sydney - fired from starboard but you did not know whether it hit your ship?

A. Yes, well, as I said before, it's something I cannot really remember, because if it would have been like that it could have, should have, hit us there in our stern, really, which it didn't.

Q. "From the port side, the cruiser" - that's Sydney - "fired five to six minutes. Three or four big shells hit, doing damage to the Kormoran"?

A. Yeah, that's correct.

Q. The action lasted 40 minutes and there were no casualties suffered at your gun station, but two or three were killed elsewhere?

A. Yes, that's correct. Two or three and then 20 men were killed in the engine rooms.

Q. Then it says that you drew sketches of the action and the position of guns and torpedo tubes.

A. No way. No way have I done that.

Q. Have we got the document?

LEUT TYSON: It's not his document.

THE PRESIDENT: What's that one?

1 LEUT TYSON: It's done by the naval intelligence officers.
2 It doesn't purport to be Herr Hildenbrand's document.

3
4 THE WITNESS: It's said that I have drawn this?

5
6 LEUT TYSON: Q. No, no, it's not suggested that you have
7 drawn this, but we'd like to ask you some questions about
8 this later, and if you did a sketch, whether it was in any
9 way similar?

10 A. No, I definitely did not draw any sketch. I did not
11 draw any sketch. No way. I wouldn't even know why, what
12 the purpose of this would be.

13
14 THE PRESIDENT: I'm having difficulty reading it.

15
16 LEUT TYSON: I think mine is a better copy, sir.

17
18 THE PRESIDENT: What does it say?

19
20 Q. You do not know the make of the sea plane, as same was
21 kept secret from the men, and it says that the sea plane,
22 that's the plane on the Kormoran, never flew in the
23 Indian Ocean, but flew twice in the Atlantic.

24
25 THE INTERPRETER: What was the beginning of the sentence?
26 Can I just have the other - do you need this one now, the
27 other one?

28
29 THE PRESIDENT: It is hard to read. You can't read it in
30 that. Anyway, I don't think that is very important.

31
32 THE WITNESS: We've used them once or twice, this, but
33 I know the make. They were (inaudible). We used them once
34 or twice, but it was quite a show to use them and in the
35 end our captain said, no, we are not going to use them
36 anymore. (Inaudible).

37
38 THE PRESIDENT: Q. The notes also say that you told the
39 interrogators that you had instructions to always aim for
40 the water line?

41 A. No. No, I cannot - no, no, no, no way, because I was
42 the one responsible for loading the shells into the gun,
43 and I didn't aim at the target or anything, so it was not -
44 none of my duties.

45
46 LEUT TYSON: Q. Sir, I want to show you a sketch, and
47 I want you to please feel free to tell us either whether

1 you agree with it or disagree with it or whether it is true
2 in part. It is completely up to you.

3
4 THE PRESIDENT: It is not your sketch.

5
6 LEUT TYSON: Q. It's a sketch that we understand was
7 done by an Australian intelligence officer after he
8 interviewed some members of the Kormoran crew, so in no way
9 could it be suggested that this itself represents a direct
10 eyewitness account. Please have a look at it. Take as
11 long as you like to study it. Sydney and - Kormoran is
12 here. Sydney.

13 A. We went north. She came here. This is going south.
14 The whole thing should be the other way around, because we
15 went up north. How can it be that - it could only be that
16 this was after the battle when she passed the stern of us.

17
18 THE PRESIDENT: Q. But I thought Kormoran, when she saw
19 Sydney, turned to 260 degrees into the sun?

20 A. I cannot say this. I don't think we have changed our
21 course. I cannot understand it. I can only remember how
22 we saw the smoke of a ship on the horizon and then the ship
23 approached and then we knew it was a cruiser, but I don't
24 think we have changed our course.

25
26 The Sydney came directly towards us. That's where the
27 battle was. But then the Sydney did not run anymore. She
28 drifted more than she was sailing by her own, making her
29 own power, now she drifted and then she came astern of us,
30 past us there, and that's also where she fired her
31 torpedos.

32
33 When Sydney was away, when we abandoned ship, we saw
34 her on our port side, but then when we went into the
35 lifeboats, it was already quiet there and she had already
36 exploded, I think. I cannot remember that we have changed
37 the course at all. I just remember that we went parallel
38 for a very long period, very long, until the end, he wished
39 us a safe journey and asked for the signal.

40
41 LEUT TYSON: Commissioner Cole, would it be appropriate
42 that that be marked as an exhibit?

43
44 THE PRESIDENT: Yes. I will mark the document shown to
45 Herr Hildenbrand as exhibit 17.

46
47 EXHIBIT #17 SKETCH DONE BY AUSTRALIAN INTELLIGENCE OFFICER

1 AFTER HE INTERVIEWED MEMBERS OF THE KORMORAN CREW SHOWN TO
2 MR ERNST HILDENBRAND

3
4 LEUT TYSON: Q. Sir, I just want to ask you, you've
5 spoken a lot about how Sydney passed the stern of Kormoran,
6 and you said that other members of Kormoran crew told you
7 that when Sydney passed the stern of Kormoran, torpedos
8 were fired by Sydney. Do you remember that?

9 A. Yes.

10
11 Q. Do you know, when Sydney passed the stern, did her
12 guns also continue to fire at Kormoran at that stage of the
13 battle?

14 A. No, no, the turrets had already been destroyed by
15 then. They were not working anymore.

16
17 Q. All four turrets had been destroyed by the time that
18 Sydney passed the stern? Is that what you're saying?

19 A. Yes, all four of them.

20
21 Q. What about any of Sydney's secondary guns? Were any
22 of those firing after she passed the stern of Kormoran?

23 A. No, I don't know. I haven't seen any of this. I just
24 know - but also this is what my comrades told me later,
25 that the Sydney must have had her amidships on the
26 port side a 10cm gunner. That was the one that hit us.
27 And I know this also by third person accounts, not by
28 myself.

29
30 Q. Do you know whether Kormoran's port guns fired at
31 Sydney when Sydney passed the stern of Kormoran?

32 A. No, they didn't fire anymore, because that was also
33 when already the order was given to abandon ship, and then
34 we went downstairs and went to the fo'c'sle where we came
35 up and where the lifeboats were. No, the battle had
36 finished because after some time there was nothing more to
37 do and then the order came to abandon ship.

38
39 Q. When Sydney moved away from Kormoran, did she appear
40 to be making way under her own power, or was she drifting?

41 A. No, for me it was drifting, definitely, because
42 otherwise she could have gotten around us much faster.
43 I don't think she had any power left.

44
45 Q. Sir, I want you to think back to your last memory of
46 Sydney, the last time you saw Sydney. Can you tell us what
47 you saw - describe her condition, her appearance?

1 A. Nothing I have seen. I have just asked myself,
2 together with my comrades, what happened to our friends on
3 board of Sydney, because they were also sailors, but apart
4 from that, nothing I have seen.

5
6 Q. Sir, you mentioned before about abandoning ship.
7 Can you please give us your account? What did you do as
8 part of the abandon ship routine? Can you tell us about
9 that?

10 A. When the fire ceased, then it was quite quickly, and
11 there was - well, there was no order given to cease fire,
12 because it was obvious that we had to stop firing as there
13 was no other fire coming back. Then it was quite quickly
14 that the order to abandon ship was given, and as it was,
15 the fire was already there in amidships because the engine
16 was destroyed, or we were hit in the engine room, and this
17 happened because also what I heard was how glass broke, and
18 that's when all the oxygen went into the engine room and
19 fed the fire.

20
21 The problem now was that we couldn't go through the
22 ship anymore from the stern to the front where the
23 lifeboats were, or there was one part blocked off it, so we
24 had to go underneath the fire, underneath the engine room
25 somewhere, to reach the foreship where other crew members
26 were already trying to lower the lifeboats.

27
28 Well, then, what I did, I jumped from port, and what
29 else could I do, and I ended up in a rubber boat and then
30 I just - but this is also only something I've heard from my
31 comrades later, that around midnight our commander and our
32 captain scuttled Kormoran. I can remember also that he
33 said stay together, more or less, that he might see us
34 again tomorrow morning, but we never saw each other again
35 the next morning, of course, but then we met later.

36
37 Q. Before you got on that lifeboat, were the men of
38 Kormoran ever gathered together, marshalled on deck, and
39 did either Capt Detmers or von Goessel address the men as
40 a group?

41 A. No, no, no, there was no such thing. I can only
42 remember that all the people, all the crew members who were
43 working in the aft ship, in the back ship area, when we
44 came to the front there were already the ships lowered and
45 then we went into the ships, and I can remember that there
46 was one ship left, and that's obviously the one where
47 Capt Detmers was rescued with, or which he entered.

1
2 Q. Did you have any supplies in the lifeboat you were
3 on - food, any torches, guns, anything like that? What did
4 you have in the boat with you?

5 A. No, when I was in the water, a good friend of mine, a
6 comrade, from Hamburg, actually, he took me out of the
7 water and pulled me into the lifeboat and then he asked me,
8 "Do you have something to drink with you?", and I said,
9 "No," and in fact it happened that we were 16 people on
10 this rubber boat and all we had was one portion that one of
11 the pilots had. He has also in this rubber boat. That was
12 all the supply we had, as far as food was concerned, and
13 then we had one small bottle of milk, and that was all we
14 had for six days. On the seventh day at noon they rescued
15 us.

16
17 Q. Was there an officer or one of the senior warrant
18 officers in charge of your boat, or who was the most senior
19 person in your boat?

20 A. Yeah, a warrant officer was in our boat. Marwinski
21 was his name. Later he was also the camp commander in
22 Murchison.

23
24 Q. I just want to ask you some miscellaneous questions
25 before I get to the final topic. Can I show you a
26 photograph, please, sir. Have a look at that. Is that
27 something that you recognise or is that something that was
28 ever used in target practice from the Kormoran?

29 A. No, I cannot. I don't know what this could be. Well,
30 that's quite a big boat there, but I've got no idea. No,
31 no, I've got no idea what this can be.

32
33 LEUT TYSON: Commissioner Cole, would it be appropriate to
34 have that marked as an exhibit as well?

35
36 THE PRESIDENT: Yes, I will mark that as exhibit 18.

37
38 EXHIBIT #18 PHOTOGRAPH SHOWN TO MR ERNST HILDENBRAND

39
40 LEUT TYSON: Q. Sir, as well, I want to take you back.
41 Before the engagement with Sydney, had you been involved in
42 any of the engagements between Kormoran and some of the
43 merchant ships she either captured or attacked?

44 A. Yes, of course. I mean, that was our task. We were
45 hunting other ships. Of course I was. But there never was
46 any battle involved. It was just stop and when we want to
47 go, then that was it. There were no shots. There was a

1 shot in front of the bow if they didn't want to stop,
2 you know, but apart from that, there was nothing.

3
4 Q. But what I want to ask you, was the war ensign ever
5 flown in those engagements before Kormoran fired on those
6 merchant ships?

7 A. Always, always. It was always hoisted. I could see
8 this very well because the gun where I was at was just
9 directly next to the mast where the ensign flag was
10 hoisted.

11
12 Q. Do you know roughly how long it took to open up the
13 war ensign?

14 A. It must be seconds. I mean, the mast, maybe it's
15 5 metres tall, and then you just need to hook the flag onto
16 the rope and then simultaneously one is lowered, the other
17 one is hoisted.

18
19 Q. I want to turn to a different topic.

20
21 THE PRESIDENT: Just before you do.

22
23 LEUT TYSON: Sorry, yes.

24
25 THE PRESIDENT: Q. Was the German battle flag actually
26 hoisted or was it in a position where you could pull a rope
27 and it flew free?

28 A. No, it was hoisted at the time.

29
30 LEUT TYSON: Q. As you may know, this battle between
31 Kormoran and Sydney has stimulated a lot of books and a lot
32 of articles, particularly in Australia, and many different
33 writers have provided different theories and accounts of
34 what they say happened in the battle. What I would like to
35 do is to give you an opportunity to respond to some of the
36 theories and let us know whether you agree or disagree with
37 some of these theories. One of the theories has suggested
38 that a Japanese submarine or Japanese U-boat actually fired
39 a torpedo into Sydney.

40 A. No, that's impossible. We would have noticed that.
41 I haven't seen any.

42
43 Q. Another set of theories suggests that Kormoran
44 surrendered or pretended she was under distress when Sydney
45 was first sighted.

46 A. No, impossible. As far as I know, our captain - no.
47

1 Q. You never saw a white flag on Kormoran before this
2 encounter with Sydney?

3 A. No.

4
5 Q. Another writer has suggested that Kormoran was
6 disguised as a Norwegian merchant ship. Do you remember at
7 the time of the battle with Sydney was Kormoran disguised
8 as a Norwegian ship?

9 A. No, we were not going as a Norwegian ship. Once we
10 had a disguise as a Japanese ship - Saki to Maru is the name
11 of the ship. We were disguised as this ship, that's when
12 we were painted in white and black, and also we captured
13 and sank some ships with this disguise. But then later it
14 was just this Dutch disguise and every now and then the
15 whole hull of the ship and everything was repainted.

16
17 THE PRESIDENT: Q. Another theory is that Kormoran was
18 in company with either a German or a Vichy French submarine
19 and that she fired a torpedo.

20 A. No, I have made an oath, but, no, no, absolutely not.

21
22 LEUT TYSON: Q. Now, another serious allegation that is
23 made is that there were survivors of Sydney in the water
24 and that they were shot by some members of Kormoran's crew.

25 A. No, no, no, impossible. There were 80 people of us
26 that were in a rubber boat which capsized and they died.
27 Then there were 20 men who died in the engine room. But we
28 didn't shoot at anybody. No way.

29
30 Q. And the light speed boat, the leichte schnell boat,
31 was that used to pull around any of the lifeboats or
32 anything like that after Kormoran was abandoned?

33 A. No, we didn't use the speed boat. You must imagine
34 that we had the two sea planes, we had them in one hold,
35 and the speed boat was in the other hold, but as we didn't
36 have any power left at this point, we weren't even able to
37 remove the very heavy hatches on top of them, so we
38 couldn't use them. Anyway, we have never used speed boats.

39
40 LEUT TYSON: Commissioner, on behalf of Counsel Assisting,
41 they're probably the principal questions we want to put at
42 the moment.

43
44 THE PRESIDENT: There is only one other thing I want to
45 raise.

46
47 Q. Herr Hildenbrand, at Easter last year, 2007, off the

1 Australian coast, Red Bluff, where one of the lifeboats
2 landed, they found a gun. Just last year.
3 A. We all came on that. We were rescued by the Trocas.

4
5 THE INTERPRETER: I think he just got it mixed up.

6
7 THE PRESIDENT: Q. What they found was this gun
8 encrusted onto a rock, a pistol encrusted onto a rock,
9 about 45 metres from the shore.

10 A. No, I cannot - I don't know what it is.

11
12 Q. Research has shown that in fact it was a Mauser
13 pistol.

14
15 LEUT TYSON: A Kriegsmarine Mauser.

16
17 THE PRESIDENT: Q. It was the type issued to
18 Kriegsmarine officers.

19 A. I cannot remember that.

20
21 Q. You don't know if the officers on board had these
22 Mauser guns?

23 A. No, not that I'm aware of. I don't even know if our
24 officers at all had weapons with them. On my boat, there
25 was just Mr Marwinski. He was a warrant officer. But
26 I don't - not as far as I know, he didn't have a weapon.

27
28 Q. Herr Hildenbrand, thank you very much, indeed, for
29 giving us your help.

30 A. There's not more I can tell you. I always have to cry
31 because I always have to think about these poor boys who
32 died there, those 700 men. I saw them the other day also
33 again, I saw the 700 men in a TV program which my son had
34 captured on videotape for me, and it always makes me cry
35 and I still feel sorry for this whole thing.

36
37 THE PRESIDENT: Thank you very much indeed.

38
39 LEUT TYSON: Thank you, sir.

40
41 THE INQUIRY ADJOURNED ACCORDINGLY

42
43
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47

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#16 [1] - 164:47 #17 [1] - 181:47 #18 [1] - 184:38	700 [2] - 187:32, 187:33	167:2, 167:13 allegation [1] - 186:22 amidships [2] - 182:25, 183:15 ammunition [1] - 165:29 answer [3] - 167:1, 170:4, 178:17 answers [1] - 177:16 Anyway [4] - 167:1, 168:18, 180:30, 186:38 anyway [1] - 173:21 AO [1] - 162:25 apart [2] - 183:3, 185:2 appear [1] - 182:39 appearance [1] - 182:47 approach [2] - 168:16, 168:38 approached [4] - 164:25, 166:33, 170:14, 181:23 approaching [2] - 168:19, 168:20 appropriate [2] - 181:41, 184:33 area [2] - 175:9, 183:43 articles [1] - 185:32 Assisting [2] - 162:35, 186:40 assume [1] - 174:5 astern [6] - 178:47, 179:2, 179:4, 179:5, 179:15, 181:29 Atlantic [1] - 180:23 attacked [1] - 184:43 attempt [1] - 169:40 Australia [2] - 176:24, 185:32 Australian [3] - 177:2, 181:7, 187:1 AUSTRALIAN [1] - 181:47 auxiliary [2] - 175:9, 175:12 aware [1] - 187:23	168:12, 170:20, 176:5, 176:7, 184:42, 185:30 big [4] - 167:24, 167:38, 179:28, 184:30 birth [1] - 163:20 bit [6] - 164:18, 166:16, 170:9, 173:43, 177:23 black [1] - 186:12 blocked [1] - 183:23 Bluff [1] - 187:1 board [6] - 164:9, 167:36, 175:27, 175:30, 183:3, 187:21 boat [16] - 169:40, 183:29, 184:4, 184:10, 184:11, 184:18, 184:19, 184:20, 184:30, 185:38, 186:26, 186:30, 186:33, 186:35, 187:24 boats [3] - 169:39, 169:44, 186:38 bombarded [1] - 174:32 book [1] - 165:4 books [1] - 185:31 bottle [1] - 184:13 bow [3] - 164:41, 177:32, 185:1 boy [1] - 163:33 boys [1] - 187:31 brain [1] - 175:6 bridge [9] - 173:14, 173:15, 173:16, 173:21, 173:22, 175:37, 175:47, 177:32 bring [2] - 165:29, 171:47 broadside [4] - 178:46, 179:5, 179:7, 179:10 broke [1] - 183:17 brought [1] - 178:3 bullet [1] - 165:45 bullets [2] - 166:14, 171:47 burn [1] - 173:24 burning [1] - 173:46 busy [2] - 170:31, 173:33 BY [1] - 181:47	Capt [4] - 175:36, 175:37, 183:39, 183:47 captain [5] - 166:17, 166:24, 180:35, 183:32, 185:46 captured [3] - 184:43, 186:12, 187:34 care [1] - 174:1 cartridge [1] - 165:46 cartridges [1] - 164:1 case [2] - 165:12, 175:35 casualties [1] - 179:33 cease [1] - 183:11 ceased [1] - 183:10 CENTIMETRE [1] - 165:1 centre [1] - 173:3 challenge [1] - 178:29 change [4] - 167:18, 168:41, 168:42, 176:22 changed [4] - 173:44, 181:20, 181:24, 181:36 changes [1] - 168:26 charge [2] - 163:31, 184:18 circumstances [1] - 163:15 class [1] - 164:26 cleaning [1] - 164:9 clear [2] - 166:21, 173:22 close [3] - 175:3, 175:6, 175:11 closer [2] - 168:20, 168:21 coast [1] - 187:1 code [2] - 178:32 coincidence [1] - 169:3 Cole [5] - 162:25, 163:14, 176:21, 181:41, 184:33 colleague [1] - 163:13 column [2] - 164:23, 164:24 coming [3] - 164:24, 178:12, 183:13 commander [13] - 166:7, 171:30, 171:31, 171:33, 172:26, 172:29, 176:1, 176:2, 176:12, 176:15, 183:31, 184:21 comment [1] - 176:18 comments [1] - 174:47 COMMISSION [1] - 162:18 Commission [2] - 163:4, 163:15 Commissioner [4] - 176:21, 181:41, 184:33, 186:40 communicated [1] - 166:18 company [1] - 186:18 completely [2] - 172:14, 181:2 comrade [1] - 184:6 comrades [3] - 182:24, 183:2, 183:31 concerned [1] - 184:12 condition [1] - 182:47 continue [2] - 167:19,
1	80 [1] - 186:25			
1 [3] - 176:23, 176:31, 176:47 10cm [1] - 182:26 1100 [1] - 177:26 1200 [1] - 178:24 15 [2] - 165:1, 168:35 15cm [12] - 163:44, 164:35, 164:40, 165:7, 165:27, 172:3, 172:11, 172:13, 172:31, 173:26, 177:17, 177:40 16 [5] - 163:34, 164:19, 164:45, 170:46, 184:9 1600 [2] - 167:13, 170:20 17 [2] - 163:34, 181:45 1730 [4] - 167:13, 169:24, 169:25, 170:21 18 [1] - 184:36 19 [1] - 164:15 1920 [1] - 163:21 1940 [1] - 163:34 1941 [2] - 164:15, 176:23	900 [9] - 167:35, 167:40, 168:15, 169:4, 169:6, 169:7, 169:10, 177:27, 178:25			
2				
20 [2] - 179:35, 186:27 2007 [1] - 186:47 2008 [1] - 162:40 21 [1] - 166:30 23 [1] - 163:21 260 [1] - 181:19 2cm [1] - 172:12	A abandon [5] - 174:1, 182:33, 182:37, 183:8, 183:14 abandoned [2] - 181:33, 186:32 abandoning [1] - 183:6 abeam [1] - 168:21 able [4] - 167:45, 168:35, 174:28, 186:36 absolutely [1] - 186:20 ACCORDINGLY [1] - 187:41 account [3] - 176:24, 181:10, 183:7 accounts [2] - 182:27, 185:33 action [15] - 166:18, 166:24, 166:25, 166:38, 166:39, 167:4, 167:7, 167:10, 167:33, 173:39, 176:25, 176:35, 177:21, 179:32, 179:38 activity [2] - 169:13, 169:34 actual [2] - 165:44, 166:39 address [2] - 163:23, 183:39 ADJOURNED [1] - 187:41 ADJOURNMENT [1] - 174:41 aeroplane [1] - 169:34 aft [9] - 164:31, 169:26, 173:3, 174:17, 174:34, 177:17, 177:33, 177:35, 183:43 AFTER [1] - 182:1 afternoon [3] - 164:14, 164:17, 164:19 ago [1] - 177:23 agree [2] - 181:1, 185:36 agreeing [1] - 163:3 Ahlbach [1] - 175:35 aim [3] - 172:35, 180:39, 180:43 aiming [1] - 166:12 alarm [7] - 164:16, 164:21, 166:13, 166:38, 166:42,			
3				
3 [1] - 162:40 3.7 [1] - 172:18				
4				
4 [2] - 164:19, 165:23 40 [1] - 179:32 45 [1] - 187:9				
5				
5 [2] - 165:24, 185:15 50 [1] - 177:21				
6				
6 [1] - 162:41 66 [1] - 177:22				
		B base [1] - 173:27 base-fused [1] - 173:27 battle [15] - 164:16, 164:32, 167:9, 172:21, 174:32, 175:26, 181:16, 181:27, 182:13, 182:35, 184:46, 185:25, 185:30, 185:34, 186:7 BATTLE [1] - 165:1 became [1] - 163:34 beginning [3] - 173:39, 178:42, 180:25 behalf [2] - 163:14, 186:40 behind [2] - 169:27, 179:4 BEING [1] - 165:1 bell [1] - 167:6 belonged [1] - 164:25 below [2] - 177:42, 177:46 best [1] - 171:17 better [1] - 180:16 between [7] - 168:3,		
		C camouflage [12] - 165:8, 165:15, 165:21, 167:34, 167:41, 167:45, 168:4, 168:12, 169:29, 170:25, 170:35, 171:25 camp [6] - 174:14, 174:20, 177:4, 177:11, 177:12, 184:21 cannon [1] - 165:30 cannot [19] - 173:4, 173:33, 173:35, 175:2, 176:27, 177:34, 177:37, 178:9, 178:17, 178:20, 178:36, 179:22, 180:41, 181:20, 181:21, 181:36, 184:29, 187:10, 187:19 capsized [1] - 186:26		

<p>182:12 continued [2] - 178:40, 178:45 control [4] - 166:9, 167:2, 172:30, 172:33 conversation [2] - 175:36, 175:37 conversations [1] - 175:38 coordinated [3] - 172:23, 172:26, 172:32 coordination [1] - 172:32 copy [1] - 180:16 correct [9] - 166:40, 177:18, 177:19, 177:24, 177:43, 177:47, 178:13, 179:30, 179:35 correctly [1] - 170:4 Counsel [2] - 162:35, 186:40 counterweight [1] - 171:24 counterweights [2] - 165:10, 171:47 course [19] - 166:34, 167:19, 167:23, 167:35, 167:37, 168:16, 168:26, 168:28, 173:44, 174:16, 175:19, 175:22, 178:31, 181:21, 181:24, 181:37, 183:35, 184:44, 184:45 crew [10] - 163:45, 166:25, 169:9, 171:30, 178:18, 181:8, 182:6, 183:25, 183:42, 186:24 CREW [1] - 182:1 crews [1] - 171:45 cross [1] - 164:43 Cruiser [1] - 178:15 cruiser [12] - 167:24, 175:12, 177:29, 178:7, 178:11, 178:22, 178:34, 178:45, 179:19, 179:27, 181:23 cruisers [1] - 175:9 cry [2] - 187:30, 187:34 curious [4] - 166:31, 167:37, 168:19, 169:18</p>	<p>deny [1] - 178:9 describe [1] - 182:47 described [2] - 168:47, 173:38 destroyed [3] - 182:14, 182:17, 183:16 Detmers [4] - 175:36, 175:37, 183:39, 183:47 diagram [3] - 164:38, 164:40, 164:44 died [3] - 186:26, 186:27, 187:32 different [4] - 170:47, 185:19, 185:32, 185:33 difficulty [1] - 180:14 direct [1] - 181:9 directed [1] - 169:26 direction [8] - 167:29, 168:29, 169:1, 169:36, 171:26, 172:36, 172:44, 174:29 directly [4] - 166:10, 168:44, 181:26, 185:9 director [3] - 167:2, 172:30, 172:33 director's [1] - 166:9 disagree [2] - 181:1, 185:36 disappeared [2] - 173:10, 173:47 discussing [1] - 175:41 disguise [7] - 165:8, 165:24, 171:23, 176:10, 186:10, 186:13, 186:14 disguised [5] - 165:9, 167:42, 186:6, 186:7, 186:11 distance [2] - 169:4, 169:7 distress [1] - 185:44 divided [1] - 163:45 division [7] - 163:31, 163:32, 163:37, 163:38, 163:39, 163:40, 164:11 divisions [1] - 164:1 document [4] - 179:42, 179:44, 180:2, 181:44 done [6] - 172:9, 172:33, 176:27, 179:40, 180:1, 181:7 DONE [1] - 181:47 Down [1] - 167:47 down [4] - 164:20, 167:41, 168:2, 173:43 downstairs [1] - 182:34 draw [2] - 180:10, 180:11 drawn [2] - 180:4, 180:7 drew [2] - 176:25, 179:38 Drew [1] - 176:35 drifted [2] - 181:28, 181:29 drifting [3] - 174:5, 182:40, 182:41 drink [1] - 184:8 dropped [4] - 178:46, 179:2, 179:4 Dropped [1] - 179:5</p>	<p>During [2] - 172:21, 177:21 during [2] - 168:26, 169:14 Dutch [4] - 170:42, 170:44, 171:5, 186:14 duties [2] - 163:43, 180:44 duty [2] - 177:16, 177:17</p>	<p style="text-align: center;">F</p> <p>fact [5] - 169:45, 173:9, 175:30, 184:9, 187:12 fair [1] - 178:45 far [4] - 175:10, 184:12, 185:46, 187:26 fast [1] - 172:22 faster [1] - 182:42 fed [1] - 183:19 few [3] - 165:18, 169:17, 169:19 fifth [3] - 164:11, 164:31, 178:1 final [1] - 184:25 finished [2] - 164:20, 182:36 fire [37] - 165:14, 165:16, 165:20, 166:5, 166:8, 167:14, 169:24, 171:27, 171:42, 172:12, 172:16, 172:22, 172:24, 172:25, 172:27, 172:43, 173:23, 173:32, 174:16, 174:26, 174:27, 174:28, 177:32, 178:7, 178:30, 178:35, 178:36, 182:12, 182:32, 183:10, 183:11, 183:13, 183:15, 183:19, 183:24 fired [21] - 171:42, 172:3, 172:4, 172:13, 172:22, 172:31, 173:31, 174:15, 174:22, 174:25, 174:31, 177:21, 178:8, 179:19, 179:28, 181:30, 182:8, 182:30, 185:5, 185:38, 186:19 firing [14] - 165:25, 169:14, 170:36, 171:17, 171:39, 172:16, 172:36, 172:44, 173:5, 173:41, 175:22, 178:40, 182:22, 183:12 First [3] - 163:46, 178:11, 178:34 first [13] - 164:2, 164:22, 165:22, 167:13, 167:20, 168:17, 168:29, 172:3, 172:4, 172:38, 173:10, 177:32, 185:45 five [1] - 179:28 flag [8] - 170:1, 170:42, 170:44, 170:47, 185:9, 185:15, 185:25, 186:1 flags [7] - 166:28, 170:13, 170:37, 170:40, 171:5, 171:6, 171:8 flaps [2] - 165:9, 167:41 flew [3] - 180:22, 180:23, 185:27 flown [1] - 185:5 fo'c'sle [1] - 182:34 followed [1] - 167:22 follows [1] - 177:16 food [2] - 184:3, 184:12 foreship [1] - 183:25</p>	<p>forward [2] - 169:21, 169:26 forwarded [1] - 171:38 four [4] - 177:41, 179:28, 182:17, 182:19 Frank [1] - 163:13 free [5] - 172:14, 172:15, 172:25, 180:47, 185:27 French [1] - 186:18 friend [1] - 184:5 friends [3] - 174:14, 175:4, 183:2 front [5] - 173:11, 177:36, 183:22, 183:44, 185:1 full [1] - 163:17 funny [1] - 168:35 fuse [1] - 165:45 fused [3] - 173:27, 173:29</p>
				G
				<p>gap [1] - 166:31 gaps [1] - 168:3 gardener [1] - 163:28 gathered [1] - 183:38 general [2] - 172:36, 172:44 Generally [1] - 175:29 generally [1] - 167:3 generate [1] - 170:22 generators [1] - 170:21 German [2] - 185:25, 186:18 Germany [2] - 162:31, 163:2 given [12] - 165:24, 166:10, 166:42, 167:2, 167:14, 169:24, 171:16, 171:42, 172:43, 182:33, 183:11, 183:14 glass [1] - 183:17 Goesseln [4] - 163:39, 164:12, 175:36, 183:39 Goesseln's [1] - 163:37 grenade [2] - 164:4, 165:44 grenades [3] - 165:30, 165:35, 177:47 grey [1] - 164:26 group [3] - 164:3, 164:6, 183:40 groups [1] - 163:46 GUN [1] - 165:1 gun [41] - 164:2, 164:11, 164:29, 164:31, 164:35, 164:40, 165:7, 165:15, 165:27, 165:28, 166:6, 166:7, 166:14, 166:26, 169:9, 170:32, 171:30, 171:31, 171:33, 171:42, 171:45, 172:3, 172:4, 172:26, 172:29, 173:11, 173:27, 177:17, 177:21, 177:35, 177:36, 177:46, 179:33, 180:42, 185:8, 187:2, 187:7</p>

<p>gunner [1] - 182:26 guns [33] - 163:44, 163:47, 164:10, 164:22, 166:10, 166:13, 169:7, 170:26, 171:22, 171:25, 172:3, 172:12, 172:13, 172:21, 172:24, 172:31, 172:42, 172:45, 173:5, 176:36, 177:41, 177:45, 177:46, 178:4, 178:26, 179:39, 182:12, 182:21, 182:30, 184:3, 187:22 guys [1] - 175:3</p>	<p>hook [1] - 185:15 horizon [2] - 178:12, 181:22 hours [7] - 167:13, 167:18, 167:23, 167:33, 169:25, 170:20, 170:21 hull [1] - 186:15 hunting [1] - 184:45</p>	<p style="text-align: center;">J</p> <p>Japanese [3] - 185:38, 186:10 job [6] - 165:29, 165:32, 166:14, 170:28, 170:32, 173:34 journey [7] - 175:14, 175:18, 175:21, 175:28, 176:3, 176:6, 181:39 July [1] - 162:40 jumped [1] - 183:28</p>	<p>165:7, 165:27, 165:38, 166:3, 166:37, 166:46, 167:12, 167:44, 168:2, 168:25, 168:41, 169:9, 170:35, 171:16, 171:41, 172:21, 172:41, 173:19, 174:38, 174:43, 176:5, 176:31, 177:4, 179:10, 179:44, 180:1, 180:6, 180:16, 180:46, 181:6, 181:41, 182:4, 184:33, 184:40, 185:23, 185:30, 186:22, 186:40, 187:15, 187:39 Leut [3] - 163:12, 163:14, 174:43 lie [1] - 170:27 life [2] - 168:37 lifeboat [3] - 183:37, 184:2, 184:7 lifeboats [6] - 181:35, 182:35, 183:23, 183:26, 186:31, 187:1 lift [1] - 165:11 lifted [4] - 165:10, 165:12, 167:34, 170:25 light [1] - 186:30 line [3] - 176:20, 177:41, 180:40 load [3] - 164:7, 165:30, 166:14 loading [1] - 180:42 Loading [1] - 177:45 LOCATION [1] - 164:47 look [2] - 181:10, 184:26 looked [4] - 166:31, 167:24, 168:38, 169:37 loosened [2] - 171:24, 171:46 loss [1] - 163:16 loss [1] - 163:16 loudspeaker [3] - 166:8, 175:45, 176:17 loudspeakers [7] - 166:27, 166:43, 175:27, 175:30, 175:33, 175:40, 175:43 love [1] - 175:5 lower [3] - 169:40, 169:44, 183:26 lowered [5] - 169:44, 170:42, 171:11, 183:44, 185:16 lunch [1] - 164:21</p>	<p>185:14 Matthew [2] - 162:35, 163:12 Mauser [3] - 187:15, 187:22 mean [9] - 165:36, 168:34, 169:17, 172:11, 172:29, 175:3, 177:22, 184:44, 185:14 means [2] - 166:43, 174:31 MEMBERS [1] - 182:1 members [6] - 175:25, 181:8, 182:6, 183:25, 183:42, 186:24 memory [1] - 182:45 men [7] - 179:35, 180:21, 183:37, 183:39, 186:27, 187:32, 187:33 mentioned [2] - 167:12, 183:6 merchant [5] - 167:26, 168:34, 184:43, 185:6, 186:6 message [2] - 169:10, 171:21 met [2] - 164:15, 183:35 metres [13] - 167:35, 167:40, 168:15, 169:4, 169:6, 169:7, 169:10, 177:26, 177:27, 178:24, 178:25, 185:15, 187:9 midnight [1] - 183:31 might [6] - 166:37, 169:37, 173:4, 175:12, 177:23, 183:33 military [1] - 177:2 milk [1] - 184:13 mine [2] - 180:16, 184:5 minutes [3] - 165:18, 179:28, 179:32 miscellaneous [1] - 184:24 mistake [2] - 175:11, 175:15 mixed [1] - 187:5 moment [3] - 167:9, 174:38, 186:42 Moon [1] - 177:13 morning [2] - 183:34, 183:35 morse [3] - 169:47, 170:14, 170:17 most [1] - 184:18 move [1] - 168:42 moved [4] - 169:36, 174:9, 174:16, 182:39 movement [1] - 173:41 moving [2] - 167:28, 169:1 MR [3] - 165:2, 182:2, 184:38 munitions [1] - 164:7 Murchison [1] - 184:22 must [7] - 175:8, 175:47, 176:1, 176:11, 182:25, 185:14, 186:33</p>
<p style="text-align: center;">H</p> <p>half [4] - 165:24, 167:18, 167:23, 167:33 Hamburg [1] - 184:6 hard [1] - 180:29 Harper [3] - 162:36, 163:14, 174:43 hatches [1] - 186:37 HE [1] - 182:1 hear [4] - 172:38, 173:6, 175:31, 175:32 heard [18] - 166:27, 167:8, 168:17, 168:18, 169:9, 169:10, 170:2, 171:29, 173:34, 174:13, 174:19, 175:8, 175:28, 176:17, 177:27, 178:26, 183:17, 183:30 heavy [1] - 186:37 height [1] - 171:22 Held [1] - 162:30 help [2] - 164:10, 187:29 helped [2] - 171:46, 171:47 Herr [8] - 163:11, 163:13, 170:45, 170:46, 180:2, 181:45, 186:47, 187:28 high [1] - 178:12 Hildenbrand [10] - 162:30, 163:2, 163:11, 163:18, 164:44, 170:46, 176:31, 181:45, 186:47, 187:28 HILDENBRAND [4] - 163:7, 165:2, 182:2, 184:38 Hildenbrand's [1] - 180:2 hit [13] - 173:2, 173:9, 173:35, 174:17, 174:19, 174:36, 178:34, 178:45, 179:20, 179:24, 179:28, 182:26, 183:16 hits [1] - 177:29 HMAS [2] - 162:18, 163:16 hoisted [8] - 170:38, 170:40, 171:10, 185:7, 185:10, 185:17, 185:26, 185:28 hoisting [1] - 170:40 hold [2] - 186:34, 186:35 home [1] - 163:1 Hon [1] - 162:25</p>	<p style="text-align: center;">I</p> <p>idea [2] - 184:30, 184:31 Il [3] - 162:18, 163:16, 163:26 imagine [1] - 186:33 immediately [1] - 177:46 important [1] - 180:30 impossible [4] - 175:2, 185:40, 185:46, 186:25 impressive [3] - 167:25, 167:38, 168:33 inaudible [1] - 170:30 inaudible [1] - 180:33 Inaudible [1] - 180:36 included [1] - 165:5 Including [1] - 172:18 including [1] - 165:45 indeed [3] - 163:9, 187:28, 187:37 Indian [1] - 180:23 indicate [2] - 164:39, 170:46 INDICATING [1] - 164:47 INQUIRY [2] - 162:18, 187:41 Inquiry [1] - 163:15 instructions [1] - 180:39 INTELLIGENCE [1] - 181:47 intelligence [2] - 180:1, 181:7 interested [1] - 168:38 intermission [1] - 174:46 INTERPRETER [18] - 165:42, 166:1, 166:20, 166:42, 167:1, 168:47, 172:38, 174:9, 176:29, 176:35, 176:40, 176:45, 179:2, 179:7, 179:12, 179:17, 180:25, 187:5 interpreter [1] - 163:13 interrogated [3] - 176:24, 177:1, 177:8 interrogators [1] - 180:39 interval [1] - 176:7 interview [1] - 176:24 INTERVIEWED [1] - 182:1 interviewed [1] - 181:8 INTO [1] - 162:18 introduce [1] - 163:12 involved [2] - 184:41, 184:46 involving [1] - 169:34 issued [1] - 187:17 itself [1] - 181:9</p>	<p style="text-align: center;">K</p> <p>kept [1] - 180:21 killed [2] - 179:34, 179:36 kind [1] - 175:41 knots [1] - 168:35 known [2] - 175:9, 175:13 KORMORAN [2] - 164:47, 182:1 Kormoran [50] - 163:30, 163:43, 164:15, 164:39, 165:4, 166:17, 166:23, 167:18, 167:22, 167:28, 168:35, 168:43, 170:22, 170:37, 170:44, 172:5, 173:31, 173:32, 173:40, 175:26, 175:38, 177:40, 178:6, 178:12, 178:30, 178:40, 179:29, 180:22, 181:8, 181:11, 181:18, 182:5, 182:6, 182:7, 182:12, 182:22, 182:31, 182:39, 183:32, 183:38, 184:28, 184:42, 185:5, 185:31, 185:43, 186:1, 186:5, 186:7, 186:17, 186:32 Kormoran's [4] - 177:46, 178:16, 182:30, 186:24 Kriegsmarine [3] - 163:35, 187:15, 187:18</p>	<p style="text-align: center;">L</p> <p>lamp [1] - 170:1 lamps [3] - 170:12, 170:14, 170:17 landed [1] - 187:2 last [6] - 175:8, 175:13, 182:45, 182:46, 186:47, 187:2 lasted [1] - 179:32 least [1] - 178:25 left [3] - 182:43, 183:46, 186:36 leichte [1] - 186:30 less [8] - 168:22, 171:10, 171:21, 172:6, 172:9, 177:23, 177:24, 183:33 lesson [1] - 169:37 LEUT [44] - 162:35, 162:36, 163:11, 164:38,</p>	<p style="text-align: center;">M</p> <p>mark [7] - 164:43, 164:44, 171:2, 181:44, 184:36 marked [2] - 181:42, 184:34 marshalled [1] - 183:38 Maru [1] - 186:10 Marwinski [2] - 184:20, 187:25 mast [3] - 171:13, 185:9,</p>

Must [1] - 176:9	on " [1] - 179:5	169:43, 170:40, 171:20, 174:20, 174:25, 174:26, 183:42, 184:9, 186:25	186:44, 187:7, 187:17, 187:37	remember [30] - 164:16, 167:14, 167:28, 170:9, 170:12, 170:14, 170:28, 170:31, 170:39, 171:17, 173:2, 173:26, 173:31, 176:25, 176:27, 176:47, 177:8, 178:18, 178:20, 178:37, 179:23, 181:21, 181:36, 181:37, 182:8, 183:32, 183:42, 183:45, 186:6, 187:19
N	once [3] - 172:15, 180:32, 180:33	Perhaps [1] - 170:45	pretended [1] - 185:44	remove [6] - 165:15, 165:21, 165:24, 171:23, 176:10, 186:37
name [6] - 163:12, 163:17, 178:15, 178:16, 184:21, 186:10	Once [2] - 173:6, 186:9	period [9] - 167:17, 167:21, 168:21, 168:26, 169:14, 170:20, 176:9, 176:11, 181:38	principal [1] - 186:41	removed [1] - 170:35
naval [1] - 180:1	one [30] - 164:2, 164:32, 167:17, 167:23, 167:33, 170:2, 171:2, 171:10, 172:3, 172:26, 174:35, 174:36, 179:46, 180:26, 180:27, 180:42, 182:26, 183:23, 183:46, 184:10, 184:13, 184:17, 185:16, 185:17, 186:34, 186:44, 187:1	person [3] - 165:31, 182:27, 184:19	prisoner [2] - 174:14, 174:20	repeated [1] - 186:15
navy [1] - 163:33	One [2] - 171:10, 185:37	Perth [1] - 177:12	process [2] - 166:29, 168:5	repeat [3] - 166:21, 174:47, 176:29
need [3] - 174:38, 180:26, 185:15	open [1] - 185:12	photograph [1] - 184:26	program [1] - 187:33	reply [1] - 178:16
needed [1] - 165:17	opened [2] - 178:7, 178:30	PHOTOGRAPH [1] - 184:38	provided [1] - 185:33	reported [1] - 176:8
never [6] - 177:38, 180:22, 183:34, 184:45, 186:1, 186:38	operated [1] - 163:46	pieces [1] - 168:12	pull [2] - 185:26, 186:31	represents [1] - 181:9
news [2] - 168:17, 168:18	operation [1] - 164:10	pilots [1] - 184:11	pulled [1] - 184:7	rescued [4] - 177:1, 183:47, 184:14, 187:3
next [4] - 166:30, 175:19, 183:35, 185:9	opportunity [2] - 169:33, 185:35	pistol [2] - 187:8, 187:13	purport [1] - 180:2	Research [1] - 187:12
nice [5] - 175:13, 175:17, 175:28, 175:45, 176:5	opposed [1] - 166:39	PLAN [1] - 164:47	purpose [1] - 180:12	Residence [1] - 162:30
none [1] - 180:44	order [27] - 165:14, 165:20, 165:21, 165:24, 165:25, 166:7, 166:8, 166:24, 166:39, 167:14, 169:24, 171:18, 171:21, 171:23, 171:26, 171:29, 171:30, 171:37, 171:38, 171:42, 172:7, 172:15, 176:10, 182:33, 182:37, 183:11, 183:14	plane [3] - 180:20, 180:21, 180:22	pushed [1] - 165:32	respond [1] - 185:35
noon [1] - 184:14	orders [9] - 164:3, 166:5, 166:10, 166:11, 169:5, 171:16, 171:20, 173:7, 178:26	planes [1] - 186:34	put [4] - 164:43, 164:44, 165:31, 186:41	responsible [5] - 166:12, 169:4, 170:40, 171:20, 180:42
normally [1] - 165:15	otherwise [1] - 182:42	point [4] - 164:26, 170:29, 171:25, 186:36		RFD [1] - 162:25
north [2] - 181:13, 181:15	ourselves [1] - 168:22	pointed [6] - 169:20, 169:21, 169:25, 169:27, 169:31, 171:26	QC [1] - 162:25	rhythm [1] - 172:31
northerly [2] - 167:29, 168:28	outbreak [1] - 163:26	pointing [2] - 169:22, 170:26	questioning [1] - 176:20	ringing [1] - 164:16
Norwegian [3] - 186:6, 186:8, 186:9	own [4] - 173:21, 181:28, 181:29, 182:40	poles [1] - 170:47	questions [4] - 177:15, 180:7, 184:24, 186:41	rock [2] - 187:8
nose [1] - 173:27	oxygen [1] - 183:18	poor [1] - 187:31	quick [3] - 166:33, 168:34, 168:39	role [1] - 165:28
Nose [1] - 173:29		port [13] - 171:45, 173:45, 174:23, 174:24, 174:25, 174:34, 178:47, 179:15, 179:27, 181:34, 182:26, 182:30, 183:28	quickly [5] - 166:33, 168:30, 178:40, 183:10, 183:13	room [5] - 178:1, 183:16, 183:18, 183:24, 186:27
nose-fused [1] - 173:27		portion [1] - 184:10	quiet [1] - 181:35	rooms [1] - 179:36
Nose-fused [1] - 173:29		position [17] - 166:6, 167:19, 168:42, 170:3, 170:36, 171:9, 172:8, 172:45, 173:38, 173:40, 173:42, 174:28, 176:35, 178:47, 179:14, 179:39, 185:26	quite [10] - 165:11, 165:17, 167:21, 170:31, 173:46, 177:22, 180:34, 183:10, 183:13, 184:30	rope [2] - 185:16, 185:26
notes [7] - 177:15, 177:26, 178:6, 178:22, 178:29, 178:40, 180:38		positions [1] - 176:22	raise [1] - 186:45	roughly [1] - 185:12
Nothing [1] - 183:1		possible [2] - 177:22, 178:41	ran [3] - 164:22, 164:29, 164:31	routine [1] - 183:8
nothing [4] - 169:45, 182:36, 183:4, 185:2		power [4] - 181:29, 182:40, 182:43, 186:36	rang [3] - 164:21, 166:38, 167:13	rubber [4] - 183:29, 184:10, 184:11, 186:26
noticed [2] - 170:2, 185:40		practice [1] - 184:28	range [1] - 177:26	run [4] - 164:30, 167:4, 174:39, 181:27
November [1] - 164:15		precise [2] - 165:28, 171:17	reach [2] - 166:5, 183:25	running [1] - 169:36
nowadays [2] - 170:10, 178:37		PRESIDENT [47] - 163:1, 163:9, 164:35, 164:43, 165:20, 165:35, 165:40, 166:16, 166:23, 167:6, 167:32, 167:47, 168:11, 168:32, 170:25, 171:2, 171:36, 172:18, 173:1, 173:14, 174:4, 174:12, 175:40, 176:33, 176:38, 176:43, 176:47, 177:6, 179:4, 179:14, 179:19, 179:46, 180:14, 180:18, 180:29, 180:38, 181:4, 181:18, 181:44, 184:36, 185:21, 185:25, 186:17,	read [5] - 165:4, 176:33, 176:38, 180:29	
	O		ready [2] - 165:16, 172:15	S
	o'clock [3] - 164:19, 165:23		really [9] - 170:5, 170:30, 173:3, 173:4, 173:33, 173:35, 178:17, 179:23, 179:24	Saalfrank [1] - 171:34
	oath [2] - 163:5, 186:20		received [5] - 165:14, 169:10, 171:21, 171:36, 172:7	safe [3] - 175:21, 176:3, 181:39
	observe [2] - 168:4, 169:13		recognise [1] - 184:27	sailed [1] - 170:42
	obvious [1] - 183:12		Red [1] - 187:1	sailing [1] - 181:28
	obviously [2] - 167:10, 183:46		reference [1] - 175:17	sailor [1] - 163:30
	occupation [1] - 163:27		referring [1] - 175:18	sailors [5] - 167:36, 168:36, 169:17, 175:4, 183:3
	Ocean [1] - 180:23		relation [2] - 173:31, 173:35	Sakito [1] - 186:10
	OF [6] - 162:18, 164:47, 165:1, 182:1		relative [2] - 173:41, 176:22	salvo [10] - 172:23, 172:24, 172:26, 172:27, 172:32, 178:34, 178:37
	officer [6] - 163:40, 164:11, 181:7, 184:17, 184:20, 187:25			sank [1] - 186:13
	OFFICER [1] - 181:47			saw [12] - 164:22, 174:25, 175:24, 181:18, 181:22, 181:33, 182:46, 182:47, 183:34, 186:1, 187:32,
	officers [6] - 177:2, 180:1, 184:18, 187:18, 187:21, 187:24			
	old [1] - 163:34			
	P			
	pace [2] - 168:39, 168:42			
	painted [1] - 186:12			
	parallel [5] - 167:21, 167:22, 168:22, 171:19, 181:37			
	part [5] - 172:38, 173:1, 181:2, 183:8, 183:23			
	particular [2] - 165:27, 172:42			
	particularly [1] - 185:32			
	parts [3] - 172:35, 172:42, 176:33			
	passed [8] - 173:44, 181:16, 182:5, 182:7, 182:11, 182:18, 182:22, 182:31			
	past [2] - 165:24, 181:30			
	peace [1] - 169:37			
	peepholes [1] - 168:7			
	people [13] - 163:46, 164:2, 166:11, 169:4,			

<p>187:33 scared [2] - 166:34, 166:35 schnell [1] - 186:30 scuttled [1] - 183:32 sea [5] - 168:37, 175:5, 180:20, 180:21, 186:34 seaman [2] - 164:8 Second [1] - 178:34 second [2] - 164:2, 178:37 secondary [1] - 182:21 seconds [2] - 171:44, 185:14 secret [5] - 175:21, 176:6, 178:29, 178:32, 180:21 Secret [1] - 175:29 see [35] - 163:3, 164:25, 166:32, 167:32, 167:36, 167:37, 167:45, 168:3, 168:14, 168:16, 168:19, 168:26, 168:38, 168:41, 169:16, 169:29, 169:30, 169:33, 169:35, 169:40, 169:47, 170:32, 170:37, 173:9, 173:10, 173:14, 173:16, 173:21, 173:22, 173:46, 174:26, 183:33, 185:7 send [1] - 166:6 senior [2] - 184:17, 184:18 sense [1] - 166:1 sentence [2] - 172:39, 180:25 September [1] - 163:21 serious [1] - 186:22 set [4] - 169:6, 171:22, 173:5, 185:43 Setting [1] - 177:32 setting [1] - 166:12 seventh [1] - 184:14 several [1] - 166:10 shall [1] - 176:40 shell [2] - 164:4, 165:32 Shells [1] - 165:38 shells [10] - 163:47, 165:40, 173:26, 173:27, 173:28, 173:29, 178:1, 178:3, 179:28, 180:42 ship [42] - 164:24, 166:7, 166:17, 166:24, 166:32, 167:9, 167:26, 167:38, 168:8, 168:20, 168:33, 168:34, 168:38, 169:18, 169:19, 170:33, 174:1, 174:17, 175:11, 177:40, 178:23, 179:21, 181:22, 181:33, 182:33, 182:37, 183:6, 183:8, 183:14, 183:22, 183:43, 183:46, 186:6, 186:8, 186:9, 186:10, 186:11, 186:15 ships [11] - 168:37, 171:19, 173:39, 173:42, 176:23, 183:44, 183:45, 184:43, 184:45, 185:6, 186:13 shoot [3] - 170:30, 172:15,</p>	<p>186:28 shooting [3] - 170:29, 171:38, 174:35 shore [1] - 187:9 SHORT [1] - 174:41 short [3] - 174:46, 176:9, 176:11 shortly [1] - 176:9 shot [6] - 170:31, 172:14, 173:6, 174:18, 185:1, 186:24 shots [2] - 177:21, 184:47 show [6] - 164:38, 176:12, 176:16, 180:34, 180:46, 184:25 Show [1] - 176:6 showed [1] - 166:28 shown [2] - 181:44, 187:12 SHOWN [2] - 182:1, 184:38 side [18] - 164:32, 165:10, 166:33, 168:7, 168:45, 171:45, 173:45, 174:23, 174:24, 174:25, 174:31, 174:34, 178:23, 178:47, 179:27, 181:34, 182:26 side [1] - 179:15 sight [1] - 178:11 sighted [4] - 165:22, 166:17, 166:23, 185:45 sign [2] - 175:22, 176:6 sign [1] - 175:29 signal [3] - 178:19, 181:39 signalling [4] - 166:29, 168:5, 170:7, 178:18 signals [5] - 168:4, 169:47, 170:1, 170:8 similar [1] - 180:9 simultaneous [2] - 172:6, 172:11 simultaneously [2] - 172:24, 185:16 single [1] - 166:31 siren [1] - 167:8 sitting [1] - 164:20 six [4] - 177:40, 177:41, 179:28, 184:14 sixth [1] - 178:2 Skeries [5] - 166:6, 172:23, 172:30, 172:33, 175:32 Skeries' [1] - 163:37 sketch [7] - 164:39, 180:8, 180:10, 180:11, 180:46, 181:4, 181:6 SKETCH [2] - 164:47, 181:47 sketches [3] - 176:25, 176:35, 179:38 slightly [2] - 178:47, 179:14 Slits [2] - 168:11, 168:12 slits [1] - 169:29 slowed [1] - 173:43 small [1] - 184:13</p>	<p>smoke [6] - 164:24, 170:21, 170:22, 173:10, 173:20, 181:22 sometime [1] - 178:7 somewhere [1] - 183:25 son [1] - 187:33 sorry [4] - 164:24, 167:22, 176:45, 187:35 Sorry [5] - 166:20, 172:29, 172:38, 174:38, 185:23 south [1] - 181:13 specific [2] - 172:35, 172:46 speed [6] - 178:12, 178:46, 186:30, 186:33, 186:35, 186:38 spoken [1] - 182:5 stage [4] - 168:2, 168:41, 170:20, 182:12 starboard [5] - 164:32, 174:23, 177:18, 178:23, 179:20 start [5] - 163:16, 165:25, 170:30, 171:27, 172:16 started [13] - 166:28, 166:29, 169:15, 170:36, 171:17, 171:38, 173:5, 173:6, 173:23, 173:32, 173:41, 174:44, 175:22 STATION [1] - 165:1 station [3] - 164:32, 167:10, 179:33 stations [9] - 164:16, 166:18, 166:25, 166:38, 166:39, 167:4, 167:7, 167:33 stay [2] - 173:40, 183:33 steam [1] - 164:23 steamer [3] - 164:23, 168:18 Stephen [2] - 162:36, 163:14 stern [15] - 164:41, 173:4, 173:44, 174:7, 174:12, 178:46, 179:24, 181:16, 182:5, 182:7, 182:11, 182:18, 182:22, 182:31, 183:22 still [7] - 167:42, 169:20, 169:28, 174:35, 175:2, 175:14, 187:35 stimulated [1] - 185:31 stop [5] - 172:27, 174:38, 183:12, 184:46, 185:1 stopped [2] - 176:22, 178:46 Stopped [1] - 179:4 stored [2] - 178:1 straight [1] - 167:23 straightly [1] - 169:26 study [1] - 181:11 submarine [2] - 185:38, 186:18 suddenly [3] - 166:30, 173:23, 173:34 suffered [1] - 179:33 suggested [4] - 180:6,</p>	<p>181:9, 185:37, 186:5 suggests [1] - 185:43 sun [1] - 181:19 supplies [1] - 184:2 supply [1] - 184:12 surrendered [1] - 185:44 surrounding [1] - 163:15 survivors [1] - 186:23 sworn [1] - 163:7 SYDNEY [1] - 162:18 Sydney [62] - 163:16, 164:15, 164:27, 165:17, 165:23, 166:30, 167:24, 167:32, 167:40, 167:45, 168:14, 168:29, 168:36, 168:41, 169:47, 170:1, 170:17, 172:35, 172:36, 172:42, 172:43, 173:1, 173:9, 173:17, 173:22, 173:32, 173:39, 173:43, 174:2, 174:15, 174:22, 174:34, 174:47, 178:7, 178:22, 179:19, 179:27, 181:11, 181:12, 181:19, 181:26, 181:27, 181:33, 182:5, 182:7, 182:8, 182:11, 182:18, 182:25, 182:31, 182:39, 182:46, 183:3, 184:41, 185:31, 185:39, 185:44, 186:2, 186:7, 186:23 Sydney's [7] - 168:26, 169:14, 169:25, 169:34, 169:39, 170:26, 182:21 system [2] - 167:6, 171:25</p>	<p>176:45, 176:47, 177:6, 179:2, 179:4, 179:7, 179:12, 179:14, 179:17, 179:19, 179:46, 180:4, 180:14, 180:18, 180:25, 180:29, 180:32, 180:38, 181:4, 181:18, 181:44, 182:1, 184:36, 185:21, 185:25, 186:17, 186:44, 187:5, 187:7, 187:17, 187:37, 187:41 themselves [1] - 175:42 theories [5] - 185:33, 185:36, 185:37, 185:43 theory [1] - 186:17 third [3] - 164:3, 164:6, 182:27 Thomas [2] - 163:13, 170:45 Three [1] - 179:28 three [5] - 163:46, 164:1, 174:36, 179:33, 179:35 Thursday [1] - 162:40 TO [2] - 182:1, 184:38 today [3] - 169:28, 175:2, 175:14 together [4] - 178:2, 183:2, 183:33, 183:38 tomorrow [1] - 183:34 took [5] - 167:23, 171:43, 178:36, 184:6, 185:12 top [1] - 186:37 topic [2] - 184:25, 185:19 torches [1] - 184:3 torpedo [6] - 174:18, 176:36, 177:41, 179:39, 185:39, 186:19 torpedos [7] - 174:15, 174:16, 174:18, 174:22, 174:29, 181:31, 182:7 towards [4] - 168:44, 169:21, 178:12, 181:26 trained [2] - 163:44, 170:7 translate [1] - 176:40 transmitted [7] - 164:3, 166:11, 166:27, 175:27, 175:30, 175:42, 178:27 transmitting [2] - 169:5, 171:20 TRH [1] - 162:25 tried [2] - 168:19, 170:3 Trocas [3] - 177:2, 177:11, 187:3 true [4] - 164:19, 177:30, 177:34, 181:1 trying [4] - 169:44, 172:22, 173:1, 183:26 tubes [2] - 177:41, 179:39 tubes [1] - 176:36 turn [1] - 185:19 turned [2] - 170:29, 181:19 turning [1] - 167:29 turret [1] - 178:2 turrets [7] - 167:37, 169:20, 169:25, 173:11, 174:35, 182:14, 182:17</p>
T				
<p>tall [1] - 185:15 tape [4] - 174:39, 174:43, 176:21 target [4] - 172:46, 180:43, 184:28 targeted [2] - 172:42, 172:45 targeting [1] - 172:8 targets [3] - 172:35, 172:43 task [1] - 184:44 tasks [1] - 164:9 telephone [1] - 166:6 terms [1] - 171:18 THE [73] - 162:18, 163:1, 163:9, 164:35, 164:43, 165:4, 165:20, 165:35, 165:40, 165:42, 165:44, 166:1, 166:16, 166:20, 166:23, 166:42, 167:1, 167:6, 167:32, 167:47, 168:11, 168:32, 168:47, 169:3, 170:25, 171:2, 171:36, 172:18, 172:38, 173:1, 173:14, 174:4, 174:9, 174:12, 175:40, 176:29, 176:33, 176:35, 176:38, 176:40, 176:43,</p>				

<p>TV [1] - 187:33 twice [3] - 180:23, 180:32, 180:34 twin [1] - 174:18 two [9] - 170:2, 170:46, 173:39, 174:15, 176:7, 176:23, 177:42, 179:33, 186:34 Two [1] - 179:35 type [2] - 165:8, 187:17 Tyson [2] - 162:35, 163:12 TYSON [42] - 163:11, 164:38, 165:7, 165:27, 165:38, 166:3, 166:37, 166:46, 167:12, 167:44, 168:2, 168:25, 168:41, 169:9, 170:35, 171:16, 171:41, 172:21, 172:41, 173:19, 174:38, 174:43, 176:5, 176:31, 177:4, 179:10, 179:44, 180:1, 180:6, 180:16, 180:46, 181:6, 181:41, 182:4, 184:33, 184:40, 185:23, 185:30, 186:22, 186:40, 187:15, 187:39</p>	<p>184:20, 187:25 warship [1] - 164:27 watch [1] - 164:20 water [7] - 169:40, 172:1, 177:41, 180:40, 184:5, 184:7, 186:23 weapon [1] - 187:26 weapons [1] - 187:24 westward [1] - 167:29 Whereabouts [1] - 170:44 whereas [1] - 171:10 white [2] - 186:1, 186:12 whole [5] - 166:28, 174:32, 181:14, 186:15, 187:35 wished [1] - 181:38 wishes [1] - 176:3 WITNESS [5] - 165:4, 165:44, 169:3, 180:4, 180:32 World [1] - 163:26 worst [1] - 165:11 writer [1] - 186:5 writers [1] - 185:33</p>
Y	
U	
<p>U-boat [1] - 185:38 under [5] - 164:11, 170:42, 175:42, 182:40, 185:44 underneath [2] - 183:24 understood [1] - 166:44 unit [3] - 166:9, 167:2, 172:33 up [18] - 164:24, 165:10, 165:11, 165:12, 167:41, 167:45, 171:22, 173:5, 178:3, 178:23, 178:47, 179:14, 181:2, 181:15, 182:35, 183:29, 185:12, 187:5 useful [1] - 176:11</p>	<p>year [2] - 186:47, 187:2 years [2] - 163:34, 177:22 young [1] - 163:33 yourself [2] - 171:29, 175:25</p>
V	
<p>via [2] - 166:27, 175:42 Vichy [1] - 186:18 videotape [1] - 187:34 volunteer [1] - 163:34 volunteered [1] - 163:33 von [3] - 163:37, 175:36, 183:39 voyage [1] - 175:46</p>	
W	
<p>wait [2] - 166:13, 172:23 war [7] - 170:41, 170:45, 174:14, 174:20, 185:4, 185:13 War [1] - 163:26 warrant [3] - 184:17,</p>	

. 3/7/08