

**ALLIED STAFF MEMBERS
JEWISH RESTITUTION SUCCESSOR ORGANIZATION**

Name	Title	Employed
ABRAHAM, Tina, Miss	Attorney	Mar 49 - Oct 50
BARRY, Dr. Arthur	Reg. Off. Director	June 50 - Nov 53
BASKIN, Sylvia, Miss	Secretary	Oct 50 - Mar 52
BAUMLATT, Dr. Stephan	Attorney	Aug 50
BEN-HORIN, Meir	Historian (JCR)	July 50 - Sep 50
BESSER, Dr. Alexander	Attorney	Aug 50 - May 52
BLOCK, Dr. Paul	Attorney (LAD)	Oct 49 - June 52
*BONDY, Dr. Stefan	Reg. Off. Director	Sep 49 - Feb 51
BRUCK, Dr. Kurt	Attorney (LAD)	Aug 49 - Feb 50
CAHN, Dr. Arthur	Reg. Off. Director	Nov 48 - June 50
DALLOB, Samuel	Executive Officer	Sep 51 -
ELKAN, Dr. Frederick W.	Comptroller	May 51 -
ELKAN, Lilith, Miss	Secretary	Feb 52 -
FERENCZ, Benjamin B.	Director General	Aug 48 -
GALEWSKI, Dr. Walter	Reg. Off. Director	May 49 -
GRYNBLAT, Maurice	Legal Consultant	Aug 48 -
HEINEMANN, Dr. Alfons	Legal Consultant	Aug 50 -
HELLER, Bernhard	Director (JCR)	Mar 49 - Oct 50
HERZFELD, Dr. Manfred	Attorney	Jan 50 -
KAGAN, Saul	Director, Plans and Operations Board	Aug 48 - Nov 51
KATZENSTEIN, Dr. Ernst	Director, Plans and Operations Board	Sep 49 -
KLEIN, Eugene	Administrative Officer	Aug 48 - Apr 51
KLEIN, Dr. Ruth A.	Legal Consultant	Aug 48 - Oct 49
KREUTZBERGER, Dr. Max	Director, Plans and Operations Board	Apr 49 - Nov 49
LOEBENSTEIN, Dr. Siegmund	Reg. Off. Director	Oct 48 -
LOWENTHAL, Dr. E. G.	Office Chief (JCR)	Apr 49 -
MASCHKE, Dr. Hermann	Reg. Off. Director	Sep 50 - Nov 52
MAY, Dr. Kurt	Director (LAD)	Apr 49 -
MEZGER, Dr. Ernest	Reg. Off. Director	Oct 49 - July 52
NARKISS, Mordechai	Director (JCR)	Apr 49 - Sep 49
NEIGER, Toni	Secretary, New York	Aug 48 -
NUSSBAUM, Dr. Meinhold	Director, Plans and Operations Board	Sep 48 - Apr 49
SCHOENFELDT, Dr. Herbert S.	Reg. Off. Director	Nov 48 -
SHUNAMI, Shlomo	Deputy Field Director (JCR)	Mar 49 - Jan 50
SIMON, Dr. Otto	Attorney	Jan 50 - Sep 50
SPEYER, Dr. Walter	Reg. Off. Director	Nov 48 - Nov 49
*STARR, Joshua	Director (JCR)	Apr 49 - June 49
STEINER, Edith, L. Miss	Secretary	Nov 48 - Aug 49
STRAUSS, Dr. Raphael	Attorney (LAD)	Oct 49 -
TROLL, Stephan V.	Comptroller	June 49 - July 51
TUCH, Dr. Hans	Reg. Off. Director	Sep 49 -
WEINER, Dr. Siegfried	Reg. Off. Director	Aug 50 -
WEIS, Dr. George	Director, Plans and Operations Board	Sep 48 -
WRONKER, Dr. Kurt	Legal Consultant	Mar 51 -

*) Deceased

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R E P O R T

N O. 1

O F T H E

Jewish Restitution Successor Organization

O N T H E

Restitution of Jewish
Property

in the U.S. Zone of Germany

117000

WJC C289

HEADQUARTERS
JEWISH RESTITUTION SUCCESSOR ORGANIZATION
A P O 696A U. S. ARMY

I. Scope of the Report

This initial report is intended to present a comprehensive picture of the present status of operations and problems affecting the restitution of heirless and unclaimed Jewish property in the U.S. Zone of Germany. It has been compiled in consultation with Dr. Meinhold Nussbaum, Dr. George Weis and Mr. Saul Kagan, and the progress indicated herein represents the results of their combined efforts.

II. The operation of Military Government Law No. 59

On November 10, 1947 the Office of Military Government for Germany (U.S.) (OMGUS) promulgated Law No. 59 providing for the restitution of identifiable property acquired after January 30th, 1933 in transactions where the owner was under duress because of his race, religion, nationality or opposition to National Socialism. Claims for such property must be filed before December 31, 1948 in accordance with a prescribed petition setting forth in detail all of the circumstances of the transfer. Approximately 15,000 such claims have been filed to date. Persons in possession of property wrongfully acquired were ordered to submit a detailed report before May 15, (later extended to August 15) 1948, describing the circumstances surrounding such acquisition. Over 50,000 such reports have been filed with the Central Filing Agency.

The actual carrying out of the law has been delegated to the German Minister Presidents of each of the 4 states (or Laender) of the U.S. Zone, under the supervision of the Property Division of OMGUS. The Laender have accordingly established 20 Restitution Agencies throughout the zone whose main function is to effect amicable settlements. Such settlements have already been made in a small number of cases. The organization of these Restitution Agencies varies in each Land, and if they cannot bring about a settlement they are required to submit each case to a Restitution Chamber of the local district court for adjudication. If there has been any violation of the law appeals may be taken to a higher German court and finally to an American Board of Review which will be established in Nuernberg.

At the end of June 1948 the JRSO was appointed as the Successor Organization authorized under the law to claim heirless or unclaimed property which formerly belonged to Jewish individuals or organizations. At the beginning of August the actual operations of the JRSO in Germany were begun.

III. Operation of the JRSO in Germany

It should be noted at the outset that a very special vote of thanks is owed to Mr. Joel H. Fisher, General Counsel of the AJDC, for his outstanding contribution in actually getting the JRSO operations established and started in Germany. Reference should be made to his reports dated August 22 and 29 to Dr. Joseph J. Schwartz giving details of his activities.

(A) Organization:

Responsibility for JRSO operations is vested in the Director General and two Deputies; one designated by the Jewish Agency for Palestine and one designated by the AJDC.

(B) Administrative:

There are at present 6 Allied (U.S., British, and Palestinian) and 38 indigenous (German, Stateless and Displaced) persons employed by the JRSO. The full-time staff will probably include 10 Allied and 60 indigenous employees when it is completely organized. Mr. Eugene Klein, Administrative Officer, has been put in charge of the administration of all offices.

Allied personnel receive the same privileges concerning housing, PX, Commissary, etc. as similar employees of Military Government. Travel by rail or plane inside Germany is at Government expense. All indigenous personnel receive the privileges of similar Military Government employees and are paid from a grant of DM 50,000 made to the JRSO from German funds by Military Government. Although it will be increasingly difficult, efforts will be made to have additional sums allocated from the German economy to help cover JRSO's German payroll as soon as the initial DM 50,000 have been expended.

JRSO in Germany will consist of a Headquarters and 5 Regional Offices. In Nuernberg a small building has been furnished and assigned by the Commanding General of the area as headquarters for the JRSO. Eight telephones and thirty typewriters have been installed. All furniture, building maintenance and office space will be provided to the JRSO without cost. Similarly satisfactory arrangements have been made for our regional offices in Frankfurt, Munich, Stuttgart and Mannheim. It is anticipated that an office will also be opened in Kassel by the middle of October. These offices will cover the entire U.S. Zone. Two vehicles and drivers have been assigned by the army for our Nuernberg Headquarters, two for the Frankfurt Regional Office, and one for the Stuttgart office. Efforts are being made to increase this allotment and to obtain similar allocations everywhere. These vehicles and drivers are provided at no expense to the JRSO.

Rather than requiring the JRSO to buy Marks at the U.S. Finance Office for 30¢ per Mark a license was procured by Mr. Fisher for the JRSO to borrow DM 300,000 from a German bank and to use these Marks to pay for essential goods and services in Germany. This loan would have to be repaid before June 30, 1949 from Marks acquired through restitution. A recent amendment extended the repayment date to October 31, 1949. Pursuant to this license DM 50,000 were borrowed from a German bank at the most favorable rate of interest prevailing. Further loans will be made as the need arises and when the proper authorizations are received from the Board of Directors in New York.

Mr. Henry Joel, Head Accountant in Germany for the firm of Loeb and Troper has, while on temporary loan from the AJDC, supervised the establishment of an accounting system for the JRSO and its regional offices. Initial expenditures have been kept to a minimum and a budget based on actual operating cost will be prepared in the near future.

The technical and administrative problems involved in getting a new organization with many branched operating smoothly in Germany can hardly be overemphasized. The JRSO has been exceedingly successful thus far, but the day to day problems of receiving adequate recognition and support everywhere are still persistent, harassing and time consuming.

(C) Functional:

The functional operations of the JRSO are guided by a three man Plans and Operations Board. Dr. Nussbaum, a director, is primarily concerned with JRSO relations with the Jewish communities and problems of German law; Dr. Weis primarily supervises the field operations of the regional offices; whereas Mr. Kagan is primarily concerned with problems of finance and the relationship of the regional offices to Military Government agencies.

The present functional operations of the JRSO consist of the filing of claims on the basis of information already accumulated, and the procurement of additional information on which to base further claims.

1. The Filing of Claims

The Property Division of OMGUS has arranged to release to JRSO copies of more than 50,000 reports which persons in possession of "duress property" were required to file with the Central Filing Agency. Unfortunately, no cross-index has been prepared by the Filing Agency to show which of the properties reported as acquired under duress has actually been claimed. The only certain way to protect the rights of the JRSO, therefore, is to claim all the properties reported except those which are obviously not of Jewish interest. And that is precisely what is being done.

If we are to meet the December 31 filing deadline this involves the processing of 1000 reports daily and the preparation of almost an equal number of claims. In spite of innumerable technical difficulties we are making every effort to meet this deadline. To submit 50,000 claims giving all of the details prescribed by the law would be utterly impossible, and we are therefore preparing simplified claims giving only such minimum information as is required to preserve our rights. To prevent a bottleneck in processing we have been asked to withhold the actual submission of our claims until they are called for by the Central Filing Agency. The simplified forms are being assembled and will be submitted upon demand before December 31, 1948.

2. The Procurement of Claims Information.

An authorization was obtained by Mr. Fisher for the JRSO to examine official German records. Each regional office has been engaged in systematically studying these records concerning real estate, taxation, notarization of sales, transfer of business, mortgages etc. Liason has also been effected with the Jewish communities now in Germany to obtain additional information which will reveal assets which have not been reported under the law and which have never been taken under control by Military Government. Substantial progress in this phase of the work has been made in a few cities. Here, too, the difficulties are enormous, and it is still too early to determine how

effective these investigations will be. Military Government is presently considering whether German banks are also required to report any information concerning assets which were acquired under duress. The JRSO is pursuing this objective, and this should disclose bank accounts, stocks, bonds and other liquid assets which may be claimed by the JRSO.

Military Government has taken under control over 29,000 units of "duress" property, the bulk of which will be subject to restitution. They have estimated the value of this property at well over 1 Billion Marks. No accurate appraisal can be made at this time concerning how much of this and other assets will finally accrue to the JRSO. Such estimate will only be possible after the deadline for the filing of individual claims has passed. As soon as this can be done with any degree of accuracy a full statistical report will be made to the Board in New York.

III. Special Problems

1. Cultural Property.

Military Government has accumulated considerable amounts of cultural, artistic and religious property in depots in Germany. It may be possible for a Jewish organization properly authorized to receive such property without requiring the complex formalities of claiming under Law No. 59. The JRSO has, therefore, advised Mr. Joshua Starr of the Jewish Cultural Reconstruction that it would be best for all concerned if he would make independent efforts to obtain these properties. A Cultural Property Division of the JRSO has been established with Mr. Starr as Director for the handling of such cultural objects as may be acquired under Law No. 59. He will receive full administrative support, including the employment of necessary personnel in order to facilitate the acquisition of Jewish cultural properties. Wherever properties must be claimed under the restitution law, this will be done by the JRSO, and Mr. Starr will assume responsibility for technical advice and custody of such objects as may be acquired. Special expenses incurred by Mr. Starr in the acquisition of cultural objects directly from Military Government without claiming under Law No. 59, will be kept on our books as accounts receivable from the JCR.

2. Jewish Communities in Germany.

About 25 Jewish communities have been reestablished in the U.S. Zone of Germany. Representatives of these communities at a conference with the JRSO expressed their strong opinion that they were legally and morally entitled to all of the property of the former Jewish communities. They had begun filing claims for this property and were resolved to continue doing so. They agreed that all properties surplus to their needs and properties in areas where no new Jewish community has been established should go to the JRSO.

Their legal position does not appear to be a valid one, for the communities which originally owned the properties were dissolved by Nazi law and the present communities are new organizations. There can be no certain answer to this legal problem of the right to title unless an advisory opinion is obtained from the Board of Review.

The communities wanted the JRSO to agree that title to former community property as indicated above should vest in the new communities. We agreed with the principle that the present communities should have the means for existence and for the preservation of their Jewish traditions, but pointed

out that the final disposition of any property could only be decided by the JRSO in New York, which, according to a letter received from Dr. Joseph Schwartz, would consider the recommendations of a committee representing the German Jewish communities, the Council of German Jews outside of Germany, the JAFF and the AJDC. In spite of this we joined them in a resolution recommending to the Board in New York that whenever a new community has been established they be permitted to take title to such properties and endowments of the former community in that area as they considered necessary for their purposes, providing this does not contravene Law No. 59 and the regulation designating the JRSO as the Successor Organization.

It is not believed that any definite action can or should be taken in New York until sufficient facts are accumulated to constitute the basis for a sound judgment, and the communities have been advised to gather full information for the Board in New York, showing the amount of property and the communities concerned. In the meanwhile both the communities and the JRSO are proceeding to file claims for all of the property involved.

3. Establishment of a German entity.

The regulation appointing the JRSO provides that before December 31, 1948, the JRSO shall establish one or more German legal entities having the status of charitable organizations to receive title to real property acquired by the JRSO or such other property as may not be licensed for export by the JRSO. After a careful study of this problem by Dr. Nussbaum it is considered advisable to establish a GmbH, or limited liability corporation, as the entity required under the law. This can be done quickly with the minimum of expense and be a wholly owned subsidiary of the JRSO, with the representatives of the JRSO in Germany serving as directors and shareholders. Detailed plans are now being made for the establishment of this proposed organization.

4. Extension of the filing deadline.

It appears to be almost a certainty that unless the filing deadline of December 31 is extended, substantial injustices for both individuals claimants and the JRSO will result. It is however, inadvisable at this point for the JRSO in Germany to request an extension, for we are just beginning our operations and such action at this time would be premature. It is suggested that the Board in New York pass a resolution stating: That the JRSO in Germany is directed to make every effort to file all claims before December 31; however, should it appear at a reasonable time before December 31 that the achievement of this objective is impossible and that substantial injustices and hardships would otherwise result, the JRSO in Germany is directed to make every effort to have the deadline extended by the appropriate Military Government authorities, and that the last filing date for successor organization be at least six months later than the deadline established for individual claimants. This last provision is necessary because of the fact that the JRSO cannot know until after the deadline for individual claimants which properties remain unclaimed and subject to restitution by a successor organization. It takes several months for this information to be assembled, and only then can the JRSO know with any degree of certainty that they are preparing a valid claim. It is the only way to eliminate a complete duplication of claims filed.

5. General

There are many other problems which will be or are of importance to the JRSO. Some of these are: The extension of the restitution law to cover the U.S. Sector of Berlin; the establishment of the Successor Organization in the French and British Zones of the Western German state which is now being planned; the effect of currency conversion on assets to be acquired by the JRSO; the possible rights of JRSO under the law presently being proposed for the personal indemnification of victims of persecution; the status of JRSO property under the proposed legislation to equalize the burden of German government expenses; cooperation or control of the German officials responsible for the carrying out of the restitution law; preparations for the trial or amicable settlement of thousands of restitution cases and similar matters. There are still too many current problems to allow extensive handling of these important questions. Such problems are being given careful consideration and will be dealt with as the occasion permits.

IV. Summary and conclusion

Military Government by the promulgation of a suitable law has demonstrated its intention and policy to effect the speedy restitution of property taken from the victims of Nazi persecution. With a minimum of expenditure the JRSO has been effectively established in the U.S. zone of Germany, and will operate on an ever-increasing scale to carry out this policy as concerns heirless and unclaimed Jewish property.

Almost 50,000 claims will be filed by the JRSO before the end of the year. No accurate estimate of the value of this property can be made, but it is safe to say that it exceeds one billion marks; until the claiming deadline of December 31 has passed there is no way of knowing how much property will remain unclaimed by rightful heirs, nor can any accurate appraisal be made at this time concerning what amounts will have to be repaid to the present owners. In spite of these uncertainties and innumerable technical difficulties the operations of the JRSO in Germany hold every promise for success.

(signed) Benjamin B. Ferencz

BENJAMIN B. FERENCZ
Director General

Nurnberg, Germany
October 1, 1948.

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..... Operation of Jewish Restitution Successor Organization

It is still too early to judge the success of the restitution law in Germany. The restitution laws in Austria have been in effect for a much longer period of time; however, I confess that because of our pre-occupation with Germany, it has been difficult to keep our fingers on the situation in Austria to the extent that I should have preferred. During my recent visit to that country I learned from meetings with representatives of the Vienna community that they are greatly dissatisfied with the way restitution is working in Austria. It is my plan to send Major Hyman into Austria for a week, for the purpose of studying the matter. I shall make my recommendations on the basis of his analysis. I am not particularly sanguine about my ability to influence the situation in Austria to any appreciable degree, especially in matters relating to laws passed and implemented by the Austrian government. As a liberated state, headed by her own government and parliament, Austria is free to do pretty much as she pleases and the United States authorities are very reluctant to suggest anything that might either offend the Austrians or that might suggest that Austria's sovereignty is not complete.

As for Germany, I believe that the interested organizations in the States are sufficiently posted on restitution through the reports submitted by Benjamin Ferencz, Director General of the Jewish Restitution Successor Organization. I merely wish to assure you that the interest of the Jewish community in the heirless and unclaimed property is in excellent hands. Mr. Ferencz is a very wise choice for the position he holds. Already he has demonstrated his fine administrative talent in addition to his legal abilities. In a very limited time he assembled a staff and geared the work of his organization to a tempo that will enable the organizations to meet the deadline of December 31, 1948 for the filing of some 100,000 claims.

Mr. Ferencz has reviewed with me his ideas for the rapid liquidation of these claims. He is of the opinion that an endless and costly process of litigation will face the restitution organization if these claims must be adjudicated on an individual basis in German courts. The political atmosphere will become less friendly to the liquidation of those claims with every passing month. There is already an organization of Germans, organized to fight these claims publicly in the courts. As the influence of the occupation wanes, the prospect of generous settlements and favorable decisions is bound to decline. Mr. Ferencz is therefore exploring the possibility of a collective settlement of these claims by the German Laender. He has asked me to review it in a most tentative form with General Clay which I shall do at the earliest opportunity.

Mr. Ferencz will undoubtedly outline his plan for the consideration of the parent organization in the States at an early moment.

..... German Indemnification Law

By this time you have received my memorandum on the proposed German indemnification law. The views expressed there were not only mine but represented the combined judgment of the local German communities, of the Jewish Agency, the AJDC and of the Jewish Restitution Successor Organization. IRO also filed a memorandum interposing major objections but, at least for the time being, is not prepared to ask the authorities to veto the law in the event the German Laenderrat is unwilling to remove the objections. We succeeded in having the Civil Affairs Division of EUGOM go along with us in their recommendations to General Clay. At the present time the law is pending before the Legislative Review Board of Military Government. Because the proposed law represents the final word on restitution of non-identifiable property, I consider it as one of great importance. I propose to meet with the Review Board in Berlin, and, if necessary, follow it up with General Clay. I shall be interested in the views of the organizations in New York as to the course that should be followed and I strongly urge all of you to write to us about this at the earliest opportunity. The basic question on which I want to be reinforced by your opinion is whether I am on solid ground when I recommended that General Clay veto the proposed law if the major objections are not removed. You may wish to refer to my memorandum addressed to Dr. Edward A. Litchfield, Director of Civilian Administration Division, dated December 10, a copy of which was sent to you, in which the major objections to this proposed law are outlined.

Cultural Jewish Property

Very little progress has been made in the disposition of the homeless cultural property in the U.S. Zone, Germany. As you know, most of this consists of the Judaica at the Offenbach Archival Depot. Dr. Joshua Starr of the Cultural Reconstruction Corporation did what is reported to me to have been a splendid job in assisting in the direction of the cataloguing and classifying of the books. General Clay was prepared to turn over the entire library to the Cultural Reconstruction Corporation; he so advised the Department of the Army in Washington, which was directed by the Department of State, to advise him to delay taking such action until authorized to do so. This was in September.

It was not until last week that OMGUS received a reply to this request. Washington advised that the cultural property definitely identified as originating in Germany, may be turned over outright to the Cultural Reconstruction Corporation. As to property coming from outside of Germany, the instructions were that this property should be turned over to the Cultural Reconstruction Corporation against a custodian's receipt. Washington has requested OMGUS to submit its recommendations on the terms of the custodianship. I understand that in the absence of Dr. Starr, the Jewish Restitution Successor Organization has taken hold of this problem and has presented its views on the terms of such custodianship. I am also informed that Mr. Ferencz has submitted his views on this matter to the American Joint Distribution Committee.

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The terms of the custodianship are to be submitted by QMGUS for the approval of the Department of State. It would be most unfortunate if the Department took as much time to pass on this formula as it took to respond to General Clay's September inquiry. I therefore urge that every effort be made in the States to bring this matter to an early conclusion and thus prevent the dissipation of the valuable items in the Offenbach collection.

JRSO

2/13/50

INFORMATION ON
RESTITUTION AND RELATED SUBJECTS

1950

No. 1

INSTITUTE OF JEWISH AFFAIRS
World Jewish Congress
1834 Broadway
New York 23, New York

116986

WJC C289

I. GERMANY

A. United States Zone

1. Progress in processing restitution claims

Until the deadline for filing claims, i.e., until Dec. 31, 1948, a total of 52,866 petitions were filed by individuals and 163,218 by the Jewish Restitution Successor Organization (JRSO). About 3,000 additional claims were filed for the JRSO by Public Prosecutors. In view of the circumstance that the JRSO had to file its claims before it became known whether an individual claimant had submitted an application, a large number of its claims are duplications. It is estimated that the total of active claims (individual and JRSO) amounts to about 100,000.

According to the law, all claims were to be filed with the Central Filing Agency in Bad Nauheim. By the middle of August, 1949, the Central Filing Agency had processed 213,000 petitions and transmitted them to the Land Central Offices for Restitution, which are the central German offices established in each of the Laender. These central offices supervise the activities of the Restitution Agencies, the lower restitution authorities established by the law. There are 5 such Agencies in Bavaria, 10 in Hesse, 4 in Wuerttemberg-Baden, and 1 in Bremen.

By Aug. 31, 1949, the Central Offices for Restitution had transmitted to the Restitution Agencies a total of 46,135 petitions covering 50,767 restitution cases, i.e., somewhat over 20 per cent of those received from the Central Filing Agency. The Restitution Agencies on their part were able to dispose of a very small number of the petitions received: up to the end of August, 1949, all Restitution Agencies finally disposed of 3,417 cases by dismissal, withdrawal, or amicable settlement, and forwarded 1,827 cases to the Restitution Chambers for adjudication. Thus from November, 1947 through August, 1949, the Restitution Agencies processed only 5,244 cases, i.e., somewhat over 5 per cent of all active claims. In August, 1949, the Agencies processed 927 cases.

There are 5 Restitution Chambers in Bavaria, 4 in Hesse, 4 in Wuerttemberg-Baden, and 1 in Bremen. From November, 1947 through August, 1949, all these Chambers disposed of a total of 406 cases of which only 272 were finally decided. During the month of August all Restitution Chambers disposed finally of 49 cases, and forwarded 31 cases to the Courts of Appeals and two to the Board of Review. Thus the total output of the Restitution Chambers for August, 1949, amounted to 82 cases.

There is one Court of Appeals each in Hesse, Bavaria and Bremen, and two in Wuerttemberg-Baden. By the end of August, 1949, they had disposed of 49 cases, of which 13 were final (the others being subject to decision by the Board of Review). During August, 1949, the Courts of Appeals disposed of 13 cases, of which 3 were finally settled.

As of August 31, 1949, the Board of Review had received 24 cases. Six were rejected and 1 withdrawn. Not a single decision was rendered by the Board of Review up to that date.

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The last available figures are for Nov. 30, 1949. The number of cases finally settled, adjudicated, or otherwise disposed of are:

a. Restitution Agencies.....	6,037
b. Restitution Chambers.....	540
c. Oberlandesgerichte.....	34
d. Board of Review.....	14

Recently a speed-up procedure was introduced which is expected to expedite the processing of the claims.

2. Amendment of Art. 69 of the Restitution Law (Board of Review), Dec. 26, 1949, effective Jan. 1, 1950

United States High Commissioner for Germany Law No. 3, Amendment No. 3 to Law No. 59, changed Art. 69 of the restitution law by providing that the United States Courts of the Allied High Commission for Germany¹⁾ shall have jurisdiction to review any decision on any claim for restitution under the law and to take any action which they shall deem to be necessary or proper in respect thereof.

Regulation No. 7 under M. G. Law No. 59 amended regulation No. 4 which established the Board of Review. Under this regulation, the powers of the Board of Review were transferred to the "Court of Restitution Appeals of the United States Courts of the Allied High Commission for Germany." The court is to consist of no less than three members designated by the Judicial Council of the United States Courts of the Allied High Commission for Germany.

The jurisdiction of the Court of Restitution Appeals is given:

(a) to a party aggrieved by a decision of the Civil Division of the Oberlandesgericht. The petition may be based on violation of the law only.

(b) to a party aggrieved by a decision of the Restitution Chambers. The petition may be based only upon these grounds: that the findings of facts upon which the decisions are based are not supported by substantial evidence; that there was an abuse of discretion, or that there was prejudice on the part of the Chamber.

The Court of Appeals may refuse reviews at its discretion. It may stay execution of decisions of German courts and reverse or modify, in whole or in part, their judgments or remand the case or any part of it to the German courts whose decision was appealed from.

1)

The former Military Government Courts are now known as "United States Courts of the Allied High Commission for Germany" (see Law No. 1 of the United States High Commissioner for Germany, Dec. 28, 1949).

The decisions of the Court of Appeals are published in English and German. They are binding upon all German courts insofar as they involve an interpretation of the law.

Petitions for review of decisions made by an Oberlandesgericht are to be filed within one month (or three months if the party resides abroad) from the date of service of the decision. Petitions concerning decisions of Restitution Chambers cannot be filed before the expiration of the time limit for appeals to the Oberlandesgericht; if such an appeal has been taken, the petition for review cannot be filed until a decision by the Oberlandesgericht is rendered.

The High Commissioner may request advisory opinions from the Court of Restitution Appeals.

3. Implementation of the General Claims Law

- (a) Second Bavarian Regulation concerning the Organization of Reparation, Nov. 22, 1949 (Gesetz- und Verordnungsblatt, Nov. 29, 1949)

By this regulation the Bayerisches Landesamt fuer Wiedergutmachung (which was established under the restitution law) became the Bayerisches Landesentschaedigungsamt. The Landesentschaedigungsamt was proclaimed as the general filing agency (allgemeine Anmeldebehoerde) under the law; it is charged with the implementation of the law, except where competence is vested in the courts and other authorities.

A special board (Beirat) is attached to the Landesentschaedigungsamt; it must be consulted on questions of principle involved in the implementation of the law.

A representative of the Ministry of Finance is attached to the Landesentschaedigungsamt; he represents the interests of the Land.

- (b) Statement of the Bavarian Landesentschaedigungsamt, Dec. 28, 1949

All applications from abroad are to be sent to the Auslandskartei der Bayerischen Landesentschaedigungsamter, Muenchen, Arcisstrasse 11. In accordance with a decision of all four Laender of the U.S. Zone petitions from abroad destined for Hesse, Wuerttemberg-Baden, and Bremen are to be registered in Munich; they will thereupon be transmitted to the various Laender for decision. This regulation was adopted in order to achieve uniform action on petitions emanating from abroad.

- (c) Meeting of the inter-ministerial working group of officials charged with the implementation of restitution and compensation (Interministerielle Arbeitsgemeinschaft der Sachbearbeiter fuer Wiedergutmachungs- und Entschaeidungsfragen) in the U.S., British and French Zones, Dec. 29, 1949

The group dealt with a number of questions involved in the

implementation of existing compensation legislation, i.a., the date of residence required for eligibility (Stichtag) under the laws in the various countries, the applicability of these laws to the Shanghai ghetto and internment in Hungary, Rumania, and Yugoslavia, control of affidavits, deductible payments.

The majority did not agree to recognize the Shanghai ghetto as political arrest within the meaning of the law. Internment in Hungary posterior to March 23, 1944, is considered as Gestapoarrest; in other cases, proof must be furnished that the arrest was due to German action. In regard of Rumania a distinction is to be made between "old" Rumania (where no ghettos or concentration camps on the German model existed) and Transylvania. In Yugoslavia, only persons arrested on racial, religious, or political grounds are eligible under the law; those arrested for military reasons are excluded.

Jews who had to wear the Jewish Star and were subject to forced labor by the Gestapo or its subsidiary bodies are considered eligible for compensation for deprivation of liberty.

All children, regardless of age, who were under "political arrest" within the meaning of the General Claims Law of the U.S. Zone, are eligible for compensation.

The meeting declared that no extension of the cut-off period for the U.S. Zone is contemplated. However, absentees (i.e., persons residing abroad) are to be given an opportunity to register their claims in Munich by submission of lists; thereafter the lists are to be distributed among the Laender; applications on the prescribed forms are to be submitted at the earliest possible time.

Payment of the first part of compensation is to be made to the persecutees themselves; each of the Laender may decide whether they would establish an obligation to pay into accounts at banks and savings institutions. In Bavaria powers of attorney to receive the first installment of DM 500 are recognized only if given to relatives of the first degree of the persecutee and authenticated by police, a notary or the IRO.

(d) Circular letter No. 400/50 of the Bavarian Land Reparation Office, Feb. 2, 1950

A meeting took place on Feb. 2, 1950, under the chairmanship of Dr. Ringelman, Ministerial Director of the Ministry of Finance. The decisions reached were as follows:

(aa) Global applications from abroad, filed without compliance with the required formalities, are to be considered as made in time if they arrive before March 31, 1950.

"Global applications" are those filed by organizations, lawyers, and private individuals. The first and second name of the applicant, his present residence, and place of injury must be given. Applications on the forms required and all necessary proofs are to be submitted by Sept. 30, 1950.

(bb) As far as the application of the law to persecutees who emigrated or died before Jan. 1, 1947 is concerned, it was agreed either to issue a correction (Druckfehlerberichtigung) or to include these persons within the law on the basis of Art. 50 by a Land ordinance.

(cc) All applications from abroad should be registered in Munich. However, it suffices if the application was received before the cut-off period at the filing agency of the competent Land. ¹⁾

(dd) Pensions of applicants residing abroad cannot be paid until the question of transfer is settled.

(e) Implementary provisions in Wuerttemberg-Baden

(1) The government of the Land has appropriated DM 300,000 to pay compensation to persons not falling under the General Claims Law, among them to orphans under 16 years of age, aged Jews who have already consumed their claims, etc. (Circular E 15).

(2) Internment in a number of French concentration camps, such as Drancy, Gurs, and 18 others is recognized as political arrest within the meaning of the law (Circular E 11).

(3) Payment of indemnity under the General Claims Law to persons residing outside Germany is impossible. However, in certain cases payment to absentees is permissible within the Land, viz:

Payments in favor of children and relatives studying in Germany,

Payments to indigent relatives residing in Germany, old servants, etc.

Payments to effect repair of buildings situated in Germany.

The first two kinds of payments may be made, without license, in the amount of DM 200 monthly to one and of DM 300 to several persons; higher amounts require a license. A license is required in all instances of repairs. Licenses are granted by the Landes-zentralbank in Stuttgart, which announced that they would ordinarily be granted.

It is specifically pointed out that persons entitled to compensation for deprivation of liberty, who were in process of emigration on the effective date of the law, may receive such indemnity regardless of the general provision which would defer such payments to 1951/52 (Circular E/10).

1)

The Laender of Hesse and Wuerttemberg-Baden have not yet consented thereto.

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B. British Zone

Implementary regulation under the Restitution Law

General License No. 15 issued pursuant to Military Government Law No. 52, also known as General License No. 9 issued pursuant to Military Government Law No. 53, August 20, 1949

This license authorizes all transactions relative to claims for restitution, within the scope of Law No. 59. The conditions are that the transactions be necessary and incidental to the filing, prosecution, renunciation, settlement, or final adjudication of or defense against the claim, and that the claim be filed by a persecutee, his heirs or other successors in right (except assignees).

The license does not authorize the debiting of accounts blocked under Law No. 52, except if the account is owned by a party to restitution proceedings; nor does it permit the transfer or assignment of title to property situated outside Germany or the removal of property from the British Zone without authorization.

C. French Zone

The Loyal Restitution Organization (Vereinigung fuer Loyale Restitution).

On Sept. 3, 1949, an organization was created at Baden-Baden under the name of Vereinigung fuer Loyale Restitution. On Oct. 17, the final Constituent Assembly took place. The avowed aim of the organization is to achieve "just and loyal restitution" by influencing the legislative and administrative authorities and assisting its members in individual cases.

Dr. Wirth has agreed to head the organization.

D. Records of the Deutsche Golddiskontbank (DEGO)

The Office of the U.S. Commissioner for Germany has transferred the custody of certain records of this bank to the Berliner Zentralbank. The transfer was made under the express condition that the Berliner Zentralbank would undertake to reply to correspondence received from parties having a legitimate interest in these records. Among those covered are persons and organizations having accounts at the DEGO, and persecutees seeking information in support of restitution claims.

The custodian of the DEGO reports that the records transmitted contain information on the following subjects only:

- a. Reichsmark amounts received by the bank for the permission to remove household goods.
- b. Conversion of such Reichsmark amounts into foreign currency abroad.

The address of the Berliner Zentralbank is

Bismarkstrasse 48-52
Berlin-Charlottenburg

II. AUSTRIA

A. Progress in processing restitution claims

Up to 31 Dec. 1949, a total of 10,128 applications were filed under the First Restitution Law. Of this number, 429 were withdrawn or transferred, 5929 were granted, 805 were denied, 2,275 were pending, and 690 had not yet been considered.

Up to the same date, a total of 1,019 applications were filed under the Second Restitution Law. Of this number, 46 were withdrawn or transferred, 352 were granted, 160 were denied, 355 were pending and 106 had not yet been acted upon.

On 31 Dec. 1949, the total of appeals to the Ministry of Property Control and Economic Planning under the two first restitution laws amounted to 506. Of this number, 127 were granted and 252 were denied.

The total of claims under the Third Restitution Law filed up to 31 Dec. 1949 amounted to 29,343. Of this number, 2,846 were withdrawn, 1,065 were transferred, 6,977 were granted, 5,109 were settled, 2,739 were denied, and 10,707 were pending. At the same time, 4,256 cases of compromises, renuncements, and acknowledgments were filed under the law with the district administration.

B. Extension of cut-off periods

- (a) Order of the Ministry of Justice, Nov. 17, 1949, concerning the extension of the deadline under the Fourth Restitution Law (BGBl, Dec. 31, 1949).

The cut-off period under this law was extended until Dec. 31, 1950.

- (b) Order of the Ministry of Property Control and Economic Planning, Nov. 24, 1949, concerning the extension of the deadline under the First, Second and Third Restitution Laws (BGBl, Dec. 31, 1949)

The cut-off period under these three laws was extended until March 31, 1950.

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III. FRANCE

According to figures published by official French sources, there are in the Department of the Seine alone about 3,000 heirless Jewish properties. They belonged to deported and totally extinguished Jewish families.

A bill is in preparation concerning the disposal of these assets.

6316-2/13/50-375-NR:1s
IJA-9198

JEWISH RESTITUTION SUCCESSOR ORGANIZATION
Suite 800
270 Madison Avenue
New York 16, N.Y.

To: Directors of the JEWISH RESTITUTION SUCCESSOR ORGANIZATION

From: Lester Gutterman, Secretary

We are sending to you attached the following documents, which were distributed at the recent meeting, on October 20th, of the membership and of the Board of Directors of the Jewish Restitution Successor Organization.

- a) Annual report by the retiring President, Mr. Edward M. M. Warburg.
- b) Report by Mr. Benjamin B. Ferencz, Director General of the Jewish Restitution Successor Organization.

We trust that you will find these documents both interesting and informative of the Jewish Restitution Successor Organization's activities during the past year.

Enc.

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JEWISH RESTITUTION SUCCESSOR ORGANIZATION

ANNUAL REPORT

1947-1948

Introduction

Although the present annual report deals with the period 1947-1948, it will be recognized by the members of the corporation that the significant occurrences and developments are those of the last $3\frac{1}{2}$ months, marking the period since the designation of the JRSO as successor body for heirless and unclaimed Jewish property in the U.S. Zone of Germany. The latter area alone, of all the occupied zones of Germany, today has a workable restitution law, and in spite of early numerous and discouraging obstacles and delays, it may be reported that the Jewish Restitution Successor Organization is pursuing an energetic and extensive program of restitution which shows every sign of success. This single fact represents at once the most encouraging and the most significant development in the year 1947-1948.

Negotiations leading to recognition of JRSO

Following the issuance in November 1947 of Military Government Law No. 59, otherwise known as the restitution law, for the American Zone of Germany, the officers of JRSO submitted at once its application for designation under Article 13 of the law as the successor organization to heirless and unclaimed Jewish property. Unfortunately, however, a series of technical questions regarding the structure and form of the JRSO organization in Germany were raised at this point by governmental authorities in Washington; and despite the strenuous attempts of the JRSO officers and the member organizations in the United States to point out that these and other questions had long ago been resolved in discussions with the representatives of Military Government, the subject was completely reopened at the Washington level. After a long series of conferences and discussions including many visits by representatives of the Jewish organizations to Washington and considerable correspondence between Germany and the United States, these questions were once again resolved, and on June 23, 1948 the necessary designating decree (See Regulation No. 3 -- copy attached) was issued which enabled JRSO to commence its operations in Germany.

Organization of program in Germany

It will be recalled that under agreements dated April and August 1947, JRSO very early designated as its operating agents in Germany the Jewish Agency for Palestine and the American Jewish Joint Distribution Committee, for purposes of non-cultural property, and the Jewish Cultural Reconstruction, Inc. as operating agent for purposes of cultural property. Although handicapped in commencing their operations by the above delay attendant on the issuance of the designating decree, the operating agents in the period before the decree was issued nevertheless

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assigned a number of workers in Germany to carry on a preliminary program involving the discovery and compilation of property records, the planning of field offices, and various other matters which would be of subsequent usefulness to the work of JRSO. Following the issuance of the designating decree, Mr. Joel Fisher, who is counsel to the JDC in Europe proceeded to begin to set up the JRSO operations. Mr. Benjamin B. Ferencz, formerly Executive Counsel with the War Crimes Commission in Nurnberg, was appointed by the operating agents as the Director General of the JRSO's program in Germany. In addition to Mr. Ferencz, the JRSO staff includes Dr. Meinhold Nussbaum and Dr. George Weis, both men of distinguished European legal backgrounds, who are serving as Deputy Directors; Mr. Saul Kagan, a former high official of the Finance Division of Military Government in Berlin has also been designated as a Deputy Director; and Dr. Joshua Starr, an officer of Jewish Cultural Reconstruction and a recognized authority on Jewish cultural affairs, is serving with JRSO with particular specialization in cultural property. Together with all of these gentlemen and other allied personnel, a substantial number of local individuals from the German Jewish and the D.P. population have been recruited.

For a full report of the present phase of JRSO's operations in Germany and the extent of the work which has thus far been achieved, attention is called to the attached report which was received in New York from Mr. Ferencz only a few days before the date of the Annual Meeting.

Although complete information is not yet available from Germany regarding the total amount of dollar expenditures which will be required during the entire first year for the carrying out of the program, the two operating agents, JAIFP and JDC have made an allocation to the organization of the sum of \$110,000. (To this must also be added the sum of \$25,000 which the two operating agents appropriated in 1947.) Under the terms of the agreements of April 1947, between JRSO and the operating agents, these funds and any other funds required for purposes of the program in Germany will be regarded as advances reimbursable from the proceeds of the property recovered by JRSO.

Special membership meeting - July 29, 1948

It will be recalled that at the time of its incorporation, the name decided upon for the successor organization was "Jewish Restitution Commission." Shortly before the issuance of the designating decree, the officers received word that Military Government in Germany was concerned lest this title give to the organization a sound of officialness which it did not possess, and it was suggested by Military Government that the name be changed. Accordingly, a special meeting of the membership of the organization was called for July 29, 1948, for the primary purpose of changing the name of the organization to that of "Jewish Restitution Successor Organization", and following that meeting necessary legal documents were filed with the Secretary of State of New York, effectuating this decision.

In addition, the special meeting passed on the applications of new member organizations and also designated several additional directors. The present full membership of the JRSO, together with names of directors representing each member organization, is as follows:

<u>Agudas Israel World Organization:</u>	Jacob Rosenheim Isaac Lewin Harry Goodman
<u>Jewish Agency for Palestine:</u>	Eliezer Kaplan Emanuel Neumann Maurice Boukstein
<u>World Jewish Congress</u>	Stephen S. Wise A. Leon Kubawitzki
<u>American Jewish Committee:</u>	Jacob Blaustein Herman Gray Philip Forman
<u>American Jewish Conference:</u>	Louis Lipsky Robert Szold Bernard Bernstein
<u>American Joint Distribution Committee:</u>	Edward M. M. Warburg Monroe Goldwater Moses A. Leavitt
<u>Board of Deputies of British Jews:</u>	Selig Brodetsky A. G. Brotman Leo Istorik
<u>Central Committee of Liberated Jews in Germany:</u>	Abram Blumowicz Samuel Szlamowicz Jechaskiel Eife
<u>Council for the Protection of the Rights and Interests of Jews from Germany:</u>	Kurt Alexander Nathan Stein Max Kreutzberger
<u>Jewish Cultural Reconstruction, Inc.:</u>	Jerome Michael Salo Baron Simon Federbush

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Central British Fund

Conseil Representatif des Juifs de

France:

Robert Kiefe
Henri Monneray
Eugene Weill

Interessenvertretung Israelitischer
Kultusgemeinden in the U.S. Zone
of Germany:

Philipp Auerbach
Benno Ostertag
Kurt Epstein

Conclusion

In summary, it may be seen that JRSO is only now beginning to enter the active phase of its career as a successor organization. Happily, the unavoidable delays and negotiations which occupied a major part of JRSO's life up to the present time and which had led to its actual designation as a successor body in the American Zone are behind us; and the organization is at long last enabled to commence the discharge of its heavy responsibilities towards reclaiming the stolen and plundered property of the countless Jewish families and communities wiped out by Hitler.

Clearly, the present phase is and must remain one in which every effort and resource of the JRSO will be bent towards finding and gaining possession of the heirless and unclaimed Jewish property--with consideration of other problems necessarily postponed until such time as energies of the organization may be safely diverted from this first phase. To the vast tasks thus involved and to the added new complications and burdens which will present themselves as the program unfolds, we are confident that the JRSO, its operating agents and staffs and its officers and directors will devote themselves unstintingly and in a manner completely worthy of their high responsibility.

Through this successful discharge of the organization's tasks lies the way to a measure of correction, however small and material, of the great injustices visited upon the Jewish victims of the Nazi scourge.

Submitted by

Edward M. M. Warburg, President

September 8, 1948

Hon. W.R. Johnson
Acting Commissioner of Customs
Bureau of Customs
Washington 25, D.C.

Ref. 133.22

Dear Sir:

Returned to New York I found your letter of June 28 written in reply to my inquiry of May 27.

I appreciate your reference to your limited personnel, which circumstance does not permit your to compile the data requested in my aforementioned letter. I would like to indicate however, that the moneys received from the sale of the goods in question must be booked as a separate item, as the owners are entitled to the net proceeds of the sales. I assume, therefore, that these sales must be collected together in your office. As your office could not compile the data, it might be possible for us to charge therewith one of our employees, if he is given an opportunity to do this job.

A very recent advertisement of a private auctioneer announcing the sale of the contents of 2 vans and 52 cases of removal goods from Europe was called to my attention. It indicates the continuance of the sale of goods referred to in my letter of May 27.

Your letter of June 28 does not give any reply to the questions contained in the last paragraph of my letter, viz:

- (a) the time limit during which the money may be claimed;
- (b) the fate of moneys not claimed within this time.

Hoping to hear from you soon,

I am,

Very sincerely yours,

Nehemiah Robinson,
Chief, Office of Indemnification

NR:ms

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117010

September 8, 1948

Mr. S. Cahn-Debre
Congress Juif Mondial
Paris, France

Dear Mr. Cahn-Debre:

1. Upon my return to New York I found a very small number of the issues of the Gazette du Palais. I established that the following issues are missing:

- (a) Nos. 168 - 188
- (b) Nos. 196 - 202
- (c) Nos. 206 - 212

Furthermore, not a single issue posterior to August 3rd. (Nos. 213-216) reached my office.

Kindly investigate this matter and ask your office to provide me with the missing issues.

2. I hope you have not forgotten to send me the excerpt from the financial law dealing with the repayment of the one billion franc levy.

With kindest regards, I am

Sincerely yours,

Dr. Nehemiah Robinson

NRms

117011

WJC C43

October 28, 1948

Mr. F. Brassloff
World Jewish Congress
55, New Cavendish Street
London W.1, Great Britain

Dear Mr. Brassloff,

I am referring to my letter of Sept. 14 re Heinrich Skalla. I communicated with the Lansen-Naevé Corporation and was informed that the seven pieces of removal goods in question were sold at public auction by the New York Foreign Trade Zone operators. Apparently they were sold either because a year had elapsed without the entry to this country of the persons who had sent them or because storage charges were not paid on the goods.

According to the information I had received in analogous cases, the money, if no rights have been established thereto, must have been deposited with the Treasury Department. Otherwise it may be in the New York Custom House.

The Lansen-Naevé Corp. informed me they had given all the information necessary to Mr. Skalla's attorneys in London. If this is correct, there is probably nothing we could do more about it, as these attorneys must have taken all necessary steps to receive payment.

Very sincerely yours,

Nehemiah Robinson

NR:ls

117012

WJC C43

October 27, 1948

Dr. J. Starr
c/o Jewish Restitution Successor Organization
301 Fuehrter Str.
Nuernberg, Germany

Dear Dr. Starr:

The former Secretary General of the World Jewish Congress, Dr. Kubowitzki, lived before the war in Brussels. He had to flee Belgium in 1940 and to leave behind i.e. his extensive library. When he came to Brussels upon the end of the war, he was able to locate a portion of his library, but the most valuable part, among them a number of Jewish encyclopediae, was gone. It is assumed the books were carried off to Germany.

Some time ago I wrote about it to OMGUS attaching samples of Dr. Kubowitzki's ex-libris. I was informed that the archives were instructed to look after the books, but have not heard anything since.

I know that you went to Germany for the purposes of the Jewish Cultural Reconstruction Commission. I assume you were able to look into this matter and have access to the books stored in the Offenbach depot. I would appreciate it very much if you could check the books there with a view of locating Dr. Kubowitzki's missing library, among them prominently the encyclopediae (which are very difficult to get now). As his books must have had his signature as attached, but the ex-libris might have been cut out.

Hoping to hear from you soon,
I am,

Yours very sincerely,

Nehemiah Robinson

NR:ls

117013

WJC C43

R

November 26, 1948

Inter-Allied Reparation Agency
Bruxelles, Belgium

Gentlemen:

I have been dealing with the problem of German reparations for a very long time. A study thereon was first made in my book on "Indemnification and Reparations," New York, 1944. I dealt with it subsequently in my article "Problems of European Reconstruction" published in The Quarterly Journal of Economics, November 1945, pp. 1-55, and in the second supplement to my afore-mentioned book (mimeographed, New York, 1946). I also made a number of smaller studies on this problem.

I am preparing at present a study of the overall results of the reparations program and its impact upon the Allied nations. I understand that, in addition to the two yearly reports, you issued intermediary statistics (for instance, concerning shipments of reparations as of June 30, 1948) and made official statements concerning the deliveries (for instance, the statement of Sept. 14, 1948). I also assume that you possess data relating to German assets in Allied countries and neutral nations which were or are to be used as reparations.

I would appreciate it very much if you could send me at your earlier convenience copies of all not classified material in your possession, dealing with deliveries of plants and machinery under the Paris Agreement; monetary gold; German foreign assets; labor reparations patents, deliveries of coal and similar products to the Allies, as well as data relating to reparations exacted by the USSR from the Russian Zone of Germany. I will be only too glad to acknowledge the provenance of the material in my study if you so desire.

Very truly yours,

Nehemiah Robinson

NR:ls

117014

WJC C43

R

November 23, 1948

Mr. Ernest Stiasny
World Jewish Congress
c/o Civ. Supply Div.
USACA - USFA
APO 777, c/o P.M., N.Y., N.Y.

Dear Mr. Stiasny,

1. Just received your cable of Nov. 20 and your letter of Nov. 17. I must say that there must be something wrong with the liaison between you and Dr. Loewy. While you claim that the request for the extension of the Third Restitution Law was refused, Dr. Loewy wrote me on Nov. 14 that a special committee was appointed to study the question and to decide within a few days (I do not know as yet whether such a decision was taken). The same holds true of action: you clamor for action on the part of the WJC; however, Dr. Loewy wrote we should take no action unless he tells us to do so (he even promised to send a cable if action appears urgent). On the basis of your request Mr. Easterman cabled you (as you indicate) and asked us to do the same. We had to report that we were advised to wait. All this leads to confusion. I would therefore advise you to discuss the matter with Dr. Loewy and inform us at once what we are supposed to do.

2. The problem of the loan is a very important item. I am completely at a loss to understand why this matter was kept secret from you. It seems to me that the Joint is working under false assumptions: since the decision has been taken regarding the assignment of masterless properties to Jews, there is no legal basis to grant a loan to the Iskult. It seems that the Austrian Government is not taking very seriously promises made by various ministers and that - what we knew earlier - there is no reliance on assurances given by them.

3. It is correct that Prof. Haber promised to go to Vienna or to send Maj. Hyman there. I know that he is a seldom visitor in Austria, but do not know the reason. It is not impossible that he is reluctant to go for the reasons given by you. It might, however, be due to his preoccupation with the

117015

WJC C43

situation in Germany. The Zeilsheim story is not indicative of his influence because the evacuation of this camp was agreed upon by all persons involved long ago.

Hoping to hear from you very soon, I am,

With kindest regards to your family and yourself,

Yours sincerely,

Nehemiah Robinson

NR:ls

117016

WJC C43

November 10, 1948

Mr. Ernest Stiasny
World Jewish Congress
Seitenstettengasse 4
Wien, I., Austria

Dear Mr. Stiasny,

Many thanks for your letter of Oct. 27.

1. I agree with you fully on the necessity to take action on restitution in Austria. There are, however, a few points which I want you to consider:

(a) Some time ago the cooperating Jewish organizations had a discussion on the situation in Austria. Mr. Joel Fischer, the Legal Counsel for the Joint in Europe, was very aggressive and suggested prompt action. Unfortunately, he could not tell us what action could be effective. It is obvious that his proposal to instruct the judges by a circulaire of the Ministry of Justice would provoke an undesirable reaction, especially now with the elections coming soon. Dr. Klang, as chairman of the Supreme Commission, could do a lot but he is apparently not very eager to act.

I thought the best way out of this situation would be to have the Ministries issue an implementary decree as was envisaged in the beginning of 1947. As you probably know, Maj. Hyman submitted at that time a memorandum to Gen. Heyes (which I had prepared) and the Americans and British recommended such a decree when the law came up in the Allied Council. I do not know whether the USA Element would still support it, but such a decree could help very considerably also in avoiding delays.

EX (b) You know that Dr. Loewy was concerned about the fact that he had no support from Prof. Haber's office. Although Maj. Hyman promised me several times to take an interest in Austria, he never came to implement it. I realize that he is terribly busy, but he surely could spare a few days for this important matter.

I suggested to our organizations to put pressure on Prof.

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Haber in this respect. We met with him just a few days ago and I took advantage of suggesting a trip to Vienna for this purpose. He promised to do so. I hope he will keep the promise. If he (or Maj. Hyman) comes down, it will be Dr. Loewy's and your business to indoctrinate him and to see to it that an effective memorandum be submitted. You could also try to see Messrs. Figl and Krauland, especially if Prof. Haber goes down himself.

(c) Under the described conditions I believe it is a little premature to write the requested official letter by the Headquarters, unless you feel, after a discussion with Dr. Loewy, that it should be done.

I assume the Iskult has meanwhile taken certain steps to impress upon the authorities the necessity of appropriate action.

2. Many thanks for the list of periodicals and organizations, as well as for the subscription to the "Neues Oesterreich," the "Wiener Kurier" and the "Monatsberichte." The question of the 1946 and 1947 ~~xxx~~ issue will have to be deferred somewhat.

3. I appreciate the address of the Jewish real estate agent. Did you succeed in getting information about Dr. Kockeis?

Best regards to your wife, daughter
and yourself,

Yours very sincerely,

Mehemiah Robinson

NR:ls

117018

WJC C43

R

December 1, 1948

Miss Myra Becker
Congrès Juif Mondial
37, Quai Wilson
Genève, Switzerland

Dear Miss Becker,

I have your two letters dated Nov. 25, one addressed to me personally (re restitution law in the U.S. Zone of Germany) and the other to the Institute (re "Ujelet").

1. Kindly inform Mr. Schitzer that the question of extending the deadline under the restitution law in the U.S. Zone of Germany has been under consideration here. It appears, however, that the authorities are strongly opposed to the extension. On the basis thereof some organizations appear to be willing to renounce on a formal request, but I do not agree with them. I am trying to convince the organizations that a request for extension has to be submitted at any rate; there were enough arguments for this request in addition to those mentioned in Dr. Schnitzel's communication. As soon as the situation is clarified I shall communicate with you again.

2. I agree with you that one copy of "Ujelet" suffices for our Institute. However, I would still prefer to receive both copies to be in a position of mailing one of them to Rabbi Fisher. He is our expert on Hungarian affairs and is moving out of town.

With kindest regards,

Sincerely yours,

Nehemiah Robinson

NR:ls

117019

WJC C43

R

December 2, 1948

Dr. Paul Weis
55/II Route de Frontenex
Genève, Switzerland

Dear Dr. Weis,

I received in due time your letter of Nov. 6.

I wanted to answer it at once, but could not obtain for you the requested copies of our bill introduced in the Senate. I asked for it everywhere and was finally promised several copies. Unfortunately they have not yet arrived and I am compelled to tell you that I will mail them to you by separate mail.

1. Convention on Missing Persons

I attach herewith a copy of our comments on the draft. If you submitted in the meantime your observations on the draft of the Secretariat, kindly mail us a copy.

2. Heirless property

I agree with you fully that the enactment of some kind of legislation in the USA is a conditio sine qua non for action elsewhere. This was the main reason for my proposal to deal first with vested property, without awaiting an over-all solution. It is unfortunate that the bill could not have reached the House in time, but we will reintroduce the bill, without changes, in January and hope to get quick action on it.

3. Nationality of refugees from Austria

I was looking for figures relating to the number of Austrian refugees abroad. I discussed this problem with Dr. Karbach who is familiar with the matter. He told me he believed the Austrian authorities possessed all available material, since all the Austrians you refer to have been registered with the consulates. We are trying to obtain from other sources some figures on the numbers involved. Should we succeed, I will send you the figures.

4. Your property in Vienna

Did Dr. Kieve succeed in receiving the support of the British authorities?

With kindest personal regards, I am,

Very sincerely yours,
Nehemia Robinson

NR:ls

WJC C43

117020

R

December 3, 1948

Mr. A. Easterman
World Jewish Congress
55, New Cavendish Street
London W.1, Great Britain

Dear Mr. Easterman,

Many thanks for your letters of Nov. 24 and 26 relating to heirless property in Greece.

Your letter of Nov. 26 cancels in fact most of the contents of the earlier communication. If it has been agreed that Mr. Fisher should go to Athens, there is nothing we could do about it. Knowing Mr. Fischer, I am positive that he will not be a passive researcher but will actively deal with all authorities involved. He is very energetic and will not leave any stone untouched. But he will deal with the problem on his own and you should not expect him to give the World Jewish Congress too much credit for anything (this is for your confidential information). I would therefore believe that it would be extremely important that you go down if you only can.

As to the merits of the case, I think I wrote you already that there is, to my mind, no chance of settling this problem on our terms. This means that we have to approach the Greek Government with a compromise proposal, leaving to them a part of the heirless properties, in the form of - if possible - a grant by the Jewish community to other war victims. Such a proposal would maintain intact the principle we are fighting for but make the Government more accessible to our demands. I would suggest you discuss this approach with Dr. Schwarz and get his reaction.

The two other problems dealt with in Mr. Ben Rubi's memorandum are very important ones. The question of assets belonging to Jewish communities could be solved only on the same basis as the problem of heirless property. Different is the third question. In this matter we should make no concessions since this is a question of principle in which no compromises are possible without injuring the rights of Jews anywhere. Some time ago the Union requested my opinion about the proper way to deal with such cases and I have not heard any complaints about it. I believe it would be very

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useful if the Union had written to us in greater detail about this problem since I have dealt with such problems in many instances and we could submit to the Greek Government or the Greek Embassy here a well substantiated document with suggestions to deal with the difficulties involved.

With kindest regards,

Very sincerely yours,

Nehemiah Robinson

NR:ls

P.S. Mr. Ben Rubi estimates the value of the 2,500 Jewish heirless properties at 250,000 gold pounds. This would mean an average of 100 pounds per property a quite small amount per unit. Is there any way to verify this information?

117022

WJC 43

R

December 3, 1948

Dr. J. Liban
Congrès Juif Mondial
37, Quai Wilson
Genève, Switzerland

Dear Dr. Liban,

1. I have your letter of Nov. 25 relating to the request for copies of all political memoranda submitted by the WJC. I asked our archives and the secretariat of the Political Department to mail you the requested copies as soon as possible. Kindly acknowledge receipt.

2. I assume Dr. Riegner is still in Paris. I am therefore asking you to investigate the following matter:

As you know, many Jews from Eastern Europe had deposits and other assets in Swiss banks and trusts. Many of these Jews were killed. In some cases there may be heirs who do not know of the assets left; in other instances, no heirs are alive and the property must be considered masterless. A portion of these assets was transferred by the Swiss banks to the USA as numbered accounts (x-accounts). All these accounts are at present frozen (blocked) here and within a short while may be vested by the Office of Alien Property. If the owner of a vested property will not appear within the prescribed time, it will be confiscated as enemy property.

We are now working on legislation which would make available for Jewish purposes unclaimed foreign assets of Jews in this country. However, in the case of numbered accounts we are faced with the impossibility of proving the Jewish ownership, unless the Swiss banks are willing to divulge the name of the owner. They refuse to do so at present, although it is probable that, under the threat of confiscation, the owners will come forward with the names. In the discussions we conducted with Swiss representatives they were of the opinion that the banks may be free to be free to divulge the name of the owner of an account, if he is dead - their obligation to secrecy disappearing with his death. This would mean that they might be willing to tell us whether persons, whose names we will submit, have accounts in their banks, identifiable either by their name or by a number. However, in order to do so, we need names of

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WJC C43

Jews from Central or Eastern Europe who could be presumed to have had assets in Switzerland but did not claim them until now, or are known to have disappeared.

This is a difficult task. I thought it might be possible to discuss this problem with representatives of the Swiss Jewish Communities, local lawyers or agents (who were engaged in establishing accounts or acted as trustees) and receive from them suggestions how to deal with securing such names. Obviously, everything should be purely exploratory and informal.

If you feel you cannot handle this matter, kindly ask Dr. Riegner to deal with it. Would you know of any such cases relating to Cechoslovak Jews?

Kindly inform me about your attitude and possibilities as soon as possible. We have to act fast, otherwise we may have to leave the matter to others.

With kindest regards,

Yours very sincerely,

Nehemiah Robinson

NR:ls

117024

WJC C43

R

December 3, 1948

Dr. F.R. Eienenfeld
World Jewish Congress
65, New Cavendish Street
London W.1, Great Britain

Dear Dr. Eienenfeld,

As you know, the local Jewish organizations have been working on legislation to secure heirless and unclaimed Jewish funds in this country for Jewish purposes. We introduced in May in the Congress a Bill which passed the Senate; it was, however, held up in the House until it receded and fell under the table. According to the rules of the Congress, it must be re-introduced as if it had never been before it. We will do so in January.

For obvious reasons, the bill can deal only with vested properties, i.e. properties taken over by the Office of Alien Property. As you know, the gross of foreign property was only blocked (frozen). The present plans are to free all blocked property if it can be proven that no enemy interest is involved. It is expected that all assets not deblocked until the end of this year will be vested by the Office of Alien Property, but the owner will be in a position to regain it by proving his non-enemy character.

So far so good. The real difficulties arise in regard to the numbered Swiss accounts (so-called, x-accounts). The Swiss banks have refused until now to give out the names of the owners of numbered accounts, claiming that they are bound to secrecy by their clients. We assume that when the owners are faced with the threat of definite confiscation, most of them will come out in the open. After that there may remain mostly only properties for which no claimant is available, i.e. assets which belonged to exterminated Jews. However, under present regulations this will take at best two years, which would mean that we would have to wait that long until any procedure could be initiated in regard to these numbered accounts.

In our discussions with Swiss representatives they suggested that the banks might be willing to lift the veil of secrecy in individual cases, i.e. they might be prepared to indicate whether a given person has a numbered account in this country, provided the person is dead. The problem is to find such names. It is probable that private bankers, lawyers, trustees and agents know such names. Would you believe that there is a chance of getting

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lists of probable owners of assets in Switzerland from any organization? Are there any persons you feel we could or should approach in Switzerland or elsewhere? Have you any other suggestion whereby such lists could be compiled?

I would appreciate very much any information you may be able to give us in the above matter.

With kindest regards,

Very sincerely yours,

Nehemiah Robinson

NR:js

117026

WJC C43

Invis Mrs Torr

December 21, 1948

Dr. Paul Weis
55/II Route de Frontenex
Genève, Switzerland

Dear Dr. Weis,

Many thanks for your letter of Dec. 15.

1. Heirless property

The Congress meets in January. We will reintroduce the bill at the earliest possible moment, but it may take time until it passes both Houses.

I am glad you received the bill because there seem to be no spare copies available here.

It is not wholly correct that Mr. Isenbärgh drafted the bill on behalf of the Department of Justice. I had quite a difficult time in convincing him to draft it as it is now. Confidentially, the idea of the bill and the approach were mine. We had, however, to depend on Mr. Isenbärgh for the technical drafting. The bill was not introduced by the Department of Justice, although we would have preferred this procedure. The purpose was, however, to get in a bill which would not be disavowed by the Government.

2. Convention on Missing Persons

I received the observations of the IRO and sent you our comments.

3. Nationality of refugees from Austria

Dr. Karbach wrote to a number of persons to obtain the requested information. As soon as the answers are here, I will communicate with you.

Best regards,

Sincerely yours,

Nehemiah Robinson X✓

NR:ls

WJC C48

117027

R

December 22, 1948

M. Sylvain GAHN-DEBRE
Congrès Juif Mondial
78, Ave des Champs Elysées
Paris 6^{ème}, France

Dear Mr. Gahn-Debré,

Last September, in Paris, you told me that the problem of heirless Jewish property in France was investigated and found to be of little, if any, importance, and that the Jewish organizations were, therefore unwilling to undertake action on this matter.

I just read in the Monde Juif of November, 1948, an article by Mr. Henri Mouneray who claims that there are in France thousands of corporal and incorporeal properties, real estate, enterprises and movables which had belonged to deported Jews who left no known heirs; there is - he contends - in France and abroad thousands of persons and, especially orphans, who may be heirs to the deportees, but are not aware of it. The author claims that these properties are in the hands of wrongful possessors.

According to this article, the Centre de Documentation Juive Contemporaine investigated these properties and in its possession of over 27,000 dossiers for Paris only. The Centre, with the assistance of the CRIF, is taking steps to conserve these properties until such time as the Parliament will enact the law provided for in the ordinance of April 21, 1945.

I would appreciate very much your comments on this matter. If the report is correct (and I do not see how they could have invented it, especially since we were told already in December 1944 by the Chief of the respective section that the Centre had copies of all the files), the WJC should not sit idle and wait until the CRIF has come out with action. I do not propose as yet concrete steps but it would seem to me that we should approach the French authorities possibly through the embassies in Washington and London and request them to implement the decree of April 21, 1945. If I am not wrong, the Parliament adopted at that time a resolution (which remained in the minutes) calling for a special fund to deal with such properties. We could well base our request thereon. Kindly send me a copy of the minutes containing this resolution.

Best regards,

Yours very sincerely,

117028

NR:ls

WJC C43

Nehemiah Robinson

R

December 22, 1948

Miss Shirley Berman
American Jewish Congress
6212 Wilshire Boulevard
Los Angeles 36, Cal.

Dear Miss Berman,

Mr. Grossman passed on to me your letter of Dec. 17
in re Hayim Moshenberg.

Judging from the attached cards, the family Moshenberg
lived in Kielce. It has to be assumed, therefore, that their
property, if there was one, was there.

It might have been possible to try to trace this
property, but the deadline for filing claims under the Polish
restitution law expires on Dec. 31. We requested an extension,
but do not know whether it will be granted. There may be
a possibility of claiming the property after the expiration of
the deadline, but it would involve - as does the procedure under the
restitution law - expenses. If Mrs. Geller is unable to pay
these expenses, it makes no sense to enquire about the property.

If Mrs. Geller insists on tracing the property regardless
of what was said, she could write to the same Komitet Zydowski
in Kielce which wrote her on the previous occasions. Should
she not succeed, we may try to do so through Warsaw.

Sincerely yours,

Nehemiah Robinson

NR:ls

WJC C43 117029

April 15, 1948

Dr. Meinhold Nussbaum
Maria Theresiastr. 11
Munich, Germany

Dear Dr. Nussbaum,

It is to-day almost a year since I wrote you last. It took almost eleven months for my letter of April 16, 1947 to reach you. I hope our correspondence will from now on be a more regular one.

Many thanks for the information contained in your letter of March 7. I would like to answer the points referred to by you as follows:

(1) As you probably know already, there is every reason to believe that the Jewish Restitution Commission will be able to begin its activities soon. I assume you are in constant touch with Mr. Mason and know that the deadlock was broken recently and that it is expected that Gen. Clay will appoint the JRC very soon as the successor organization for Jewish property.

(2) I would appreciate very much if you could give me details on the number of claims filed and action taken on them. We were told that many thousands were submitted and others are in the process of being filed. Can we do anything from here?

(3) As you know, the law for the British Zone has not yet been enacted. I was informed confidentially that the draft prepared by the military authorities was so bad that the Foreign Office had to return it for redrafting. I hope we will be able to see the new draft soon.

(4) The situation in the French Zone is very difficult. We here and the French organizations in Paris made representations to the authorities concerned, but it seems that the French occupation authorities are willing to make only minor concessions. We are continuing to press for amendments despite the little hopes for success.

(5) I received from Mr. Schoyer some time ago a draft of

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WJC 43

a law for the Russian Zone and sent him my remarks thereon. There is some confusion as to the authority responsible for this draft: some believe it has been done by a private person.

(6) I was informed that the Magistrat of the City of Berlin adopted a bill, but was assured that the US representatives will not agree to it. I suggested last year to proceed in Berlin in the same way as was done in France and Austria, viz. to begin with the least controversial property and it seems that Mr. Mason now regards this possibility as the only chance to achieve some agreement.

(7) I had some drafts of the Indemnification law for the US Zone but have not heard about it since quite a while. I would appreciate the last wording and, if possible, information concerning the envisaged progress.

(8) I have not seen as yet the draft of an Indemnification Law for the French Zone. As you know, the first drafts in that Zone dealt not only with restitution but also general indemnification. I would appreciate copy of the draft, if possible.

(9) I doubted whether a restriction on the legal right of inheritance was advisable, because I felt that this would be a partial remedy only: it would refer only to confiscated or otherwise alienated properties, while in other cases (especially in regard to properties abroad or for some reason not transferred) the distant relatives would still be entitled to claim it. Furthermore, we did not (and do not) know whether the successor organization will be able to utilize properly the assets which will revert to it. I do not feel that a restriction on inheritance is advisable now because it could not be made retroactive. It seems to me that many distant relatives will not file claims, especially since they will have great difficulty in proving the death of a multitude of persons.

I would like to have some idea how the restrictions in Austria work. If they are reasonable, we could try to apply them also to Germany.

I hope to hear from you soon again.

Very sincerely yours,

Mehemiah Robinson

NR:lk

117031

WJC C43

April 15, 1948

Mr. A. L. Easterman
World Jewish Congress
55, New Cavendish Street
London W.1, Great Britain

Dear Mr. Easterman,

Many thanks for your letter of 6th April and the attached copy of your report on your visit to Athens.

I agree fully with you that the Politis affair has no bearing whatsoever on the Heirless Property Fund, but, unfortunately, such "finesses" are of no value under present day conditions.

So far as I know, the Agency has done everything possible to solve the problem. The difficulty is that the tenants do not want to move unless they are granted other premises. Under present conditions, it means the construction of a new house for which the Agency claims to have no funds. The Joint was approached for assistance, but refused.

It seems to me that the matter could be solved under one of the two following schemes, if no other way is found:

(a) The Jewish community could buy Mr. Politis' property in Tel-Aviv and pay in cash, obtaining the money as a loan from either a bank or (more appropriate) from a few of its members against security. I do not know the financial situation of the Jews in Athens, assume however that they should be able to provide the money.

I believe there might be some Greek Jews who would like to emigrate to Palestine or invest there some money, and this should be a good occasion for them.

(b) The Politis property could be acquired by someone in the USA or any other country whence transfer to Greece is possible. I know that such transactions are being made, although it may not be easy in this particular case. We need for this purpose a detailed description of the property, proof of ownership and the price involved. If Mr. Politis would grant a power of attorney

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to someone resident in this country (member of the Greek consular or diplomatic staff) there would be no difficulty in transacting the deal.

I have in Athens an old friend of mine who is a big shot in one of the leading Greek banks and professor of economics at the University; he was member of the Cabinet some time ago. Perhaps he could be helpful in this case, especially if he belongs to Mr. Politis party.

I hope Dr. Goldman may be able to find an acceptable solution while in Tel-Aviv.

With kindest regards,

Yours very sincerely,

Nehemiah Robinson

NR:lk

P.S. I just thought of a third possibility: among the properties now in the administration of the Union, subject to assignment to the Fund, there should be one which Mr. Politis might be willing to accept either in exchange for his Palestine property or as compensation for the losses he suffered because of the non-eviction of the tenants.

117033

WJC C43

April 14, 1948

Mr. Albert Loewy
c/o HQ USFA USACA SECTION
Legal Division
APO 777, c/o P.M., N.Y., N.Y.

Dear Mr. Loewy,

As you know, the Austrian restitution legislation introduced a restriction on the right of the inheritance. Such a restriction does not exist in the U.S. Zonal law for Germany, but is being requested by some responsible persons.

I have my doubts about the advisability of such restrictions as they work only in regard to restitutable properties while others are not subject thereto. However, it may be that in practice this restriction is useful. I would, therefore, appreciate very much if you could give us information about the way the Austrian restrictions work and the extent of cases where distant relatives have been excluded.

Is there any new development in Vienna?

Kindest regards,

Very sincerely yours,

Nehemiah Robinson

NR:lk

117034

WJC 43

May 27, 1948

Hon. William R. Johnson
Commissioner of Customs
Bureau of Customs
Department of the Treasury
Washington, D. C.

Dear Sir:

During the war a large number of lift-vans and trunks containing furniture and other household goods was sold at auctions in various United States ports, because their owners did not pay storage fees or because the goods were not reclaimed within the specified time. These goods belonged mostly to German, Austrian, and other Jews who sent them to the United States in anticipation of immigration to this country. Unfortunately, their owners never reached the United States and could therefore not reclaim them.

Most of the owners of these goods were killed during the war together with millions of other innocent victims of a campaign of extermination. Some of them must have left relatives, others may have died without leaving heirs.

We are especially interested in tracing those who may have a claim to the proceeds of the goods, as heirs to the owners thereof. Having affiliated organizations in every European and most of the other countries in the world, we could easily reach a large number of persons related to the missing owners. We would therefore appreciate it very much if you could furnish us a list of the names of persons whose property was sold as indicated above, together with any available data concerning the origin of the goods and the addresses of the senders.

We would also appreciate any information you may wish to give us about the time limit during which such claims may be filed and the fate of moneys not claimed within this deadline.

Faithfully yours,

117035

Nehemiah Robinson
Chief, Office of Indemnification

NR:lk

WJC 43

May 25, 1948

Mr. Adolf Rosenfelder
515 22nd Ave
Seattle 22, Wash.

Dear Mr. Rosenfelder,

Your letter of May 16 was passed on to me.

I understand that you have three different cases: one relating to the money, etc. kept in the Bankhaus Merk, Finck & Co, Munich; the second relating to the liftvans which were sent to Rotterdam, and the third concerning your insurance policy with the Basler Lebensversicherungs A.G.

If you want to claim the money, jewelry and shares, you have to file a claim in accordance with the restitution law in force in the U.S. Zone of Germany. I attach herewith a Sheet giving you all necessary details. At present there exists no body in the USA which could make the application for you, but it may be set up soon. If you want to wait for it, write to me again within a month. Otherwise file the claim directly.

The fact that the liftvans were confiscated by the Germans is not enough. It depends whether they sent it back to Germany or sold it in Holland. In the latter case, you may have the right to a claim in Holland. I would suggest you get in touch with the Dutch warehouse and find out what actually happened to your liftvans.

The case of the Basler Lebens-Versicherungs A.G. deserves special attention. If you would give me more details about it and prove that the insurance company knew that you lived since 1940 in Seattle, I will try to do something about it. I cannot promise more than to try, however.

Sincerely yours,

Nehemiah Robinson

NR:lk

117036

WSC C43

March 26, 1948

Dr. H. G. Van Dam
Legal Department
101 Jewish Relief Unit
c.o 609 HQ Mil. Gov. Det.
B.A.O.R., c/o P.M. London, Great Britain

Dear Dr. Van Dam:

You are undoubtedly aware of the existence of a special clause in the US Trading with the Enemy Act which grants the Office of Alien Property the right to return property vested in this Office and belonging to Jewish persecutees. This clause refers, i.a., to Jews resident in Germany.

The present deadline for submitting requests for the return of such property is August 8, 1948. I was told that, until very recently, the American authorities were reluctant to even inform Jew living in Germany about their rights under the statute, because of the existing currency regulations. They have done so some time ago, but it would appear that no publicity was given to this action and the officials believe that hardly anyone knows about it. They suggested that we should assist the German Jews in this respect by providing them with the text of the law and application forms (specimen).

I attach herewith copy of such an application containing all necessary information and forms for your information. I assume you will be in a position to give notice about it to all concerned. Should you need more of these applications, kindly inform me about it and I will try to mail you as many as possible.

Best regards,

Very sincerely yours,

Nehemiah Robinson

NR:lk

117037

WJC C43

February 2, 1948

Mr. A. Easterman
World Jewish Congress
55 New Cavendish Street
London W.1, Great Britain

Dear Mr. Easterman,

Heirless property Greece

1. Thank you for your letters of January 20 and 23.

I attach hereto copy of the letter I received from the State Department. No report was attached thereto, as nothing else was apparently contained there than was said in the letter.

I would like to inform you that the American Jewish Committee's report for the year 1947, as carried by the New York Times, Jan. 18, contains the following passage:

"Greeks Promise Property

Mr. Blaustein reported that Premier Themistocles Sophoulis of Greece had given personal assurances to the American Jewish Committee representatives in Athens that the Greek Government soon would implement a law adopted in 1946, which awards heirless property of Jews killed by the Nazis to the Greek Jewish community for use in rehabilitation of surviving Greek Jews."

2. You are, no doubt, well informed about the problem of restitution in the British Zone. It is the contention of all local Jewish organizations that the unification of the USA and British Zones should lead to uniform restitution legislation. We thought, therefore, that such a suggestion should be made - formally or informally - by the WJC. It would certainly be very helpful if you could discuss this question with Mr. McNeil.

As I have indicated before, the US draft was amended to meet the objections of the British against a too strong clause of presumption. The provision of the US law concerning the assignment of masterless property gives the British the possibility of a different approach from the one adopted in the US Zone, if this should be necessary. There is, thus, no reason why the British should enact their own law and not simply promulgate the USA zonal law.

NR:lk

P.S. Attached please find copy of Mr. Moissis's letter

With kindest regards,

117038

WJC 43

January 7, 1948

M. Sylvain CAHN-DEBRE
Congrès Juif Mondial
78 Ave des Champs Elysées
Paris 8-ème, France

Dear Mr. Cahn-Debré,

1. Some time ago you wrote me about the Hungarian "Gold train". I attach hereto copy of a report which appeared to-day in the JTA. I could not verify the story, but am trying to do so.

2. Many thanks for your detailed letter of December 23 concerning the affair Moissis. I agree with you that Mr. Moissis did not behave as befitted a true representative of an affiliation of the WJC. I would appreciate any further information you may have on the subject.

Best regards,

Very sincerely yours,

Nehemiah Robinson

NR:lk

Encl.

WJC 43

117039

January 16, 1948

Dr. F.R. Bienenfeld
World Jewish Congress
55 New Cavendish Street
London W.1, Gr. Britain

Dear Dr. Bienenfeld,

Some time ago we received a letter from the newly established Restitution Office of the Central Committee in Warsaw. Dr. Brassloff sent me a copy of a similar letter you had received. To judge from this letter they do not intend to engage in the kind of work we are interested in, namely to assist absentees (especially DP's) with money and counsel in the filing and prosecution of their claims. I realize that this is a difficult task and that they may not have the necessary material, means and personnel for this kind of work. However, we should try to induce them to do something for the Polish Jews in Germany, Austria and Italy, and may be also in other countries. I wrote to them in this sense. However, the experience we all had with Poland does not indicate that this matter could be dealt with through correspondence.

A few weeks ago I sent you a copy of a memorandum I submitted to the Polish Embassy in Washinton dealing with problems of court costs, taxes and lawyers' fees. As you knew, the Association of Polish Jews submitted such a memorandum months ago (I did not do it because I felt that this may jeopardize our request for the extension of the deadline) and their demands were turned down. I suspect that the Central Committee was wither against this plan (for fear of being accused in assisting Jews who fled Poland) or did not support it. I am afraid that if our request ~~was~~ will not find their support we will not succeed. You realize that this matter could not be dealt with appropriately otherwise than by personal contact.

We discussed these questions and Dr. Kubowitzki suggested that I should write you and again request you to consider the possibility of your going to Warsaw. At earlier occasions you did not react to it favorably because you thought there might be a possibility of selving these problems through a discussion during the Third Session of the European Council. I do not

WJC C43

117040

know whether you had an opportunity to discuss thoroughly these problems with Mr. Berman and what the result thereof was.

I would appreciate your opinion on the proposal contained in this letter.

2. Attached please find an excerpt from yesterday's JTA referring to Hungarian property in French custody. You are, no doubt, familiar with this question. You know that we were trying to establish the principle that only such property should be restored to Hungary the owners of which are alive there. We took this position toward the Americans and - as you know - the portion of the Hungarian train which was in American custody was to be handed over to the IRO for Jewish organizations.

I contacted Mr. Cahn-Debré in this matter and suggested that he make the necessary inquiries about ~~it~~ it. Dr. Kubewitzki suggests, however, that stronger representation should be made with the French authorities in the sense indicated above. He feels that these representations should be made by you and that you should go to Paris as soon as possible for this purpose.

Best regards,

Yours very sincerely,

Nehemiah Robinson

NR:lk

117041

WSC C43

January 29, 1948

Dr. F.R. Bienenfeld
World Jewish Congress
55 New Cavendish Street
London W.1, Great Britain

Dear Dr. Bienenfeld,

Many thanks for your detailed report on the meeting of January 20.

I agree with you fully that the WJC must be represented in the set-up of the "Claimants Office" and that our point of view relating to the fate of masterless properties should be emphasized as strongly as possible. I do not understand, however, why the other organizations do not join in this action. It would seem to me that if this were the unanimous opinion of all bodies present at the meeting, it may carry greater weight with the British.

I received meanwhile a copy of the report by the Council on the same meeting. I was somewhat puzzled to find out that the two reports differ to a certain extent in their contents. I understand that this deviation is based in part on the necessity for the Council to underscore its importance. For instance, the report of the Council states that Mr. Hampshire declared to have promised to submit the draft to Mr. Alexander for its "Stellungnahme." If this is correct, I wonder why the other Jewish organizations should not be granted the same privilege. Furthermore, the Council's report stipulates that the United Restitution Office was agreed upon to be the nucleus of the proposed new body and that the Council will work out a "fertigen Plan" thereof and submit to the other organization.

The Council reports furthermore about a preliminary meeting of the Jewish organizations held on Jan. 19. I wonder why the question of uniform legislation in the USA and British Zone was not discussed either there or later (on Jan. 20). Where there specific reasons for this reticence?

I hope that you will be able to secure, through Col. Solomon or otherwise a copy of the draft before it is submitted to the Laender. Obviously, the British would not be willing to improve on a draft they transmitted to the Germans.

Best regards,
Sincerely yours,

NR:LK

Nehemiah Robinson

117042

WSC 43

NOTES ON THE MEETING OF REPRESENTATIVES OF THE AMERICAN JEWISH COMMITTEE,

AMERICAN JEWISH CONFERENCE, JEWISH AGENCY, JOINT DISTRIBUTION COMMITTEE,

WORLD JEWISH CONGRESS

July 17, 1946 - Biltmore Hotel

PRESENT:

American Jewish Committee - Simon Segal
American Jewish Conference - Louis Lipsky, Meir Grossman
Jewish Agency for Palestine - Dr. Leo Kohn
Joint Distribution Committee - Joseph C. Hyman, Moses A. Leavitt
World Jewish Congress - Dr. Oscar Karbach, Dr. Nehemiah Robinson
and Max Lowenthal

Communications from Rabbi Bernstein were read and discussed.

Representatives of the organizations listed above, agreed to sponsor the appointment of Mr. Max Lowenthal to serve as a member of the Senior Staff of General Clay, handling Jewish restitution matters, and decided to communicate their views to Rabbi Bernstein.

Mr. Lowenthal declared that if he is approached by the War Department, he would favorably consider the acceptance of the appointment offered on the terms stipulated in Rabbi Bernstein's cable. An exchange of views on the tasks and duties of Mr. Lowenthal followed.

The participating organizations offered to place at the disposal of Mr. Lowenthal all available material dealing with the problems of restitution and indemnification in Germany.

- - - - -

The following cable was dispatched to Rabbi Bernstein after the meeting:

"JULY 17, 1946

"UNANIMOUSLY AGREED RECOMMEND MAX LOWENTHAL FIFTY-EIGHT MARRIED NOTED
NEW YORK CORPORATION BUSINESS LAWYER FORMER ASSOCIATE LATE JUDGE JULIAN
MACK ROBERT SZOLD WITH CONSIDERABLE EXPERIENCE ECONOMIC PROBLEMS stop
DURING FIRST WAR ON GOVERNMENTAL MISSIONS FOR STATE WAR OTHER DEPARTMENTS
stop DURING PRESENT WAR SERVED DIVISION CHIEF EUROPEAN LIBERATION PROBLEMS
OF BOARD ECONOMIC WARFARE stop NOW INFORMALLY DRAFTED BY SENATE HOUSE
COMMITTEES ON PENDING LEGISLATION stop FINE JEWISH BACKGROUND stop HOPE
LOWENTHAL WILL BE PERSUADED BY WAR DEPARTMENT TO ACCEPT ASSIGNMENT AND
URGE YOU REQUEST WAR DEPARTMENT OFFICIALLY APPROACH HIM stop AGENCIES
SATISFIED LOWENTHAL BEST MAN FOR PURPOSE OUTLINED YOUR LETTERS stop
PLEASE ADVISE FURTHER STEPS YOU TAKE"

117043

WJC C33

MEMO

CONFIDENTIAL

To: Members of the Office Committee
From: Nehemiah Robinson

August 12, 1946

Re: Mr. Lowenthal (Legal Adviser on Jewish affairs to Gen. Clay)

I spoke to Mr. Lowenthal last week and found him to be very reluctant to discuss the problems involved. Mr. Lowenthal believes that since he will be an official of the Military Government he must be very cautious in dealing with private organizations. He asked me, however, to send him a brief survey of the main questions involved, to enable him to make a distinction between the more and less important matters. I sent him a specially prepared memorandum and attached thereto a number of additional material, including our draft of a law, observations concerning their drafts, etc.

I was somewhat astonished to receive a call from Mr. Lowenthal on Saturday, asking me for a personal meeting as soon as possible. I found out that the reason for his change of mind was a meeting he had in Washington on Friday. He met in with several officials of the State and War Departments and during the meeting Mr. Hennendinger stated he should call on me if he wished to be "educated" in the matter of indemnification. I learned that an official of the Military Government of Germany (Mr. Ransoll) was coming to Washington to discuss the problems and that Mr. Lowenthal was advised not to depart for Germany until the arrival of Mr. Ransoll.

In two meetings we discussed the main problems of restitution, especially with the view of arguing against the thesis held by the Germans and the American officials. I also supplied him with additional material on indemnification and all related problems.

Mr. Lowenthal left for Washington last night and expects to leave for Germany soon. His appointment seems to be official. He wishes to contact as many influential people as possible in Washington.

So far as I knew, Mr. Lowenthal did not get in touch with other Jewish organizations as yet. He asked me expressly to keep all information contained herein confidential.

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WJC C33

August 29, 1946

Mr. Oscar Gass
The Jewish Agency for Palestine
2210 Massachusetts Ave., N.W.
Washington 8, D.C.

Dear Sir:

Your letter of August 26th addressed to Mr. William Barth was passed on to me. There is no person by the name of William Barth in the services of the World Jewish Congress. I assume, the letter was destined for Dr. Frank Barth of the American Jewish Conference. Nevertheless, since the problems dealt with in the attached memorandum fall within the field of my activity, I take the liberty of submitting to you the following brief observations:

I GENERAL REMARKS

I regret it very much that the Jewish organizations concerned with internal reparation (indemnification in the broader sense of the word) in Germany did not try to agree on a common program to be submitted to Mr. Max Lowenthal before his departure. Actually, he probably took with him divergent proposals which will hinder rather than facilitate his task.

II BASIC PRINCIPLES

1) The primary objective

Although I (along with others) may agree with you concerning the justice of your primary objective of the program of internal reparation, I consider it unwise to proclaim it at the present moment. You know that the main difficulty encountered in regard to restitution and compensation is the argument that the realization of this demand will ruin the German economy, since it will require large transfers abroad (see point 7, par.II, point 11 etc. but also point 22). This attitude should not surprise anyone who recognizes that the United States and Gr. Britain spend two billion dollars yearly to maintain the occupation army and to pay for imports into Germany, and that these two nations are unwilling to spend more. It is, therefore, my contention that there is a fair chance to effect

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restitution and compensation on the condition only that we succeed in convincing the American authorities that this will put no additional burden on the precarious paying balance of Germany, at least so long as the present plight prevails. No doubt, the situation may and will change in due course. Your primary objective may, however, be apt to delay any solution until such a time when its realization becomes possible, but I do not believe that internal reparation can wait that long.

2) The responsible persons

My contact with various groups of German Jews leads me to assume that the scheme proposed under points 8-9 (group settlement of the claims) has certain advocates among the German Jews in Palestine, but is vigorously opposed by others. I, personally, am of the opinion that it is rather impossible to exclude individual claimants, especially in view of the lack of unanimity among them.

III OTHER PROBLEMS

It is probably of no avail to discuss at length all aspects of the problem. I attach herewith a copy of my draft for a law on internal reparation (indemnification) which deals with them. You will see how the solution is envisaged. Of course, it is unknown how the American authorities will react toward such proposals.

Sincerely yours,

Nehemiah Robinson

nr:hs
encl.

June 4th, 1952

Mr. Eli Nathan
Foreign Ministry of Israel

Dear Eli:

I received your detailed letter of 27 May concerning the problem of claiming livestock which were confiscated in Trieste. It would appear to me that there is really no conflict between the settlement with the Italian Government and the recommendations which were worked out in The Hague. I understand the Italian Government to be prepared to compensate for losses which resulted from acts by Italian authorities or based on Italian law. The Hague recommendations are exclusively concerned with responsibility for acts of the German Reich and German authorities. In the case of Trieste, it would simply mean the confiscation of Umsugsgut by the Adriatisches Kommando. I have not gathered from your letter that the Italian Government is prepared to compensate for the confiscation of livestock by the German authorities.

It would seem to us, therefore, that all that may be needed at the moment is a clear statement to the Italian authorities that the Hague negotiations do not concern anything other than compensation for acts of the Third Reich or the German Army.

It is certainly clear that at no time did the German Delegation in The Hague agree to recommend the assumption of liability by the Bonn Government for acts committed in occupied territories by the satellite governments. There would therefore appear to be no conflict between the implementation of the Italian Peace Treaty and the carrying out of the recommendations as phrased in The Hague, with respect to the Reich acts of confiscation.

It is likely that by the time this letter reaches you, we would know about the formal resumption of negotiations with the Germans. If there are any further points, or should you conclude that our interpretation of your letter is not correct, wouldn't it be better to discuss this issue with our delegation in The Hague and then arrive at a joint recommendation? There is no doubt that the Germans would agree to any language which would imply a lessening of their responsibilities.

Best regards.

Sincerely yours,

Saul Kagan

SK:AUN

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Amended

Presentation of the Conference Claim for \$600 Million
Worth of Heirless and Unclaimed Assets

I. There are three ways of presenting the claim:

(a) To base it on the generally known vast amount of assets confiscated by the Nazi Government and the considerable number of annihilated victims of spoliation.

(b) To present detailed figures on the approximate total of heirless Jewish assets, as was done in the "Summary of Considerations in Support of the Conference Claim" which we prepared in Paris in February.

(c) To combine the preceding two methods, i.e., to demonstrate the existence of vast heirless funds without going into their details.

II. It would seem that the third method is the most appropriate because it would not involve us in discussions as to whether there are 25 or 50 or 90 per cent of unclaimed assets of a particular kind, whether we have to take into account the depreciation of the RM and, if so, to what extent, and whether or not the particular properties are of the kind that West Germany generally assumed responsibility for.

III. Under the "combined" method we would have to submit the following considerations:

(1) In "Greater Germany" the Jews were robbed by the Reich of the following assets:

(a)	The anti-Jewish levy	RM 1,200,000,000
(b)	The Reich Flight Tax	RM 950,000,000
(c)	Transfer losses	RM 400,000,000
(d)	Confiscated bank accounts	RM 500,000,000
(e)	Insurance (foreign and domestic)	RM 350,000,000
(f)	Other assets (values)	RM 1,200,000,000

RM 4,600,000,000

170.13

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(2) In the occupied countries the Germans from the very beginning froze all Jewish accounts and values in the banks (Order No. 4 dated Nov. 20, 1939, in Poland; June 21, 1939, in the Protectorate etc.) and seized their industrial and commercial enterprises. In Poland alone, there were 65,000 industrial and 130,000 commercial enterprises which were registered and practically all confiscated. Furthermore, the Germans confiscated all the furniture and furnishings of Jewish apartments, whenever the owner was absent or deported or sent to ghettos or concentration camps, i.e. in practically all instances. In the West this was the task of the M Aktion which, in accordance with Nuremberg Document 188-L, stripped 69,572 Jewish homes bare in France, Belgium and Holland. Similarly, valuables of all kind were confiscated (see as proof Nuremberg Doc. NG-5369). The same procedure was followed elsewhere, as is evidenced, for instance, by Nuremberg Document NO-724 relating to the East.

There is no doubt that it was the policy of the Nazi Reich to utilize all Jewish property for the benefit of the Reich. This was emphatically stated in Himmler's speech of Oct. 1943 (Nuremberg Document 1919-PS). The last remnants of Jewish wealth were taken away from the Jews in the concentration and extermination camps and assigned to the Reich Treasury, as is evidenced, i.a., by Nuremberg Doc. 3947-PS, NG-5561, NG-4096, NG-5248, NO-059.

The total amount of such Jewish property can be established on the basis of existing data as to the amounts exacted in some of the Aktionen and of the total estimated amount of movable property owned by Jews. Doc. NO-059 refers to the Government General (the part of Poland not occupied by Russia in 1939 or annexed to Germany), which

had an estimated number of about 1,300,000 Jews in 1939, and concern only property seized after 1942, i.e., after the main body of Jewish wealth had already been confiscated. The inventory given in this document amounts to about RM 400 million or \$160 million at the prevailing rate of exchange. This averages about \$100 per person. If we consider that some 6,000,000 Jews went through the process of concentration and death camps, the total value of their last remnants of assets alone would represent at least \$600 million. Obviously, this was only a fraction of the property confiscated by the Third Reich from these Jews, because it does not include the bulk of the assets.

On the basis of the registration of Jewish property in Germany, the total value of Jewish assets amounted to 8.5 billion RM, out of which 4.8 billion represented property other than real estate and commercial and industrial assets. A study by Dr. Vasek about the wealth of Slovak Jews reveals that these assets represent 53.7 per cent of the total Jewish property. A private estimate of the total for Czechoslovak Jewry contended that this part represented somewhere between 25 and 40 per cent of the total. If we add the commercial goods and raw materials in industrial enterprises, we shall be safe in assuming that the part of Jewish assets which could be seized by the Reich from Jews and transferred to Germany or German authorities represents at least one-third of the total Jewish assets. If we take into account only the Jewish properties in Poland (at least \$3 billion Czechoslovakia (\$0.5 billion), France, Belgium and Holland (some \$2.5 billion) and add another \$0.5 billion for the rest (Baltic countries, Yugoslavia, etc.), we arrive at a figure of \$6.5 billion worth of Jewish property in these countries, one-third of which would represent over \$2 billion which must have been taken over by Germany from

Jews in territories outside the Reich ^{at} as of the start of the war.

Practically nothing of the loot taken in territories outside Germany was restored and only a very small fraction thereof would be restored under the program of extending existing restitution and compensation legislation beyond the territorial limits of West Germany. Therefore, all of these \$2 billion ought to be considered as heirless and unclaimed. If we add thereto the unclaimed and heirless portion of the exactions within the Greater Germany, the amount of \$750 million (for West and East Germany) cannot represent more than one-quarter or one-third of the actual value of Jewish looted heirless and unclaimed assets, *including the*

X
amount that is put in the hands of the heirs left
to the estate of the deceased.

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THE PROBLEM OF THE ABANDONED JEWISH PROPERTIES IN GREECE

1

Introductory Observations

According to the official enlistment of the population of Greece of the year 1928, the total number of Jews living in Greece during that year amounted to 72791. This population was organized in 24 communities recognised by the Greek Law (basic law no.2456 of the year 1920) as legal persons of public right.

From these communities, the most important one numerically and from all other aspects, and especially economically, was the Thessaloniki Community numbering according to the same statistics as the above mentioned 56120 Jews, that is the 77% of all the Jewish population of the country. Owing to the low vital standard and to the emigration current towards Palestine, remarkable especially from the year 1932 and afterwards, the Jewish population of Greece did not increase essentially during the period following the enlistment of 1928, and so the given statistical numbers may be considered as valid also for the year 1943, date which marked the beginning of the deportation and extermination of the Jews of Greece by the Germans.

From the point of view of economic and professional composition, the Jews of Greece were mostly merchants and handicraftsmen. Wage-earning workmen existed in important percentage in the Jewish communities of Thessaloniki and Cavalla.

Excepting the town of Thessaloniki, where of the 56000 Jews about the half inhabited in communal, municipal and governmental quarters, the rest of the Jewish population because of its middle class composition and its traditions inhabited mostly in self-owned houses. The advice of the Talmud that the Jew of the Dispersion place his property 1/3 in real estates, 1/3 in merchandise and the last third in gold, was not disdained by a great part of the Jews. In the small communities it was even a rule that the Jews who were not entirely needy inhabit in a self-owned house. So if we except the about 25000 Jews (25000 Jews of Thessaloniki who as we saw above were established in communal quarters) about the 70% of the other 50000, that is about 35000 persons corresponding to about 7000 families had an equal number of self-owned houses. One half from those corresponds to Jews of Thessaloniki and the other half to Jews of the other communities. This number of about 3500 real estates in Thessaloniki approaches the improvised enlistment made during German Occupation by the Jewish Properties Administration Bureau in Thessaloniki, and which only on the basis of the declarations of Christian holders gave a number of Jewish real estates exceeding 2000. If this number of 2000 real estates is supplemented with the number of those non-declared by their holders it will approach the number of 3500 real estates appearing by the in the above way made estimation.

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The results of the persecutions

The exterminating persecutions of the Jews of Greece begun on March 1943, gave the following results regarding the persons and the properties.

a) Regarding the persons. From the 73000 Jews, about 63000 were deported and mostly exterminated in Birkenau (Upper Silesia) by the known method of asphyxiating gases. The other 10000 remained alive, from which 8000 escaped arrest and death by taking refuge in the mountains of Greece, or hiding themselves in various hiding places especially in Athens, and the other 2000 arrested, survived and returned from the concentration camps of Auschwitz, Birgenau, and Bergen-Belsen.

b) Regarding the properties. The 95-98% of movable property disappeared and especially either was pillated by the Germans (as to the most luxurious and easily transportable goods) and by the native population, or distributed officially by Hellenic Governmental Authorities among the christian population, the Hellenic Philanthropic Institutions and the Hellenic Governmental Services (as in the case especially of Janina, Arta, Preveza).

The percentage of 2-5% of the surviving movable jewish properties belongs to Jews of Athens in the first place, and to the survivors of the Communities of Larissa, Volos, Halkis, Triccala and Patras who had entrusted their properties to tried christian friends who in many cases returned them all or in part after the liberation.

Estimation of the value of Jewish Properties. Statistics given on the value of Jewish Properties in Greece, do not exist either completely or nearly accurate. There did not exist in Greece a taxation on the capital, on the basis of which a relative estimation of the value of jewish properties may be made; the extra tax imposed in 1923 on the capital had such a failure on its application that the given conclusions cannot constitute a base for any estimation.

The only possible and relatively valuable basis for the estimation of the jewish properties in Greece is based on the value of the 7000 jewish real estates and the presumed proportion of jewish settlements in real estates and of settlements in movable property. With that basis we may come to the following conclusions. The 3500 jewish real estates in Thessaloniki estimated before the war, about 500 each, give a total amount,

$$500 \times 3500 = 1,750,000$$

The rest of 3500 jewish real estates of the other communities estimated before the war (because of their much smaller value) about 200 each give the total amount

$$200 \times 3500 = 700,000$$

$$2,450,000$$

If this amount of 2450000 represents, following the above exposition, the 1/3 of the total jewish property, we come to the conclusion that before the war the value of the movable property amounted to about

the real estates property to about $5,000,000$
and the total movable and real estates property amount to $7,500,000$

The above amount, owing to the presumed basis of its estimation, may for a quite serious percentage be far from the reality. Knowing, however, that only 4-5 jewish commercial firms of Thessaloniki disposed of real estates and movable properties of a value of 1,000,000 we may pretend that the amount of 7500000 possibly is inferior but in no case superior to the reality.

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Actual situation of the rescuedJewish property in real estates

The Germans did not officially seize and confiscate the Jewish movable and real estate properties but entrusted their administration to the Greek Public Treasury. The Greek Government of the German Occupation period published two laws under the numbers of 205 of 1943, and 1180 of 1944 by which they fixed the way of that administration. In spite, however, of that regulation the movable property almost entirely disappeared, and the property in real estates remained without any real administration, and attention. Immediately after the deportation of the Jews, Greek privateers established themselves in the Jewish houses and stores either after official concession from the Greek Authorities or by arbitrary occupation, or even by requisition from German Military Occupation Authorities. Excepting the town of Janina, where after the deportation of the Jews the Greek Authorities made an enlistment of the Jewish real estates which resulted in 449 houses and 100 stores in no other town was such an enlistment and administration made. In Thessaloniki, after the deportation of the Jews, the holders of Jewish real estates were invited by the Greek Authorities to make relative declarations. Only 2000 holders responded to this invitation and no control of any kind was made for the ascertaining of the non-presented declarations.

By general rule, the Greek Authorities, during the German Occupation period and after the liberation, never occupied themselves with the enlistment, administration and care of the Jewish properties in general. In that way, those even today remain substantially under no administration and care, even though typically and following the laws published during the occupation and after the liberation, the Public Treasury is in charge of that administration. Excepting a few cases, the holders of the Jewish real estates do not pay any rent for their use and nobody annoys them for the regulation of their situation.

This sufficiently unpleasant state of things became even worse with the publication some weeks ago of the law no. 484 on "forced sheltering" by which all requisitions made during the occupation period not only by Greek but also by German Authorities are still legal and valid, regardless if those sheltered are worthy or not of that forced sheltering. This fact not only renders the Jewish houses substantially unproductive but has also tragic consequences from a moral point of view, for the understanding of which I cite the following characteristic example. The known lawyer of Thessaloniki ever memorable Yomtov Yacoel arrested in Athens with all his family and relatives of 14 in all persons by the treacherous cooperation of an Armenian called Bodourian, was deported to Poland where only one young relative of his escaped extermination and having survived and already returned to Thessaloniki, found established by German Requisition in her house on Amalias Street the family of the traitor Bodourian. Given then, that according to Greek rules this girl, being alone cannot ask her reestablishment in as big a space as is necessary for her, that is one room of the apartment, she is obliged, unfortunately, to cohabit with the family of her family's executioner, who sheltered by the German Authorities, continues to be protected also by the laws of Independent Greece.

Restitution of properties to survivors or to their representatives

As soon as after the liberation of Greece, the exiled Greek Government of Mr. Papandreou came back from abroad, without coming in any contact or to any understanding with the interested jewish circles, it hurried to publish the law no. 2 of November 14, 1944 on the restitution of confiscated jewish properties to their reappearing surviving proprietors. Owing however, to the haste with which this draft of law was constructed, the abolition of the law 205/1943 by which the jewish properties of Macedonia and Thrace had been put under the administration of the Greek Public Treasury, was omitted. A consequence of this omission was that all the jewish properties of these provinces, remained under the administration of the Greek Public Treasury and especially those in Thessaloniki where they constituted the 80% of all jewish properties and where the surviving jews could not ask for the restitution of their properties since the law on their confiscation was still valid. After persisting and exhausting interferences of the Jewish Central Board and of the especially interested Jewish Community of Thessaloniki the law 337/45 was published in May 1945, by which the law 205/43 of the occupation period was abolished and the application of the law 2/44 was extended also on the jewish properties of Macedonia and Thrace.

As for the proceedings and the substantial results of the restitution of jewish properties, we must make a distinction between the real estates and the movable property.

As for the real estates. The proceedings of the restitution were simple and rapid, this result being obtained by a communication to the Jewish Properties Administration Bureau, of a declaration made by the interested owner, that he has returned and takes charge again of the administration of his real estates, after which declaration, the Jewish Properties Administration Bureau does not interfere any longer in the administration of those estates. As for the substantial results, this restitution was almost platonic. Because if on one part the real estate (house or store) is occupied by the old tenants of the jew, owing to the valid moratorium, the returning jew has no other right than to collect especially from November 11, 1944 and afterwards, (because the debts in drachmas anterior to that date were annihilated owing to the monetary stabilisation) the rents which following the moratorium are for the houses the same as before the war, and for the stores 50% more than before the war, and which rents in most cases owing to the fall of the buying power and of the new drachma do not correspond even to the 1/50 of the pre-war ones. If on the other part, the real estate is occupied by new tenants established after a requisition by the Greek or German Authorities, the restitution is again and by major cause symbolic, because as already exposed, all these requisitions were declared valid by the law 484/45 and consequently the reappearing jewish owner does not have the right to ask the fixation of a rent which cannot be superior to the one fixed by the moratorium.

The restitution of the jewish commercial enterprises has a relatively more substantial importance. After the deportation of the jews, the Germans delivered, in Thessaloniki only, 2000 commercial enterprises, under the type of "administration" to christian Greeks, who demonstrated that they offered services to the German Armies of Occupation. These jewish stores were full of merchandise of great value in their totality. However, only for a part of this, was the restitution made on the basis of protocols recording the merchandise and instalments found in the store and delivered to the "administrator", because in most cases the stores appeared empty and were delivered without drawing any protocol. As for the stores for which a protocol had been drawn, the "administrator" sold the delivered goods in

such a way, that at the present time, substantially, the former owner of the commercial enterprise of his Jewish representative may hope only for the restitution of the store empty, and maintain a revendication for an indemnity against the "administrator" who is of course insolvent.

About 50 such "restitutions" of commercial enterprises had been made until February 1945; since then and until October 20, 1945, 7 others. The other about 250 Jewish petitions submitted for the restitution of commercial enterprises, remained still undispatched because of the dissolution of the old Jewish Properties Administration Bureau in Thessaloniki which happened in the meantime. This Bureau recently reorganised began to function more systematically and succeeded in dispatching in a few days, about 20 of the for months unsettled petitions.

The restitution is made either to the former Jewish owner if he survived, or to a trustee of his, appointed by the Tribunal, given that he is a relative till the fourth degree.

5

Plans for the administration of
the abandoned Jewish properties

Being aware of the weakness and lack of interest of the public services to secure a diligent administration and preservation of the Jewish properties having remained without legal holder as a consequence of the German persecutions, and desiring to succeed in the enlistment and grouping of these, we proposed to the Greek Government almost immediately after the liberation, the foundation of an "Autonomous Organisation for the Administration of Abandoned Jewish Properties" and submitted to the competent Ministry of Finance and Ministry of Cults a relative ready draft of law foreseeing all about the foundation and functioning of this organisation, and followed by a relative explanative memorandum. This proposition was not adopted then, by the Government. One of the reasons of the failure of that plan was the conetration made against it by some circles of the Jewish Community of Thessaloniki, who, moved by selfish motives, claimed for them only the right of interesting themselves to the fate of the abandoned Jewish properties of Thessaloniki, fearing that those may come finally to the totality of the surviving Jews, whereas to their opinion, such a right must be recognized only for the unfortunately few hundreds of the Thessaloniki survivors. These circles maintained that in each Jewish community, a private Organisation for the Administration of Abandoned Jewish Properties is founded, which will profit of the perchance attained concessions of those to the community, by the Government. This concession, if adopted, would result in:

- 1) the abandoned properties of great value of Thessaloniki will come to 1500 Jews who survived and reestablished themselves again in Thessaloniki.
- 2) the exclusion from a happening concession, of the Jews of Thessaloniki who are not today established in that town.
- 3) the abandoned properties of the almost completely exterminated Jewish communities will come to some persons (for example 3 in Serres, 7 in Hania, 140 in Janina, 130 in Corfou, 35 in Arta, 9 in Preveza)
- 4) to render impossible the planning and application of a single great plan of definite rehabilitation of the survivors from the persecutions of the Jews of Greece, having as economical basis the abandoned Jewish properties.

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This narrow conception of things and the consequent counteraction, brought about the temporary failure of the plan about the foundation of the Autonomous Organisation for the Administration of Abandoned Jewish Properties, and the prolongation for unfortunately some months, of the lack of any interest and of any care for the enlistment, grouping and diligent administration of these properties, administration which would be successful only with such an Organisation, governed by Jews under the control of the Government. One year already after the liberation, the Jewish properties of great value and especially the real estates, remain without administration and attention, and their value diminished daily, owing to the damages and ruins brought about by their uncontrolled accidental and arbitrary occupants.

This unfortunate state of things and the need for the foundation of a Special Organisation for the Administration of the Abandoned Jewish Properties were understood already by experience, and the competent public services, among which is also the Director of the Abandoned Jewish Properties Administration Bureau, proposed by means of a report to the Ministry of Finance, the foundation of such an Organisation.

6

Definite fate of the abandoned Jewish properties

According to the law no. 2210 of the year 1920 on the by intestate hereditary succession, relatives of the deceased are recognized as legal heirs in a straight altogether line, almost unlimited; sideways until even the fourth degree (cousins). In the case of the absence of such relatives, the Greek Public Treasury becomes the heir.

The massive extermination of whole Jewish families and generations resulted naturally in the inexistence of relatives as legal heirs, for a quite important part of the exterminated Jews and in the call of the Greek Public Treasury to the inheritance of those properties. The Greek Public Treasury aiming to the grouping and administration of those properties coming to it by hereditary right, organized a special service residing in the Ministry of Finance and ruled by different laws the last of which is the law no. 3039 of 1939.

The Jewish properties lacking relatives as heirs and coming for that reason to the ownership of the Greek Public Treasury were not until now, under the jurisdiction of a special service of the Ministry of Finance (Service of the Administration of non-claimed inheritances) for two reasons: a) because the death of the owner of the property has not been proved in a lawful way (that is the drawing of a registered death deed, or the proclamation of the disappearance of the supposed deceased by judicial decision) and b) because the administration of all Jewish abandoned properties in general by a special service according to the laws 205/43, 1180/44 2/44, and 337/45 is until now for the above exposed reasons only typical and not real. The Central Board of the Jewish Communities of Greece, founded in October 1944, that is a few days after the liberation of Greece, judged that reasons of expediency imposed the adjournment of the stirring up of the question of the definite fate of abandoned Jewish properties before the Government and the public opinion, so it limited its activities: a) to the definition of the proceedings of the restitution of the properties to their surviving and returning former owners or their legal representatives (agents or judicial commissioners) and b) to the securing of a diligent administration and preservation of those properties by the, as above mentioned and not yet approved proposition of the foundation of an Autonomous Organisation for the Administration of Abandoned Jewish Proper-

ties. However, special conferences of the Board of the Zionist Organisation of Greece reestablished in Athens, occupied themselves from the first moment with this serious question, and traced the political direction which would be followed in the future by the Central Jewish Board. This political direction aimed to the attainment of the resignation by the Greek Public Treasury of its hereditary rights to the abandoned Jewish properties, and to the by law concession of their ownership for the definite rehabilitation of the surviving Jews. For the supporting of that request ought to be used as moral argument, that it is not logical and does not agree with the moral traditions of the Greek State to want to profit of the misfortune which struck the Jewish population of the country, for enriching the public treasury with the properties of its unfortunate citizens, and as legal argument that the Greek Public Treasury taking by law charge of the administration of the Jewish real estates and movable properties, is legally responsible of the by negligence and consequent omission of profitable measures, occurring pillage and plunder of almost all Jewish movable properties made by the population. For the partial at least removal of that responsibility, and rehabilitation of the injustice made, the Public Treasury must give up its hereditary right on the abandoned Jewish properties and dispose them for the definite rehabilitation of the surviving Jews.

For this concession to be legally and practically possible, it was indispensable to define from the first, the legal person by whom the by law concession would be made. For that reason, the foundation of an Association for the Rehabilitation of the Jews of Greece, on the following basis was faced:

- 1) All Jews living in Greece before September 1, 1939 can participate in this Association.
- 2) Each Jew member of the Association, will have a social part greater for the head of the family and smaller for each member of the family-
- 3) Those who have cooperated with the conqueror and consequently are rich and in no need of rehabilitation, cannot be members of the Association.
- 4) Upon given presuppositions, may be recognized members of the Association, Jews of Greece established in Palestine before September 1, 1939, having no property and being evidently in need of rehabilitation.
- 5) Every social part will be represented by an ownership deed published in the name of the beneficiary and not possibly transmissible without the consent of the Administration of the Association.
- 6) By the decision of the majority of the members of the Association, may be decided the voluntary massive rehabilitation in Palestine, by the buying of a great extent of land for the rural establishment of the members, by the Association.

After the by law concession of the ownership of the abandoned Jewish properties to the Association, the Administration of the latter may immediately enter into negotiations for a loan with the Great Jewish Philanthropic Organisations of the exterior (ex. Joint Distribution) on a mortgage of its large property in real estates, and begin its work on the definite rehabilitation immediately after the conclusion of the loan.

The liquidation of the real estates of the Association must be made slowly and systematically so that no crowded offers and no reduction of the prices occur, and can be prolonged for a length of time which can last ten years.

the abandoned jewish properties was presented unofficially to the Greek Government last August. The result of those steps was the approval of a decision of the Ministerial Council under the date of August 24, 1945, and communicated to the Jewish Central Board, by a document of the Ministry of Finance.

By this decision, the Greek Government declared his resignation of his hereditary rights on the abandoned jewish properties, and decided that all these properties be disposed for philanthropic purposes principally jewish.

As may be seen from the contents of the above decision of the Ministerial Council not taking the type of a law and consequently not establishing a definite arrangement of the question occasioning no legal sequestration for the Greek Public Treasury, it is divided in two parts. The first part refers to the resignation by the Greek Public Treasury of his hereditary rights on the abandoned jewish properties, The second part refers to the disposal of those properties for "philanthropic purposes principally jewish".

The Jewish Central Board made known unofficially to the Minister of Finance who had signed the above document, that the first part referring to the resignation by the Greek Public Treasury of his hereditary rights on the abandoned jewish properties is accepted by it, but the second part referring to the disposal of the properties for philanthropic purposes principally jewish is repelled; it asked that this second part be changed and made to contain a formal declaration on the disposal of these properties for the rehabilitation of the jews who survived. The agreements in relation with that question had already begun to take a favourable appearance but the resignation of the Greek Government under Admiral Voulgaris occurred.

Side by side with the above activities and aiming a) to the encouragement of the predecessor government to the taking of the pursued decision and b) to the moral enchainment of the political parties for the parliamentary period following the carrying out of the elections, must be pursued the signature by the Leaders of all political parties of a declaration approving the resignation by the Greek Public Treasury of all its hereditary rights on the abandoned jewish properties and the concession of those properties for the rehabilitation of the jews who survived. Such declarations were signed separately by almost all the leaders of the political parties in Greece, from the extreme right to the extreme left, among the first being also the already President of the Government Mr. Canelopoulos.

This was the work accomplished till the present time for the fixation of the fate of the jewish properties in Greece. The problem was of exceptional importance and for its further effective confronting it is necessary to accelerate the foundation in Athens of a special bureau for the following of that question, foundation which was decided between the Jewish Agency for Palestine, and the World Jewish Congress.

Athens, November 15, 1945.

ASCHER MOISSIS
LAWYER

PRESIDENT OF THE CENTRAL
BOARD OF THE JEWISH COMMUNITIES
OF GREECE

From 1938 to the end of the war, during the period of racial discrimination and persecutions, the Jews of Roumania have had to suffer great and varied damages, which might be classified under the following scheme :

A. CONCERNING OBJECTS.

1. Damages to persons.

- a. Casualties : during civil troubles / June 1940 / pogromes / November 1940 / Jan. 1941 / mass-killing / June 1941, Jassy, Calarasi / deaths resulting from displacement and deportation / Aug-Oct. 1941-June 1942, Sept. 1942 /
- b. wounded, ill-health and invalidity, following displacement or deportation, confinement in camps, slave-work in detachments / not to mention the great number of consumption and syphilis, caused by extreme poverty.

2. Material damages.

- 1. Properties evicted by the State or author officials under divers motives, and not returned or paid for. This means property ~~evicted exclusively~~ from the Jews, either by a special law or by appliance of a law on first instance to the Jews. In this category are also later evicted properties which have been returned by law, but in fact are ruined. We quote from this category :

- a/ Property / cattle and tools / from landed goods / fields orchards, vineyards, forests, etc. / as well as crops and their products, also those gathered and transported to other places. / Decree 3357/1940 and 3810/1940 /
- b/ Industrial plants and stock of raw material and merchandise from many factories, especially those in relation to natural products / Decree 3810/1940 /
- c/ Taxes paid in goods

requisitions, specially from Jews, as the outfit of military hospitals / Sept. 1941 /

obligations to give things conforming Decree 2909 of Oct. 21, 1941, with threat of confinement in case of non-execution. Hundreds of thousands coats, suits, shoes, linen, blankets, sheets, pillows and so on, were given by the Jews, and were valued, then, as worn objects as high as 1.800.000.000.- Lei.

- d/ confiscation of goods, as : motor-cars, motorcycles, bicycles, arms, wireless-sets, cameras, akys and all the belongings taken from deported Jews.

2. Incomes taken over by State, from productive property, expropriated, even temporarily :

a/ from landed property /

b/ from urban property /

Official statistics estimated these goods, according to the then reduced prices fixed by the State and which were to be paid by frozen stocks at 3% they were never issued by the way / and taking into account the Jews of Roumania only, without those of Northern Bucovina, Bessarabia and Transylvania, to such amounts, that at an income of only 5% in four years, they represent 13-15 milliards.

c/ from expropriated enterprises, or such put under State control

d/ from securities/ of the real estate -urban Credit of Jassy /

3. Taxes levied only on Jews.

a/ Military duties, from 15-16% added to ordinary taxes, on the income of families who had one member fit for military service, aged from 18-50 years / Decree 4th December 1941/

b/ Dispensation duties from slave-work established by decision of the General Commissary for the Jews at the Presidency of the Council of Ministers / about 3 milliards /

c/ special contribution of 4 milliards / of which about 800 millions were paid/ enforced by the Presidency of the Council of Ministers /

d/ obligation to subscribe to the Loan for Integration / Decree 9th August 1941/ for at least four times the amount of direct taxes owed by Jews / 2 1/4 milliards were thus subscribed/

e/ higher price for bread paid by Jews, and so on.

4. Losses of income are manifold. We quote :

a/ Those suffered by civil servants and private employees dismissed on account of the roumanisation of staffs, without warning or retribution,

b/ those suffered by most lawyers, engineers, architects, many of the accountants and pharmacutists, who were not allowed to follow their profession or by the doctors, dentists, actors, musicians, writers, newspaper-men, whose practice was limited to Jewish circles,

c/ those suffered by persons displaced, confined in ghettos or camps of concentration, or deportees,

- d/ those suffered by merchants, industrials, and workmen who were not allowed to exercise their commerce or were not given raw materials or authorisations to export-import-transport goods or buy foreign currency,
- e/ those suffered by young men who were not allowed to continue their studies and have lost several years of school-training,

5. Duties, expenditure and damages so varied that we cannot classify them. We shall only mention :

- a/ Huge expenditure made by the Jews in order to review their citizenship and their university degrees and professional titles, according to the laws 169/1938 and 401/1938 - Government Goga-Cuza/

The same for the stabilisation of the Juridical Statute in conformity with Decree 2650/9th August 1940 / Government Gurgu/ dito with contestation for ~~stabilisation of the exceptions~~ to the law of expropriation / Antonescu regi

- b/ Expenditure of the Jews sent to coercive labour and who had to purchase their outfit and tools and support themselves, the sums allocated - a few Lei a-day, being totally inadequate
- c/ the necessity for most of these Jews to close their undertakings or sell them in order to have what to live on ^{ir}
- d/ Removing expenses, from the homes and and tremendous sums for rents, negotiated at free prices, the losses of having to sell at ruinous prices in order to be able to pay for those rents.

B. CONCERNING WRONG-DOERS

- I. All the damages afore-quoted concern the State or State Officialities. It makes no difference that the State is totally responsible / for inst. between 1938-1941/ or pleads to have been under German influence, this does not concern injured Jews.
- II. The damages caused by private persons come under two denominations.
 - a/ Those caused through collective or individual acts of violence as are hundred of crimes, lootings, violent dislocations from houses, shops, factories; arson of houses, shops, temples, and so
 - b/ The obligation to sell at at ruinous prices under threats or violence, or the menace of expropriation or coercion in juridical form.

Although these facts could not have happened if they had not been encouraged by the antijewish regime, which wanted a total roumanisation and punished concealment of Jewish goods under Roumanian names, still having been done by private persons, their authors are fully responsible before the law.

After Roumanian's segregation from the Germans, racial discriminations ceased to be lawful, and the Jews were supposed to get back their rights, but in fact, these restitutions were not made good, and the less so the damages due to them, but only in very small a measure.

Regarding the dispositions taken by the State, the law of December 19, 1944, No. 641, ordered the restitution of properties but an exception was made in favour of tenants like civil servants, pensioned civil servants, disabled service-men, widows, orphan workmen, who held the houses from the State, and were allowed to hold them at least until 1948. Some others like pharmacutists, who had to give back the premises to their Jewish owners, were granted new licences, next door to the old ones. The State paid no damages, neither did they refund the incomes they had drawn, or pay for valuables which had been stolen.

In concern with private persons, the law of 1 August 1945, No. 607, permitted in limited cases, the possibility of cancellation of transactions coercive or ruinous, but the legal procedure is so involved that very few law-suits have been brought at their rightful end.

Recently a demand was forwarded for the restitution of some of the sums paid during those years of terror, / as taxes for exemption from slave-labour or extraordinary levies / to the Federation of the Union of Jewish Communities. The answer of the Presidency of the Council of Ministers was that these sums are considered: a contribution to the war / the war against the Allies !!! / and the Jews ought to appreciate that they were not sent to die in the war !!!.

The States point of view, thus expressed cannot be conciliated with the fact that the People's Court judges and condemns the authors of racial crimes against the Jews, thus showing that the State understands to punish robbery and looting or any exaction through violence. Does it at the same time want to keep the benefits of such deeds? Even if the actual regime blames the mis-deeds done by its predecessors, this is not enough and does not diminish its responsibility.

If the wrongs done to Jews are considered as having been an effect of the Hitlerite or fascist regimes, then the Jews must be ranged with the War-victims, which, in fact they are, - and the Jewish people must be considered as the creditor of the hitlerite-fascist States, as Germany and Hungary. A part allocated for reparation must be allotted to the Jews, not to the individuals, but to the Communities, and be used for reconstruction, reeducation, emigration andsoon.

The Jews are any way the creditors of the Roumanian State, on whose territory the damages have been done. Asking for reparation the Jews do not mean to harm the Roumanian people, whose sincerity cannot be proved otherwise than by putting right the effects of the crimes suffered by the Jews. Rightfulness will not be established

until the wrong-doers are punished and restitution is the most elementary form of reparation for the wrongs committed. Sanctions are also necessary to serve as an example in order to avoid the errors being repeated, especially so in a country where fascism still predominated in so many minds.

We well know that the Roumanian State will raise the question of its incapacity of payment, due to its heavy war-duties and the consecutive devaluation of its currency / the actual budget has reached the sum of 6000-7000 milliards, while the paper emission is about 1900 milliards. / This objection may lead to controversies on the amounts to be paid as indemnisation, but in no case will it prevent the restitution, even in devalued leis, of the sums unjustly cashed by the State, through antisemitic decrees or even of those amounts levied through the Centrala Evreilor / Central Office of Roumanian Jews / an institution created by the State for this scop in 1941-1944.

In conclusion ,we may state the following :

- 1/ Damages are due for all the losses suffered by Roumanian Jews, as individuals and as a collectivity.
- 2/ The damages are owed by the Roumanian state and also by the Axis-States.
- 3/ Part of the damages to be paid by Axis-States for war-reparations must be paid to the Jewish people, represented by the Jewish Community for reconstruction, reorganization and emigration.
- 4/ The Roumanian State, through its current budget, must allot such sums as are necessary for the restitution to the Jews of the amounts of which they were defrauded through anti-jewish measures and must foresee all that will be needed to amortize all the other losses suffered by Jews.

The EXTENT OF DAMAGES

It is very difficult to establish the amount of damages. It could be done only by an inquest among the surviving Jews.

This inquest was undertaken by the World Jewish Congress, Roumanian section, in the summer of 1945, but most part of the material could be gathered only at the beginning of 1946. Calculations were chiefly made there where the Jewish population could supply dates. The results are, generally speaking :

Constantza, Jews participating to the inquest			
		In 1945,	1800 / 1946
Ramnicu-Barat	"	"	1234 " 1946
Vaslui	"	"	789 " 1946
		"	2927 " 3269 "

For the moment being, no calculations are available in the towns with a great number of deportees, and displaced people, in Vaslui for instance only a part of the industrial and merchants were registered, the others being, at the time of the inquest, in other towns, where they could better earn their living. For this reason the median damage pro head is reduced.

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1500 Dollars pro person is the minimum to be reckoned pro head. Especially as in Bessarabia and Bucovina whole households of thousands of Jews were completely destroyed.

Taking as a middle term for damages the amount of 1500 \$ pro person, it results that for the 760.000 Jews who were in Roumania before the war, a total amount of 1 milliard \$ is due. We quote as examples : Constanza 1.438 \$, R. Sarat 1.233 \$, Vaslui 985 \$.

The method used for the inquest by the World Jewish Congress, Roumanian Section, has been thoroughly examined by a Commission of Studies.

Only damages based on convincing arguments were taken into account. Everywhere the time in which those damages were done, was asserted and they were classified accordingly. No declaration of damage without its value was considered. Where the year could not be established, this was considered a bad point for the applicant. The damages calculated in Lei, yearly, according to their nature and taking account of the variations of prices have been established on the basis of the 1933-value of the lei and then revalued and transformed in dollars at the official rate, of that time, adding 38% bonus, this being the near value of the dollar at that time.

MEANS of ESTABLISHING DAMAGES

After World War I, to which Roumania joined, commissions were formed to establish and value the damages done to the inhabitants of the country, in order to grant ulterior reparations. The State declined any responsibility and reparations were to be granted from enemy funds. No reparations were ever paid except a few small ones, for electoral purposes. The only damages which were paid to Roumania were those suffered by the Allies, in the oil-fields and the oil-industry, which had been destroyed with a view of hindering same to fall into German hands. A bond was issued in pounds and dollars, amortizable and paying no revenue.

Special commissions have established also the damages suffered by the inhabitants through air-raids, but not in order to pay any reparations / as the Germans had done until 1944/ but just to establish the quality of war-damaged, which entitled to some advantages as housing, loan for reconstruction, remittance of taxes, and so on - of course with the exception of the Jews who got nothing but were obliged to subscribe to the Fund for assistance to wracked people.

So far as the establishing of the damages goes, one can now also proceed by juridical commissions, formed by a judge, a delegate of the Jewish population and a representative of the State. The procedure ought to be short, free of fees, excepting one small tax to be paid by the damaged whose pretensions exceed the sums granted by the Court. This would prevent excessive demands. Experts will have to be appointed one for all, according to their specialities, for otherwise the fees paid to them by the applicant would be too heavy. Free travel for witnesses as well as free purvoyance of necessary proofs should be given and the Commission sitting with the ordinary Court, as numerous as the number of the cases demand. The Communities must be allowed to act for the dead and the disappeared.

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PAYMENT OF DAMAGES

This depends on the amounts to be paid and the means to do it. It is suggested that the payments be made by a Cash-Office for Damages, having two delegates, one of the State and one of the Jewish Community, under the supervision of the ONU.

This Cash-Office would hold in custody the sums allotted by the Roumanian State and those arising from the reparations due by the Axis-States. All these sums will have to be used only for reparations, reconstruction or re-organization. A schedule will be drawn and poor people will have to receive cash. For the rest payment will be effected according to the importance of the amount, and the urgency of the case and a special rent will be admitted, redeemable in a reasonable number of years, which can be used for transactions, ~~exempt~~ and exempt of taxes, which the State will ~~re-~~ ~~deem~~, whenever necessary, at the day-value on the market.

Of course payment should be made simultaneously by proportioned and successive advances to the two categories of private damaged above specified, the Communities however having the precedence.

It cannot be argued that these payments would burden the budget. On the contrary, in proportion to the importance of the budget, they would be more in the nature of a symbolic reparation. But a reparation must absolutely be made for the safeguarding of social international justice .-

NORMS of DAMAGES to Roumanian JEWS.

I. It being acknowledged that the Jews have the right to be compensated for the wrongs suffered and the damages inflicted on persons and goods through the antisemitic measures in fact and in law either individually or as a Community ,

II. These compensations are to be paid by a Cash-Office for Damages, with a dual board of delegates, of the State and of the Jewish Community, under the supervision of ONU, out of the sums allocated by the Roumanian State and those which ONU will obtain from the Axis-States. This Cash-Institution will be recognized as being of public utility, lawfully invested, and will function free of taxations during its entire activity.

III. Commissions composed by a judge, a delegate of the State and one of the Jewish Community will function along the ordinary Courts and appreciate the value of damages to be paid. The procedure will be short, free of taxation, except a small tax perceived proportionally on the difference between the amount of the demand and that granted. Experts paid by the Commissions will be appointed for the whole duration of the law-suits and witnesses displacements as well as purvoyance of needed proofs will be free.

Once constituted the Cash-Institution for Damages will be called before the Commission. The local Communities will be allowed to act for people dead or disappeared who left no representatives.

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IV. Romania will allocate the necessary funds for all expenses of the commissions also for the compensations offered to the damaged people. These sums will be used by the Cash-Institution for Damages, for reconstruction, and reorganization

Damages will be classified according to their importance. The smaller sums will be paid without delay to the poor in cash, for the rest the State will issue a rent, redeemable in a reasonable limit, free of taxes at any time to be redeemed by the State at market value.

The payments will proceed immediately, simultaneously, possibly through sums paid in advance to both categories of private-damaged people, as above specified, the Communities having however the precedence.

V. The Judging of damages and the establishing of compensations must begin at once, to enable the State to know what sums have to be allotted to the Cash-Institution for Damages, either in cash or in rents. The sums due from Axis-States will form a gradual income of the Cash-Institution of Damages.

This institution will be constituted immediately with the smallest possible staff at its central Office and be enlarged when required, so as to use for its expenses as little as possible of the funds for the damages.



OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
Office of General Counsel
APO 80

R. Robinson
Received on
13. MAI 1952

CUMULATIVE STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
10 November 1947 to 30 April 1952
SCHEDULE A

I. PETITIONS:

1. Petitions received from the CFA since Nov 10, 1947 (subsequent changes of venue included)
2. Petitions finally settled, adjudicated, reviewed or otherwise disposed of:
 - a. by Restitution Agencies
 - b. by Restitution Chambers
 - c. by Oberlandesgerichte
 - d. by Court of Restitution Appeals
 - e. Total (final dispositions)
3. Petitions on hand as of April 30, 1952

Total		Bavaria		Hesse		Wuerttemberg-Baden		Bremen	
Individual	JRSO	Individual	JRSO	Individual	JRSO	Individual	JRSO	Individual	JRSO
50,669	53,695	17,937	19,963	18,687	19,382	12,940	13,585	1,105	765
26,754	31,176	8,964	7,002	10,688	17,962	6,330	5,784	772	428
6,655	984	1,848	375	3,821	381	902	217	84	11
437	52	101	5	196	29	131	18	9	
219	3	89		68	2	62	1		
34,065	32,215	11,002	7,382	14,773	18,374	7,425	6,020	865	439
16,604	21,480	6,935	12,581	3,914	1,008	5,515	7,565	240	326

CUMULATIVE STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
10 November 1947 to 30 April 1952
SCHEDULE A

117089

II. CASES:

1. Total cases available for settlement, adjudication, review or other final disposition, resulting from the breakdown of petitions received by all Restitution Authorities
-
2. Finally settled, adjudicated, reviewed or otherwise disposed of:
 - a. by Restitution Agencies
 - b. by Restitution Chambers
 - c. by Oberlandesgerichte
 - d. by Court of Restitution Appeals
 -
 - e. Total (final dispositions)
 -
3. On hand as of April 30, 1952
 - a. at Restitution Agencies
 - b. at Restitution Chambers
 - c. at Oberlandesgerichte
 - d. at Court of Restitution Appeals
 -
 - e. Total on hand as of April 30, 1952

Total		Bavaria (*)		Hesse		Wuerttemberg-Baden (*)		Bremen	
Individual	JRSO	Individual	JRSO	Individual	JRSO	Individual	JRSO	Individual	JRSO
70,074	54,126	26,717	20,398	26,133	19,520	15,549	13,448	1,675	760
38,320	31,592	14,732	7,359	15,018	18,067	7,417	5,746	1,153	420
8,468	1,012	3,093	390	4,265	390	987	218	123	14
605	55	238	10	225	27	132	18	10	
334	3	163		105	2	62	1	4	
47,727	32,662	18,226	7,759	19,613	18,486	8,598	5,983	1,290	434
13,462	20,855	3,198	12,209	3,461	992	6,511	7,329	292	325
8,040	548	4,940	393	2,696	38	346	116	58	1
624	39	215	20	317	2	63	17	29	
221	22	138	17	46	2	31	3	6	
22,347	21,464	8,491	12,639	6,520	1,034	6,951	7,465	385	326

(*) There have been bulk assignments of JRSO claims to the Laender Wuerttemberg-Baden and Bavaria. Appropriate statistical adjustments will be made when the actual transfer of these cases has taken place.

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CUMULATIVE STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
 10 November 1947 to 30 April 1952
 SCHEDULE A

III. TYPES OF DISPOSITIONS:
 (all Restitution Authorities)

	Total		Bavaria		Hesse		Wuerttemberg-Baden		Bremen	
	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO
Amicably settled	22,539	5,909	9,201	1,976	7,955	2,277	5,118	1,616	265	40
Granted by decision	5,438	236	592	70	4,064	98	309	62	473	6
Dismissed	5,509	59	1,680	12	2,700	19	936	23	193	5
Withdrawn	14,241	12,890	6,753	5,701	4,894	2,861	2,235	4,282	359	46
Bulk settled		13,568				13,231				337
Total	47,727	32,662	18,226	7,759	19,613	18,486	8,598	5,983	1,290	434

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OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
Office of General Counsel
APO 80

MONTHLY STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
MONTH OF APRIL 1952
SCHEDULE B

117071

I. PETITIONS:

1. Petitions available for processing on April 1, 1952
2. Petitions finally settled, adjudicated, reviewed or otherwise disposed of:
 - a. by Restitution Agencies
 - b. by Restitution Chambers
 - c. by Oberlandesgerichte
 - d. by Court of Restitution Appeals
 - e. Total (final dispositions)
3. Petitions on hand as of April 30, 1952

Total		Bavaria		Hesse		Wuerttemberg-Baden		Bremen	
Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO
17,242	22,217	7,206	12,769	4,196	1,031	5,592	7,747	248	670
403	705	181	168	153	19	64	175	5	343
210	29	84	19	118	4	6	5	2	1
17	3	5	1	8		3	2	1	
8		1		3		4			
638	737	271	188	282	23	77	182	8	344
16,604	21,480	6,935	12,581	3,914	1,008	5,515	7,565	240	326

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OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
MONTHLY STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
MONTH OF APRIL 1952
SCHEDULE B

117072

II. CASES resulting from breakdown of petitions in the course of their processing.

1. On hand as of April 1, 1952
 - a. at Restitution Agencies
 - b. at Restitution Chambers
 - c. at Oberlandesgerichte
 - d. at Court of Restitution Appeals
 - e. Total

2. Total (net) received during April

3. Total cases available for processing

4. Finally settled, adjudicated, reviewed or otherwise disposed of during April:
- a. by Restitution Agencies
 - b. by Restitution Chambers
 - c. by Oberlandesgerichte
 - d. by Court of Restitution Appeals
 - e. Total (final dispositions)

5. On hand as of April 30, 1952

- a. at Restitution Agencies
- b. at Restitution Chambers
- c. at Oberlandesgerichte
- d. at Court of Restitution Appeals

e. Total cases on hand as of April 30, 1952

Total		Bavaria (*)		Hesse		Wuerttemberg-Baden (*)		Bremen	
Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO
14,421	20,834	3,804	12,311	3,741	1,016	6,588	7,304	288	203
8,157	544	4,910	371	2,831	37	357	118	59	18
621	46	215	26	314	2	66	18	26	
222	16	139	11	47	2	29	3	7	
23,421	21,440	9,068	12,719	6,933	1,057	7,040	7,443	380	221
28	789	- 43	136	35	0	16	204	20	449
23,449	22,229	9,025	12,855	6,968	1,057	7,056	7,647	400	670
719	729	366	192	262	19	82	175	9	343
315	32	141	22	155	4	16	5	3	1
47	4	17	2	26		3	2	1	
21		10		5		4		2	
1,102	765	534	216	448	23	105	182	15	344
13,462	20,855	3,198	12,209	3,461	992	6,511	7,329	292	325
8,040	548	4,940	393	2,696	38	346	116	58	1
624	39	215	20	317	2	63	17	29	
221	22	138	17	46	2	31	3	6	
22,347	21,464	8,491	12,639	6,520	1,034	6,951	7,465	385	326

(*) There have been bulk assignments of JRSO claims to the Laender Wuerttemberg-Baden and Bavaria. Appropriate statistical adjustments will be made when the actual transfer of these cases has taken place.

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OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
 MONTHLY STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT
 MONTH OF APRIL 1952
 SCHEDULE B

117073

III. TYPES OF DISPOSITIONS:
 (all Restitution Authorities)

	Total		Bavaria		Hesse		Wuerttemberg-Baden		Bremen	
	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO	Indi-vidual	JRSO
Amicably settled	533	153	275	109	202	15	52	28	4	1
Granted by decision	190	9	38	4	143	4	4	1	5	
Dismissed	140	4	80	2	34		23	2	3	
Withdrawn	239	262	141	101	69	4	26	151	3	6
Bulk settled		337								337
Total	1,102	765	534	216	448	23	105	182	15	344

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		Total		Bavaria		Hesse		Wuerttemberg-Baden		Bremen	
		Units	Value DM	Units	Value DM	Units	Value DM	Units	Value DM	Units	Value DM
BUSINESS ENTERPRISES	INDIVIDUAL JRSO	337	86,739,084	129	30,733,350	94	28,219,085	104	27,686,120	10	100,529
		2	102,700	2	102,700	-	-	-	-	-	-
	TOTAL	339	86,841,784	131	30,836,050	94	28,219,085	104	27,686,120	10	100,529
REAL ESTATE	INDIVIDUAL JRSO	14,240	316,861,796	5,345	146,858,773	5,768	79,737,126	3,003	82,333,199	124	7,932,698
		1,630	7,777,184	640	2,817,008	697	2,996,811	274	1,604,746	19	358,619
	TOTAL	15,870	324,638,980	5,985	149,675,781	6,465	82,733,937	3,277	83,937,945	143	8,291,317
INTERESTS IN REAL ESTATE	INDIVIDUAL JRSO	772	8,406,678	305	3,483,074	359	2,047,286	101	2,843,718	7	32,600
		42	414,696	8	51,298	19	27,185	14	331,029	1	5,184
	TOTAL	814	8,821,374	313	3,534,372	378	2,074,471	115	3,174,747	8	37,784
SHARES PARTICIPATIONS SECURITIES	INDIVIDUAL JRSO		78,542,713		32,400,885		17,421,780		26,394,548		2,325,500
			55,482		50,500		482		4,500		-
	TOTAL		78,598,195		32,451,385		17,422,262		26,399,048		2,325,500
ART OBJECTS RELIGIOUS OBJ. VALUABLES	INDIVIDUAL JRSO	3,151	5,899,463	1,035	4,431,330	1,794	894,795	320	572,711	2	627
		26	29,260	4	25,230	4	880	18	3,150	-	-
	TOTAL	3,177	5,928,723	1,039	4,456,560	1,798	895,675	338	575,861	2	627
PAYMENTS	INDIVIDUAL JRSO		204,039,443		86,180,020		61,327,898		49,388,979		7,142,546
			37,567,122		5,301,196		26,889,601		4,126,680		1,249,645
	TOTAL		241,606,565		91,481,216		88,217,499		53,515,659		8,392,191
*) MISCELLANEOUS	INDIVIDUAL JRSO		18,881,921		13,490,700		2,970,528		2,375,263		45,430
			64,187		964		2,873		60,350		-
	TOTAL		18,946,108		13,491,664		2,973,401		2,435,613		45,430
TOTAL TOTAL	INDIVIDUAL JRSO		719,371,098		317,578,132		192,618,498		191,594,538		17,579,930
			46,010,631		8,348,896		29,917,832		6,130,455		1,613,448
GRAND TOTAL			765,381,729		325,927,028		222,536,330		197,724,993		19,193,378

*) Household goods, machinery, insurance policies, copyrights etc.

MSC CH4

DISTRIBUTION OF VALUES BY NATIONALITY OR RESIDENCE OF RESTITUTEES

ANNEX TO STATISTICAL INTERNAL RESTITUTION PROGRESS REPORT

AS OF APRIL 30, 1952

117075

NATIONALITY OR RESIDENCE	TOTAL DM	NATIONALITY OR RESIDENCE	TOTAL DM	NATIONALITY OR RESIDENCE	TOTAL DM
Argentina	12,475,411	Guatemala	82,360	Portugal	192,787
Australia	6,833,812	Honduras	149,500	Roumania	189,463
Austria	1,861,845	Hungary	93,147	Saar Territory	136,732
Belgium	1,854,459	India	157,719	South Africa	6,781,265
Bolivia	797,651	Iran	6,952	Spain	241,601
Brazil	7,439,898	Israel	33,282,365	Sweden	1,397,894
Bulgaria	2,148	Italy	1,410,126	Switzerland	33,459,974
Canada	5,914,494	Jamaica	24,000	Syria	8,760
Chile	2,085,030	Japan	13,266	Thailand	6,500
China	305,221	Liechtenstein	87,160	Turkey	327,897
Columbia	286,414	Luxemburg	389,494	United Kingdom	71,784,868
Cuba	15,816,149	Mexico	2,931,438	U.S.A.	323,904,690
Czechoslovakia	151,722	Monaco	3,370	Uruguay	4,521,514
Denmark	262,017	Netherlands	17,919,645	Venezuela	5,013,730
Dominican Republic	45,075	Netherlands Indies	13,112	Yugoslavia	64,000
Ecuador	572,837	Norway	57,409	Stateless	275,516
Egypt	301,849	Pakistan	64,800	*) Miscellaneous	16,876,543
Eire	55,973	Panama	21,500	Total	719,371,098
Finland	88,620	Paraguay	30,728	**) J R S O	46,010,631
France	14,779,821	Peru	895,611	GRAND TOTAL	765,381,729
Germany	124,533,608	Philippines	24,600		
Greece	6,008	Poland	59,000		

*) Property restituted to claimants of more than one nationality where distribution of values could not be determined.

**) Property restituted to the Jewish Restitution Successor Organization cannot be related to any particular nationality.

WJC CHH

O S T L A N D

ORDER CONCERNING THE TREATMENT OF JEWISH PROPERTY IN THE REICH
5)
COMMISSARIAT OSTLAND, OCTOBER 13, 1941

Section 1. All real and personal property of the Jewish inhabitants in the territories administered by the Reich Commissioner for the Ostland shall be subject to sequestration, trustee administration, and confiscation according to the terms of the following regulation.

Section 2. Property is defined as real and personal goods together with all appurtenances, claims, shares, rights, and interests of all kinds.

Section 3. (1) Sequestration shall be effected by the Reich Commissioner for the Ostland or by the officers commissioned by him. It may be effected by writ upon individual persons or by general proclamation, and may be limited to particular possessions.

(2) The following shall be exempted from sequestration:

(a) That part of the household furniture which is used for essential personal needs.

(b) Cash, bank, and savings credits, as well as notes, to a total value of one hundred Reichsmarks.

Section 4. (1) Upon sequestration, the former holders of title shall lose the right of disposal over the sequestered property.

(2) Anyone who holds sequestered property in his possession or in trust shall administer it until further notice. Alterations or disposal of the property or its proceeds shall be permissible only within the limits of regular business. All further measures shall require the consent of the Reich Commissioner for the Ostland or of the officers commissioned by him.

Section 5. (1) Trustee administration may be ordered for property subject to sequestration, when necessary for regular business operations.

(2) The order for trustee administration shall be considered as equivalent to sequestration.

(3) The Reich Commissioner for the Ostland will issue regulations concerning the establishment and execution of trustee administration.

Section 6. (1) Sequestered property may be confiscated by the Reich Commissioner for the Ostland or by the officers commissioned by him.

(2) The right of disposal over confiscated property shall lie with the officers authorized to confiscate it.

5) Verkuendungsblatt, 1941, p.27.

(3) These officers shall make final decisions concerning the settlement of mortgages upon confiscated property. The liability shall be limited to the total market value of the confiscated property.

Section 7. Registration of property subject to sequestration may be required by public proclamation.

Section 8. The competent authorities, in the execution of their duties, may require any person to give information.

Section 9. (1) Imprisonment and fine, or either of these penalties, shall be imposed upon any person:

- a) Who attempts to deprive the officers of the German Civil Administration or the authorities appointed by them of any portion of property sequestered, or in any other manner to frustrate, evade, or influence the operation of the sequestration.
- b) Who with intent or by negligence fails to fulfill or to fulfill promptly or completely the obligation to register property or to give information imposed upon him by this order, or by an implementation measure or other regulation issued for its execution.

(2) In grave cases the imprisonment shall be at hard labor (Zuchthaus). If the perpetrator has acted out of insubordination or if the case is otherwise particularly grave, the death penalty shall be pronounced.

Section 10. The Reich Commissioner for the Ostland will issue the necessary regulations for the implementation of this order.

Section 11. This order shall be effective on the day of its publication.

Riga, October 13, 1941.

L O H S E
Reich Commissioner for the Ostland.

117077

MEMORANDUM REGARDING THE STATUS AND PURPOSES OF
THE CONFERENCE ON JEWISH MATERIAL CLAIMS AGAINST GERMANY.

During the plenary meeting of June 25, certain questions were asked which indicate the desirability of clarifying the position and status of the Conference on Jewish Material Claims against Germany. It would appear that sufficient has been said, both at the phase of these meetings which began in March and at the plenary meeting of June 25, to eliminate any question on these topics. Nevertheless, in the interest of complete understanding, the following recapitulation is made:

1. It must be recalled that the Conference came into being after the speech of Chancellor Adenauer of September, 1951, and that it was organized precisely in response to the expressed desire of Chancellor Adenauer, ratified by the Bundestag, to meet with representatives of Jews of the world. As is known to be the case, there is no one organization, or group of organizations, which did or can claim to represent every single person of Jewish faith throughout the world. Nor, it may be said, would there be any organization of persons of other faiths - or, for that matter political beliefs - which could claim to represent all persons of that faith on any one question.

Nevertheless, the Conference does represent by far the greatest aggregation of Jewish organizations, and through them, of individual professing Jews, which has ever been assembled. It has, as was earlier pointed out, twenty-three constituent member organizations. The total membership of these organizations cannot be accurately estimated here, but it can be said without the slightest doubt that the vast majority of Jews in the free world (other than Israel) are represented in these organizations. So far as it is possible to say that an organization representative of the Jews of the world can be organized, the Conference performs that task.

In any case, there can hardly be, at this stage of these negotiations, any question with regard to the status of the Conference. Not only was it organized in response to the statement of Chancellor Adenauer and the subsequent action of the Bundestag, but it has been actively engaged in these very discussions since their inception. Without its active participation there is, in fact, much doubt as to whether these discussions would be in progress. In any case, the negotiations, both formal and informal, have proceeded to such a stage that the status of the Conference can at this time, hardly be a matter meriting any discussion other than the resumé above given.

2. With respect to the legislative program for the benefit of individuals, in the fields of restitution and indemnification, no question appears to have arisen as to the representative quality of the Conference. This is despite the fact, which has from the outset been clear, that the actions and representations of the Conference do not, of course, preclude any individual - or even any non-affiliated organization - from presenting to the German Government its own ideas or suggestions as to legislation, in general, or for the benefit of specific categories of persons. The preponderant

Conf.Doc.8/26.6.52/WK.76.

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interest of the Conference and its member organisations in this field of work, their experience and the close association which they have had with it over the years, appears however, to be clearly recognised.

With respect to the monetary claim of the Conference, some question seems to have arisen as to the relation of the Conference to other organisations with which it may not be affiliated, or as to individuals who may feel, justly or otherwise, that they have special or unfulfilled claims lying in the field of restitution or indemnification.

It is quite clear that a portion of these questions, at least, arise out of a certain misunderstanding as to the role and purposes of the Conference, or as to the part which it proposes to play in the utilisation of such funds as may be realised.

3. It should be unmistakably understood that the Conference on Jewish Material Claims against Germany does not intend that any sums realised be used in any way other than to aid surviving victims of Nazi action. These survivors will be aided on a basis of need. No part of the funds will accrue to the individuals who are members of the organisations which constitute the Conference, except to the limited extent that such persons may fall into the category of needy survivors of the Nazi holocaust. This is indeed a very limited extent, since the organisations which constitute the membership of the Conference are, in general, charitable organisations, giving and not receiving aid.

Such funds as are received will be used for the benefit of needy survivors through the medium of recognised, well established Jewish organisations with a history of many years of work in the relief of, and assistance to, needy Jews the world over. These organisations are precisely those which have already administered relief in the hundreds of millions of dollars to victims of Naziism, and are those which are accredited to and recognised by such organisations as the International Refugee Organisation.

Under these circumstances, it will be clear;

a) That the claim of the Conference cannot be affected by such special claims as may be advanced, on behalf of their own membership, by organisations having for their purpose the banding together of particular categories of victims. Such organisations and such victims may have special merit or special reasons to appeal to the German conscience. The Conference, for its part, purports to put forward the general monetary claim which it has advanced, not for the benefit of its own membership, but for the benefit of needy surviving victims of Nazi action. Insofar as members of special organisations fall into that category, whether such organisations are or are not members of the Conference, they will, of course, receive assistance from the operating agencies. This is the theory upon which the Jewish Restitution Successor Organisation and similar organisations have been organised, been recognised, been given special status and have received and distributed proceeds of heirless property. It is the only tenable theory, both from the Jewish and the German point of view, and the only one which guarantees that the payments received on account of the heirless property claims which have

been presented will be used, as other heirless property funds have been used, for the relief and rehabilitation of needy victims of Nazi action.

b) That the relationship of the Conference to individual claimants can be only on the basis of the need of such claimants.

The Conference does not regard as within the realm of possibility any suggestion that funds received by it should be used to satisfy claims of any kind, as claims. Its use of funds will, as stated, be based only on two criteria: is the person being aided a surviving victim? is he needy?

It is, of course, possible that the payments made to individuals under restitution or indemnification laws will be not sufficient to satisfy their claims. Or difficulties of proof may exist, making it impossible for a person with a just claim to establish its existence. The Conference itself has, in fact, drawn attention to these possibilities, and has sought to agree with the German Delegation on modes and means of minimising these possibilities. But this is not to say that these matters will be directly relevant to utilisation of the funds to be received. The criterion will be that of need, and the funds will be utilised in the only way in which they could properly be used by charitable organisations.

The impracticability of having the Conference itself pass on matters of proof too difficult for experienced courts needs no demonstration. Moreover, such a project would be even more improper than it would be impractical. Funds received in recognition of the extended concept of heirless property which has been advanced as the basis of the Conference claim will be used as other similar funds have been used in the past - that is, for the relief and rehabilitation of surviving victims of Nazi action.

-----oOo-----

*Draft of Telegram to be sent to Jan 10
Department of State and General Clark*

The undersigned organizations are greatly disturbed by reports that the Austrian Parliament intends to act on January 15th on the draft of the Third Austrian Restitution Law. According to information reaching us, this draft is violative of the Allied Declaration January 5th 1943, and because of ambiguities and loopholes, its passage would be detrimental to just demands of Jewish victims of Nazi persecution and would benefit only the illegal beneficiaries of Nazi policy. The presumption of draft Paragraph 2, Section 1 should include racial and religious persecution and persecuted groups as such. The provision requiring claimant to repay full nominal amount of consideration plus annual interest, without taking into account confiscatory deductions imposed on victims of persecution, would make restitution illusory. The time limit of Paragraph 10 will prevent filing of claims by heirs of deceased owners for lack of documentary evidence. Absence of provisions governing heirless property will mean continued possession by illegal possessors or escheat to state. The composition of restitution commissions, the arbitrary procedures, the lack of safeguards for claimants, the lack of any reference to indemnification negate the law of May 15, 1946, which asserted the intention of the Austrian Government to effect restitution. In view of the foregoing facts, we urge intervention by our government to halt action on this draft and prevent injustice to victims of Nazi action. Detailed observations will follow.

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WTC C33

Dr. Bernstein

HEADQUARTERS
U.S. FORCES, EUROPEAN THEATER
Office of the Commanding General
APO 757, c/o Postmaster
New York, New York

December 19, 1946

Mr. I. L. Kenen
American Jewish Conference
521 Fifth Avenue
New York 17, N. Y.

Dear Mr. Kenen:

This is a communication for the five organizations.

There is good reason to believe that matters are being discussed by top level British and American officials in Washington, growing out of the merger of the zones, which will profoundly, and probably adversely, affect the status of the DPs in the U.S. Zone. Already we have been informed of a plan to eliminate the differential in food for persecutees and reduce the Jews to a level of 2,000 calories, similar to the status of non-Jewish DPs. This plan did not originate here. In general, the military (who should not be quoted by you but who have made their views known through their own channels) would prefer to maintain the status quo over the winter to avoid trouble, if for no other reason. I, personally, have gone on record as opposing such changes, both in terms of the immediate effects on the already depressed psychology and situation of the Jews, as well as in terms of principle.

I write you now primarily for information and guidance. It seems to me that the Washington contacts of the five organizations should know what is going on and that I should be kept informed and be given the necessary counsel. In this situation, for example, it is entirely possible that our friends in Washington have consented to certain compromises in order to maintain the basic position. I just don't know because I have not had any word from you or the others about these matters. It is imperative that you keep me informed and advised.

In view of the zone merger and other developments, Washington, not Frankfurt, seems to be the hot spot. I believe that we can hold things in line here, but what are you doing there?

I would like to state, also, that, in my opinion, it is not wise for the Jewish groups to identify themselves with an effort to prevent an investigation of the occupation here. There is nothing to conceal. Our experience has been that the snipers are to be found, not among those who have visited Germany, but among those who have not. This does not mean that all types of investigation are to be favored. Obviously, the auspices should be correct. But it is important to avoid giving the impression that Jews do not want the DP situation here looked into. The trouble with Meader was that he did not look into it. He made one visit of one hour to a recently established, bad camp, from which the military authorities subsequently evacuated most of the people. On this basis he made his vile, slanderous charges against the Jews. If the occasion and the necessity should arise for me to present the truth directly to a Congressional Committee, please remember that I am ready and eager to do so.

In this connection, let me add that I have been invited by the Council of Federations and Welfare Funds to deliver the principal address at their assembly in Atlantic City on February 2nd. I will not know for another two weeks whether I can get away at that time. However, one decisive factor in my decision would be the question of my usefulness in influencing thinking in Washington at that time. Your advice will be welcomed.

Cordially yours,

Rabbi Philip S. Bernstein, Adviser to the
Theater Commander on Jewish Affairs

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sent to NR
COPY

AMERICAN JEWISH CONFERENCE

December 27, 1946

JR

Dr. Stephen S. Wise, President
World Jewish Congress
1834 Broadway
New York 23, N.Y.

Dear Dr. Wise:

The Executive Committee of the American Jewish Conference has received with pleasure the report that representatives of Jewish organizations have been considering the establishment of a Jewish Restitution Commission to act as claimant for heirless Jewish property under the restitution law proposed to be enacted in Germany and in other situations.

At our last meeting on December 19, our Committee examined the drafts of incorporation papers and by-laws, as well as the memorandum on contractual arrangements to be made between the parties, which were drawn up by Colonel Bernstein and Mr. Sanford Schwarz.

We are pleased to state that our Committee has voted its approval of these documents as formulating the substantial basis of the plan, which is in accordance with the suggestions that were made during the conference with General Clay on November 21st.

We are hopeful that your organization and all others which have been participating in the inter-organization talks on this question will vote their approval. We have acted promptly in this matter, and we are writing to inform you of it because we believe that the establishment of such an instrumentality without further delay is essential in view of the imminence of the negotiations on the German peace treaty.

Sincerely yours,

(Signed) Henry Mosky, Chairman
Interim Committee

HM:EK

WJC C33

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C O P Y

Roma, 3 December 1946
Lungotevere Sanzio N. 9

4267/9387 B

World Jewish Congress,
1834 Broadway,
New York 23, N.Y.

Dear Mr. Robinson:

Reference your letter of November 6, 1946.

The Italian anti-Jewish laws which ordered the seizure of assets were applied solely to Italian citizens.

There exists the case of some foreigners who after 1919 acquired Italian citizenship and were deprived of it. To those foreigners the fascist expropriation laws were not applied anymore.

After the Italian armistice, the Badoglio government declared war on Germany and at this occasion German property in Italy was confiscated. But in two subsequent decrees it was ruled that this seizure did not apply to stateless Jews, former German citizens and subsequently, restitution was ordered even to German citizens considered half-Jews by the Nuremberg laws.

War has never been declared on Rumania, Hungary and Bulgaria and therefore, no laws against citizens of those countries have been enacted.

The restitution laws for Jewish assets seized or confiscated during the rule of Mussolini's Italian republic do not discriminate between Italians and foreigners.

A different case is that of indemnities for damages due to looting or enemy action which are being paid to Italian citizens only.

This compensation is, however, much theory, since until now only payments on account have been made to persons who suffered damage to household implements or dwellings. Larger damages like to factories or buildings are for the moment neither paid nor liquidated, since Authorities contribute only in cases where repairs had been made to the buildings.

Yours very sincerely,

Raffaale Cantoni

117084

WJC C33

521 Fifth Avenue
New York 17, N. Y.

November 27, 1946

The Honorable
The Secretary of State

Dear Mr. Secretary:

The undersigned Jewish organizations representing the vast majority of Jews in the United States and throughout the world are deeply concerned about the problems of restitution and indemnification to the Jews of Germany who suffered vast losses since Nazism came to power in 1933. These Jewish organizations have been in constant touch with the U. S. Government and with other governments and with Military Government authorities in Germany in the hope that the restitution and indemnification program adopted in Germany will deal fairly with the claims of Jews and Jewish organizations.

We are submitting to you herewith a memorandum containing our comments respecting the draft of October 18, 1946, of a restitution law for the United States Zone of Germany. We would like to express our appreciation for the substantial improvements that have been embodied in the draft law in recent months. However, we feel it is our duty to call attention to the very important defects which we believe still exist in the draft and which defects most seriously threaten the value of the law.

We wish also to indicate our sincere appreciation of the sympathetic consideration given by General Clay at a recent conference to many of the points discussed in the enclosed memorandum.

We earnestly request that the U. S. Government and its representatives in Germany give careful and sympathetic study to the enclosed memorandum with the view to accepting the recommendations made therein.

Respectfully,

American Jewish Joint Distribution Committee
By: Moses D. Leavitt

The Jewish Agency for Palestine
By: Nahum Goldmann

American Jewish Committee
By: Joseph M. Proskauer

World Jewish Congress
By: Stephen S. Wise

American Jewish Conference
By: Louis Lipsky

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November 27, 1946

The following comments and suggestions are respectfully submitted with respect to the draft Restitution Law for the United States Zone of Germany.

1. Military Government and not the German authorities should designate the successors to heirless and unclaimed Jewish interests in corporations and unincorporated bodies and to Jewish communities and foundations; the successors to the claims of Jews who died leaving no heirs, and the persons who may claim on behalf of the aforementioned Jews and Jewish bodies before the tribunals provided in the law. Military Government should recognize a Jewish organization, representative of Jews throughout the world, including Jews now in Germany, as trustee for such Jewish interests. The property or its proceeds acquired by such trustee should be used exclusively for the purpose of rehabilitation and resettlement of Jews. Appropriate provision should be made for the protection of the interests of surviving members in Germany of persecuted religious communities. These principles should be expressed in the letter of approval of the draft law or in appropriate Military Government legislation. Sections 6 and 50 of the draft law should be revised to read substantially as follows:

Section 6

Persons Entitled to Restitution

The claim for restitution, and the right of avoidance as stated in Section 3a, shall belong to the person whose property was confiscated or who executed the transactions and to his successors in interest.

Where the claim to restitution rests on the dissolution or forced dissolution of a corporation or unincorporated association for any of the reasons set forth in Section 1, the claim to restitution may be prosecuted by such corporation, association or agency as may be designated by the appropriate authority to be the successor by virtue of its membership, aims, and organization, or by any interested persecuted shareholder or partner, his heirs or assigns, provided that the interests of other interested persecuted shareholders or partners are adequately safeguarded.

Any liquidator, officer, or other person representing an incorporated or unincorporated entity in respect of which a claim for restitution is made, may be removed and replaced on application to an appropriate authority showing that the interests of persecuted persons are not adequately represented.

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Where the claim rests on confiscation of properties belonging to religious communities persecuted within the meaning of Section 1, or on the extinction in whole or in part, or the diversion to other uses of property belonging to foundations, endowments, or other institutions as a result of such persecution, the claim may be prosecuted by an appropriate successor designated in accordance with the criteria stated in paragraph 2 of this Section.

In no case arising under this law shall the state treasury be deemed an appropriate successor and no property subject to restitution under this law shall escheat. The claim to restitution of heirless property shall be prosecuted by an appropriate successor designated in accordance with the criteria of paragraph 2 of this Section.

Failure of a persecutee, his heirs, or assigns, to file within six months of the effective date of this law a claim for restitution of confiscated property falling in any of the categories described in the foregoing paragraphs shall constitute a prima facie showing that the property subject to restitution is heirless and in such case the claim may be prosecuted by an appropriate successor, subject to proper safeguards.

The foregoing is subject to any future legislation which may be adopted regarding the exclusion of the rights of successorship of heirs of the third or more distant classes in favor of such associations or agencies, where the decedent belonged to a group of persons described in Section 3a.

The determination of the successorship to political parties shall be left to special regulations.

Section 50

Power of Public Prosecutor

Where a restitution claim for confiscated property is not filed within the period of six months from the effective date of this law the appropriate agency designated in accordance with Section 6 may prosecute the claim. If a rightful claimant should assert his claim within the period of limitations provided under this law, he shall be substituted for such agency or receive the restituted property or its proceeds from it. In the absence of an appropriate agency the public prosecutor at the seat of the restitution chamber of the district may, beginning six months after the effective date of this law, file the claim for the benefit of the person entitled thereto or of the agency when designated. This provision shall not be applicable if restitution would be contrary to the expressed or presumed intention of the person entitled to restitution. The application of the public prosecutor may be filed only until July 31, 1949.

2. Section 11 should read as follows:

Section 11

Money shall not be subject to restitution if it has been acquired without knowledge or presumptive knowledge of the confiscation.

Bearer instruments, title to which the claimant can specifically establish, shall be subject to restitution, unless the holder shows that he neither knew nor could have known of the confiscation of such bearer instruments.

Where the bearer instruments, title to which was vested in the claimant, were shares in a closely held corporation, such as a family enterprise,

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or in an enterprise generally known to be controlled by persons belonging to a group of persecutees, such as an enterprise affected by the Nazi Law for the exclusion of Jews from the economic life of Germany, it shall be presumed that the shares were acquired in bad faith. Where because of transfer of assets or capital stock by merger, consolidation, or other transaction, an enterprise of the kind described in the previous sentence no longer exists in name or in law, the claimant shall be entitled to restitution from any or all successor enterprises through or to which the enterprise can be traced. Restitution shall be in such form, such as issue of new shares or of shares in a successor enterprise, as shall most nearly restore the claimant's interest. Where the present holder of the bearer instruments in an enterprise defined in the third sentence of this Section or a successor enterprise is unknown, the claimant may name as respondent the enterprise or successor enterprise to an interest in which he is entitled and apply to the court for the appointment of an administrator to administer the enterprise or successor enterprise in the interest of the claimant and the unknown shareholders pending a final determination by the court of the claim for restitution. If the present holder of such shares does not appear in the proceedings within six months the court shall render final judgment requiring the enterprise or successor enterprise to cancel the outstanding shares and issue new ones to the claimant.

In view of the foregoing the last paragraph of Section 10 dealing with intangible interests should be eliminated.

3. Section 18 relates to the restitution of property which has been destroyed altogether or in greater part. Holders in bad faith of such property are to be liable under this provision only for failure to exercise ordinary care. The effect of this provision is, therefore, to impose on the claimant the loss resulting from the destruction of the property. This result is entirely unfair. As between the possessor in bad faith and the claimant, the latter has a better right and should prevail. It is suggested, therefore, that the qualifying clause at the end of the first paragraph of the Section be deleted.

4. Military Government should provide a procedure for appeal in all cases from German courts to Military Government Appeals Boards which should have discretionary power as to when an appeal should lie. Such Appeals Boards should have jurisdiction to review the case in its entirety on the facts as well as the law.

In addition, and as part of the control machinery by Military Government, Military Government personnel should be selected as proctors to the German district courts and appellate courts hearing restitution claims, for the purpose of reporting to Military Government on the administration of the restitution law, so that the true intentions of this law may be justly and fairly carried out.

5. The law should provide that nothing therein will in any way prejudice any claims for damages against the German authorities which may be provided for in any future indemnification law, including claims for damages in situations where under the present law damages are not allowed, or if allowed, are in fact not recovered by the claimant. At the time Military Government approves the law a reservation to this effect should be made. Furthermore, Section 30a should be added to the law reading as follows:

"No provision herein disallowing claims for damages in any particular situation or allowing claims for damages that in fact are not recovered, in whole or in part, shall be deemed to prejudice any claims for damages against the appropriate German governmental authorities which may be provided for in any future law dealing with the problem of damages and indemnification."

6. The draft law does not deal consistently with the concepts of holders in good faith, holders who have actual or imputed knowledge that the property was confiscated from persecuted persons, and persons who participated in the wrongful appropriation. Thus Sections 10 and 11 should apply only where the person who acquired the property can show that he did so without knowledge or imputed knowledge that it was confiscated property. In Sections 18 and 20 the word "knowledge" should be expanded to include persons who should have known of the facts constituting the confiscation.

7. In connection with the approval of this law, Military Government should announce its purpose to seek quadripartite approval to the use of Reich, Nazi and other properties sequestered, confiscated, etc. pursuant to the authority of Military Government, to make restitution to persons who have suffered losses recognized by this law and whose property has not been found or, if found, has been substantially damaged or destroyed.

8. Section 23 should read as follows:

"Interests in the confiscated property, and liabilities connected with the confiscated aggregate of properties, which existed at the time of the confiscation, shall continue to exist so far as they have not since been extinguished or discharged. Interests and liabilities created after the confiscation in favor of persons who neither knew nor could have known of the confiscation shall be valid up to the aggregate of charges existing at the date of confiscation, and to such additional amount as represents an enhancement of the value of the property through the creation of such interests and liabilities. When there was bad faith on the part of such

WJC 033

persons in the meaning of Section 18, paragraph 2, after-created liabilities shall be valid only in the amount by which the value of the property was increased by the creation of such interests and liabilities. Interests and liabilities created after May 8, 1945, shall be presumed to have been created in bad faith."

9. Section 5 exempts transactions in the nature of gratuitous bailments from the application of the law. These arrangements were fictitious and it would seem to accord better with the purposes of the law to declare them at an end and allow the claimant to demand an accounting on three months notice.

10. In the most optimistic view Jews and Jewish bodies may hope to regain under restitution and indemnification laws in Germany only a small fraction of the vast property losses which they have suffered since the advent of the Nazi regime. In these circumstances, it would be unjust and inequitable to deprive Jews and Jewish organizations of a substantial part of this small recovery, by subjecting the property and claims to capital levies and other forms of taxes and charges that Germany is likely to impose for the purpose of equalizing the war damage suffered and for making reparations. Accordingly, we urgently recommend that adequate provision be made to exempt the claims of Jews and Jewish bodies and property if restituted from such taxes and charges.

American Jewish Joint Distribution Committee The Jewish Agency for Palestine

American Jewish Committee World Jewish Congress American Jewish Conference

December 4, 1946

Dr. Nehemiah Robinson
c/o Congres Juif Mondial
78 Avenue des Champs Elysees
Paris, France

Dear Nehemiah:

To keep you informed: The top people in the five organisations have seen General Glay. I enclose copies of a memorandum which Colonel Bernstein dictated after the meeting, with the draft of the letter which was in the hands of the delegation but which was not submitted.

On the basis of the outcome of this meeting, Bernstein, Sanford Schwartz and I went to Washington and in two day and night sessions the letter to Byrnes and the attached aide memoire were worked out. I enclose three copies of this memorandum for your information.

The Department of State has virtually agreed to the memorandum with very few qualifications. Since this information was given to us in an informal and unofficial way, it should be treated in strict confidence. As to the qualifications, it is believed that the actual wording of our amendments as to be embodied in the law, should be redone, or rather worked out by the competent authorities in Germany.

With respect to paragraph 7 of the memorandum concerning Nazi properties, the opinion of the Department is to make a general reservation on this point, rather than to express such specific intention today. In the view of the Department of State, the use of sequestrated and confiscated Reich and Nazi properties will have to be considered in relation to a general indemnification program.

With respect to Section 10 of the memorandum, there is general consensus of opinion that the restitution and indemnification program should not be nullified by financial and other measures, but it is felt that further consideration should be given to the problems involved in Section 10.

I am working on comments to the Austrian 3rd restitution law which, as you know from Miss Katz, was received the day before yesterday. I shall send you a draft of the comments for your study, suggestions or corrections.

I understand you have your permit to go to Austria. I hope you will keep me informed about your and other people's doings.

- 2 -

Dr. Nehemiah Robinson

December 4, 1946

Professors Michaels, Baron and Dr. Blattberg saw Clay on Sunday. In pursuance of this meeting we had a meeting on Tuesday between the five cooperating groups and the three gentlemen representing the Commission on European Jewish Cultural Reconstruction. You will probably receive a report on this meeting from Dr. Blattberg. I just want to inform you that it was found necessary to postpone the meeting to be held concerning the set up under which the Cultural Commission will work - possibly within the framework of the over-all trusteeship. The main stumbling block is still the Joint. We tried to arrange a meeting which Mr. Moses Leavitt will be able to attend. We have made good progress so far, as the meeting with Clay seems to have shaken the gentlemen of the Joint out of their previous desire to have ONGUS handle the whole thing. But we do not know if they are convinced. We hope they are, and if so, this will be a big step forward in our discussions at the next meeting.

I sent a copy of this letter to Miss Kats who has asked me to inform you on the developments of the last two weeks.

From reports, I gather that your meeting was very successful. I hear from Miss Kats that you are freezing, which is completely in line with present American atmospheric conditions.

I hope to hear from you soon.

Greetings and best wishes,

Sincerely,

Frank Barth, Director
Research Department

FB:ta

117003

C O P Y

APO 757, c/o Postmaster
New York, New York

November 20, 1946

Central Committee of Liberated Jews
Siebertstrasse 3
Munich, Germany

Dear Friends:

This is to acknowledge your communication of November 3rd, concerning the registration and safeguarding of Jewish property left in the east European countries. As I told you in person, I am very much interested in this subject.

In view of the fact that Mr. Max Lowenthal is the recognized expert on such matters, I would like, as the first step, to refer this to him for consideration and exploration. I am, therefore, sending a copy of your communication to him in New York via Mr. Kenen of the American Jewish Conference. I anticipate that Mr. Lowenthal will return to Germany shortly, at which time I will discuss this with him in person.

I am in hopes that something definite can be done in this matter, both for the practical consequences and to establish the principle that Jews fleeing from pogroms do not thereby forfeit their property rights.

With kind regards,

Sincerely yours,

Rabbi Philip S. Bernstein
Adviser to the Theater Commander
on Jewish Affairs

WJC C33

117094

C O P Y

Headquarters
U.S Forces, European Theater
Office of the Commanding General
APO 757, c/o Postmaster
New York, N.Y.

November 20, 1946

Mr. I. L. Kenen
American Jewish Conference
521 Fifth Avenue
New York, New York

Dear Mr. Kenen:

I am enclosing herewith copies of self-explanatory correspondence with the Central Committee of Liberated Jews. I will be grateful if you will forward these to Max Lowenthal and, also, send copies to the five organizations, so that they may be kept informed.

With kind regards,

Sincerely yours

Rabbi Philip S. Bernstein
Adviser to the Theater Commander
on Jewish Affairs

117095

C O P Y

Headquarters
U.S. Forces, European Theater
Office of the Commanding General
APO 757, c/o Postmaster
New York, New York

November 20, 1946

Mr. I. L. Kenen
American Jewish Conference
521 Fifth Avenue
New York, New York

Dear Mr. Kenen:

I have recommended to General Mark Clark that he invite Max Lowenthal to come into Austria to make an analysis of the problems on property restitution and to offer recommendations. I do not know yet whether General Clark will approve of my recommendation, but thought I ought to inform you and the Jewish organizations, as well as Mr. Lowenthal, of what is transpiring.

I don't have Max Lowenthal's address. Therefore, I would appreciate your informing him of this development and asking him to advise me of the date of his return to Germany. If there is to be any delay in his return, please ask him to inform me of recent developments. I want to be in a position to give support here to his current thinking and recommendations.

I will be grateful if you and the other organizations will let me have your current reactions to the matter of property restitution and claims in Austria. My impression is that there has been dissatisfaction with the developments up to this point. In any event, please inform me as to the current reactions.

With best wishes,

As ever,

Rabbi Philip S. Bernstein
Adviser to the Theater Commander
on Jewish Affairs

WJC C33

C O P Y

CENTRAL COMMITTEE OF LIBERATED JEWS
 In the American Occupied Zone in
 Germany

Tel. 480878, 480879

No. 0908

November 3, 1946

Munich, Siebertstrasse 3
 Ref. Pr/357/46/0908

To: Rabbi Philip Bernstein
 Adviser for Jewish Affairs HQ USFET
 Frankfurt/Main

Subject: Registration and safeguarding of Jewish property
 left in the East European countries

Many Jews who have been liberated by the Allied Forces from concentration camps in Germany and those who have fled their countries because of persecution and pogroms and found shelter in the US Zone, left their property in their last place of abode, mainly in Poland.

In spite of the fact that the saving of lives and temporary relative assurance from persecution have benefited the Jewish population considerably, there remains, however, the fact of Jewish property left over which in many instances is an accumulation of labour and thrift by many generations.

The property of Jewish DP's left in these countries is to be divided in two groups:

- 1) Property of physical persons
- 2) Property of Jewish communities and other corporations of public law.

The property of physical persons is mainly put under Government care or is under no control and is being destroyed. A small number of survivors who had lawful rights to these properties which after the conclusion of hostilities returned to their old living places did not have the possibility to institute legal proceedings in order to take possession of their former holdings, because the internal situation did not afford them the opportunity to stay any longer and they were forced to leave and seek safety somewhere else. In this way the main bulk of properties of these Jewish physical persons under the existing laws of the Eastern European countries will after a certain period pass under government ownership.

Apart from the denial to the lawful owners to take possession of their property this problem will be followed by grave political consequences because the governments which are interested in expropriation of Jewish property will not undertake any measures to fight antisemitic influences and in this way force the Jewish population to leave the boundaries of these countries and eventually take possession of their property.

Apart from the above problems there are many instances when this property arouses disputes as there appear persons who make bona fide or mala fide claim to be the only living inheritors of the above said properties and sometimes take unlawful possession of same.

Conditions described above are harming the cause of European Jewry as the funds and

- 2 -

money which could be realized by disposing of the above said property would have helped them financially to rehabilitate themselves in their new places of abode.

Analogical conditions pertaining to property of Jewish communities and other legal corporations exist in the Eastern European countries. These properties have been nearly all taken over by the governments of those countries. The problem of this property, under the existing international law requires solving the future claims by way of international agreement or by the decision of United Nations.

It is proposed that the first steps to be taken by the Central Jewish Committee is to make a complete census of the property left by the Jewish DP's in the Eastern European countries (mainly in Poland) who are now living in the US Zone. The results of such a census would give us all the necessary data and enable us to raise this question and reach a principle solution. Secondly, it would be possible to return or realize this property for its lawful owners. Thirdly, it would be possible to safeguard this property from destruction and expropriation until such date that it would be returned or disposed of by its lawful owners.

We kindly request Rabbi Bernstein to take up the above raised problems and will appreciate if he will communicate his attitude on this subject.

Presidency
of the
Central Committee

PLACEMENT FOR
BY TELEPHONE
27. DECLASSIFICATION

CLOSED CASES

RG 59 Box 2

August 18, 1954

OBJECTS RECOVERED IN THE UNITED STATES.

	RETURNED TO:	NUMBER OF PIECES	
✓ 1. Box of 948 coins	Germany	948	
✓ 2. MS of a Psalter, 12th c.; six daggers with sheaths; iron-bound leather box (very early); leather box containing documents; red despatch case of Napoleon I; Chinese puppets (6). From Amorbach museum or Offenbach Leatger Museum; Tom Howe returned the items.	Germany	16	
✓ 3. Doochsloot Painting from Bremen Kunsthalle	Germany	1	
✓ 4. Cranach, Portrait of Melancthon from MGGP	Germany	1	
✓ 5. Ethiopian MS and case; and 15 Indian miniatures and prints after Raphael from Berlin Library	Germany	16 + 6	
✓ 6. Ivory diptych of 14th c. of the Passion from the Kassel Museum	Germany	1	
✓ 7. Jeweled Renaissance figurines of man and monkey from German collection	Germany	1	
✓ 8. Dürer engraving from Nurnberg Museum	Germany	1	
✓ 9. French, Book of Hours	Germany	1	
10. Four tapestries c. 1580, Ovid series from Bavarian National Museum	Germany	4	
11. Tapestry: Landscape with figures, c. 1700 from Kunsthistorisches Museum, Vienna	Austria	1	
12. Ceramics and bronzes (51)	China	51	1946-7
13. Panels of the Bronze Doors of Benevento Cathedral early 13th c. (2)	Italy	2	1946-7

117008

DECLASSIFIED
AUTHORITY 17008/968011
BY SP-1/16/97

CHRON

- 4. Egyptian gold ring from Meroe, part of Perlini Treasure of Berlin Museum
- 15. Two paintings by Poelenburg and Brekelenkam from Lazienki Palace Museum, Warsaw.
- 16. MS of Political Testament of Frederick the Great of 1752 German State Archives
- 17. Monet Painting looted from Mme Halphen, Paris.
- 18. Leopard Skin Rug from Lee Household
- 19. Books from Syracuse Univ. Lib.
- 20. Books from Lawrence College, Appleton Wisconsin to Marburg Lib. Univ.
- 21. Books from Princeton/Library
- 22. Books from Univ. of Penn. Lib.
- 23. MSS and books, tablets, beads and headdress from Royal Household of Okinawa
- 24. Mainz Psalter from Dresden Library
- 25. Rubens painting from Dusseldorf Museum
- 26. English MS on Vellum, 6 pages of an indenture from Columbus (Ohio) Public Library - Will Collins Librarian
- 27. English MS of mortgage dated 1680 from Duluth (Minnesota) Public Library
- 28. Brek painting "Old lady seated by the fire" from Dusseldorf. Kunstsammlungen thru Customs.
- 29. 50 Weimar gold coins and medals From dealer thru Customs
- 30. Bavarian Munzsammlung Ancient seals gems and coins (reproductions)

RETURNED TO:	NUMBER OF PIECES
Germany	1
Poland	2
Germany	1
France	1
Korea	1
Germany	12 vols.
Germany	8 vols.
Germany	2 vols.
Germany	5 vols.
Okinawa	50 vols. 65 objects librarian
Germany	1 vol
Germany	1
England	1
England	1
Germany	1
Germany	50
"	250

117099

DECLASSIFIED
 AUTHORITY 2008/968011
 BY SP-1484/DA Date 6/16/99

19. NO. OF BOTTLES
Kлассификация
включенных в этот
список документов
по количеству
и качеству
32. 33. 34. 35.

Aachen Banner
from University of Florida

RETURNED TO: NUMBER OF PIECES

Germany 1

32. Archival records of Grebenstein
Record of debt MS. 15th c.
16th c. - 17th c.

Germany 9

33. Hildebrandslied - Kassel Library
from NY and Phil. dealer

Germany 1

34. Missal from Wurzburg
from Chicago Dealer

Germany 1

35. 43 bound reports of NEI
1767-1939

Netherlands 43

Poland ?

117100

DECLASSIFIED
Authority 7010 968011
BY SP-1 MRA Date 6/16/99

WORKS OF ART RECOVERED IN THE UNITED STATES,
 LIST OF CASES.
OFFICIAL USE ONLY

<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
1	948	Coins	Collector of Customs, Chicago	Bureau of Customs, Washington, Collector of Customs, Chicago
2	16	13th c. Manuscript Six daggers with sheaths Iron-bound leather box (very early) Red despatch case of Napoleon I Leather box containing documents Chinese puppets	Collector of Customs New York City	Bureau of Customs, Washington Collector of Customs, New York City
3	1	Painting: Droochs-loot (1631)	New York Hist. Soc.	Bureau of Customs, Washington Collector of Customs, New York City
4	1	Cranach Ptg. of Melancthon	Brooklyn College	Bureau of Customs, Washington Collector of Customs New York City
5	22	Indian Ptg. & Drawings Ethiopic MS. & Case. Drawings after Raphael	Detroit Inst. of Arts	Bureau of Customs, Washington Collector of Customs, Detroit, Michigan
6	1	14th c. Ivory diptych of the Passion	Los Angeles County Museum	Bureau of Customs, Washington Collector of Customs, Los Angeles, Calif.
7	1	Jewelled Renaissance figurine of man and monkey	Los Angeles County Museum	Bureau of Customs, Washington Collector of Customs, Los Angeles, Calif.
8	1	Dürer Engraving	E.R. Schwabach	Voluntary return
9	1	French 15th, Book of Hours	de Young Memorial Museum	Bureau of Customs, Washington Collector of Customs San Francisco, Calif.

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Ry. 53. 02
 Lot 62-D-4

DECLASSIFIED
 Authority AND 968071
 By TJ NARA Date 6/3/99

-1b-
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<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
1 (cont.)	F. Cooper, Edna, Kansas	Army	Unknown	OMGUS	1949
2 (cont.)	J. Bodnar, Jr. N. Y. C.	Army	Amorbach Museum	OMGUS	1949
	" "	"	" "	"	
	" "	"	Offenbach Leather Museum	"	
	" "	"	" "	"	1949
3 (cont.)	J. R. Hutchinson (USNR)	Lt.	Bremen Kunsthalle	OMGUS	1949
4 (cont.)	R. Hilberg Brooklyn, N.Y.	Army	Hitler Collection Führerbau Munich	OMGUS	1949
5 (cont.)	D. Whitney Detroit, Mich.	Army	Berlin State Library	OMGUS	1949
6 (cont.)	H. F. Travis	Army	Kassel Museum	OMGUS	1949
7 (cont.)	H. P. Johnson	Army	Mannheimer Collection	OMGUS	1949
8 (cont.)	E. R. Schwabach (Capt.)		Germanisches National Museum, Nürnberg	Ger. Govt.	1949
9 (cont.)	N. Yeatrakas	Army	Remagen, Ger.	OMGUS	1949

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*Pg. 59, p 1
 LOT 62-D-4*

117102

-22-

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<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
10	4	Tapestries, c.1580 Ovid Series	MFA&A, OMGB	Bureau of Customs, Washington Collector of Customs, New York City
11	1	Tapestry, Brussels about 1700	MFA&A, OMGB	Bureau of Customs, Washington Collector of Customs, New York City
12	51	Ceramics and 3 paintings	Chinese Government	Bureau of Customs, Washington Collector of Customs, New York City
13	2	Two panels of Bronze Doors, of Benevento Cathedral, early 13th c.		
14	12	Foreign Documents, French, 1 Folder, 12 dossiers		
15	1	Italian Documents		
16	6	Woodcuts		
17	3	Two paintings and one pastel.	Norfolk Museum of Arts and Sciences Norfolk, Va.	Voluntarily surrendered
18	28	Japanese sword furniture (11 tsuba and 17 Kozuka)	Philadelphia Museum of Art	
19	1	Painting: Monet, "Péniches sur la Seine" 1874	Detroit Institute of Arts, Detroit, Michigan	Department of State. Returned with approval of the Common Council of the City of Detroit.

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R 59. 01

Lot 62-D-4

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<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
10 (cont.)	A. M. Adler and- George F. Schimann	Dealers	Bavarian National Museum, Munich	OMGUS	1949
11 (Cont.)	A. M. Adler and George F. Schimann	Dealers	Kunsthistorisches Museum, Vienna	OMGUS	1949
12 (Cont.)	P.J.R. Desjardins	(Lt. U.S.N.R.)	Chin.Gov't. Chinese Govt. (from Tientsin)		1947
13 (Cont.)		Army	Benevento Cathedral	Italian Embassy,* Washington	1946
14 (Cont.)	Name unknown Found at Fort Dix, New Jersey		French Govt.	OMGUS	* 1946
15 (Cont.)	Name Unknown		Italian Govt.	Italian Embassy	* 1946
16 (Cont.)	Capt.M.R.Tsouros	Army	Heidelberg University	OMGUS	* 1946
17 (Cont.)	Brother of Mrs. E. Champ Norfolk, Va.		Bologna area	Italian Embassy	* 1946
18 (Cont.)	Soldier, name unknown	Army		SCAP, Tokyo	* 1946
19 (Cont.)	Detroit Institute of Art		Mme. Fernand Halphen, Paris	French Embassy Washington,D.C.	1950

* Not received and not returned by the Department of State.

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117104

Rg. 59 of 1 lot 62-D-4

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Authority AND 968071
By TJ NARA Date 6/3/95

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<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
20	1	Mainz Psalter	Wm. A. Jackson Harvard Univ.	Bureau of Customs, Washington Collector of Customs, New York City
21	2	Paintings: Poelenburgh and Brekelenkamp (framed)	Bureau of Customs, Washington	Bureau of Customs, Washington; Customs Agent, Laredo, Texas; Department of Justice, Washing- ton and U S Attorney, Fort Smith, Arkansas
22	1	Leopard Skin Rug	Dept. of State from news report	Bureau of Customs, Washington Collector of Customs, Denver, Colorado
23	1	Egyptian gold ring from Meroe, from Ferlini Treasure	Museum of Fine Arts	Bureau of Customs, Washington Collector of Customs, Boston, Mass
24	1	MS of Political Testament of Frederic the Great, 1752.	T.A. Heinrich, Huntington Museum	Bureau of Customs, Washington Supervising Customs Agent, New Orleans
25	12	Volumes	Syracuse Univ. Library	Returned by request
26	8	Volumes	Lawrence Col- lege, Wisconsin	" " "
27	2	Volumes	Princeton Univ. Library	" " "
28	5	Volumes	University of Penn. Library	" " "

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Rg. 59 of 1 lot 62-D-4

117105

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<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
20 (Cont.)		Dealer in N.Y.C.	Dresden Staats Bibliothek	OMGUS & Fed. Rep. of Ger.	March 13, 1950
21 (Cont.)	Mr. Robert Emrick Rogers Arkansas	Army	Lazienki Palace Polish State Museum	Polish Embassy, Washington, D. C.	Jan. 10, 1951
22 (Cont.)	Elverne H. Giltner, 923 Lake Ave., Pueblo, Colorado	Army	Changdok Palace, Seoul, Korea	Korean Embassy Washington, D. C.	Feb. 14, 1952
23 (Cont.)	Rabbi Joseph S. Shubow, 125 Holland Rd., Brookline 46, Mass.	Army Chaplain	Berlin Museum Inv. Nr. 22781	Federal Republic of Germany, Bonn.	May 16, 1952
24 (Cont.)	John H. Murphy 124 Hobbie Drive Montgomery, Alabama	USAF	Koenigliche Haus Archives of the German State	" "	" "
25 (Cont.)	Syracuse Univers- ity Library		Koenigliche Preussische Meteorologisches In- stitut, Berlin	" "	" "
26 (Cont.)	Lawrence College		University of Marburg	" "	" "
27 (Cont.)	Princeton Univ. Library		Bibliothek Schloss Plathe Pommern	" "	" "
28 (Cont.)	Univ. of Penn. Library		German Libraries	" "	" "

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117106

Rg. 59, #1 wt 62-D-4

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<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
29	1	Painting: Rubens "Saint Katherine"	Los Angeles County Museum	Bureau of Customs Washington, D.C. and Department of Justice Collector of Customs, Los Angeles California.
30	1	Painting: Breklenkam, "Old Lady by Fire"	Bureau of Customs	"
31	115	Okinawa Royal MSS (50 vols.); tablet and beads 65 other objects	Army	Bureau of Customs, Washington, D. C. Supervising Customs Agent, Boston, Mass.
32	1	Woodcut by Bodo Zimmermann		Returned by request
33	1	English document: Indenture, dated 1671		" " "
34	1	English document: Indenture, dated 1680		" " "
35	1	Banner from Aachen		" " "
36	50	Gold medals and coins	Museum of Art Rhode Island School of Design	Bureau of Customs, Washington, D.C.; Supervising Customs Agent: Chicago, El Paso, New Orleans and New York City.
37	250	Antique seals and gems		Bureau of Customs, Washington, D. C. Supervising Customs Agent, New York City.
38	43	Bound reports of NEI 1767-1939	Amherst College Library	Returned by request

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Rg. 53 01 lot 62-b-4

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<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
29 (Cont.)	Mr. J. P. Frary 18010 Valley Vista, Encino, Cal.	Army	Düsseldorf Museum; Kunstsamm- lungen	Fed. Republic of Germany, Bonn	May 16, 1953
30 (Cont.)	"	"	"	"	"
31 (Cont.)	Carl Sternfelt 87 Grove Street, Scituate, Mass.	USNR	Royal House- hold of Okinawa	Government of Ryukyu Islands	May 29, 1953
32 (Cont.)	Office of His- torical Properties Military History, Dept. Army		Mrs. Eva Zimmer- mann, 2401 N. Fratney St., Milwaukee, Wisconsin	owner	January 9, 1954
33 (Cont.)	Columbus Public Library Columbus, Ohio		Record Office	British Embassy Washington, D.C.	Sept. 7, 1954
34 (Cont.)	Duluth Public Library Duluth, Minnesota		"	"	"
35 (Cont.)	University of Florida		City of Aachen	German Embassy, Washington, D.C.	Sept. 8, 1954
36 (Cont.)	Grünthal	New York Dealer	Weimar, Schlossmuseum	German Embassy Washington, D.C. & Trusteeship of F.R.G.	"
37 (Cont.)	Stacks	New York Dealer	Munich, Staatliche Münzsammlung	German Embassy Washington, D.C.	"
38	Library of Congress		Netherlands Government	Netherlands Embassy, Washington, D. C.	Sept. 10, 1954

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117108

Rg. 59 #1 lot 62-D-4

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Authority AND 968071
By T J NARA Date 6/3/99

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<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
39	2	"Liber Sapientiae" 10th century bound MS, with one page of A.D. 800 MS of "Hildebrandslied" (in blue leather box).	Published in <u>The New Colophon</u> , 1950, p. 233.	Bureau of Customs, Washington, D. C. Collector of Customs, New York City.
40	1	Wurzburg Missal of 1495 (Missale Herbipolense)		
41	9	Records of Grebenstein Hesse-Kassel 17th - 18th c. and other documents		Returned by request
42	1	Petrarch MS, "De Africa", 14th century	New York Times report	Bureau of Customs, Washington, D. C. Department of Justice and U.S. Attorney for N.J. Collector of Customs, New York City
43	7	Forgeries of antique gold jewelry	Metropolitan Museum of Art	Bureau of Customs, Washington, D. C. Supervising Customs Agent, New York and Los Angeles, Calif.
44	1	Korean sword, Yi Dyn. 14th and 15th century	Los Angeles County Museum	Bureau of Customs, Washington, D. C. Supervising Customs Agents, Los Angeles and San Francisco, Calif.
45	2	Record Books of Military Academy, Pilsen, Czechoslovakia		Return requested.
46	3	Papyri Jandanae, Nos. 246, 323 and 324, 3rd century A.D.	German Govt.	Bureau of Customs, Washington, D.C. Supervising Customs Agent, San Francisco and Collector of Customs, Los Angeles, Calif.

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Rg. 59 of 1 lot 62-D-4

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<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
39 (Cont.)	The Estelle Doheny Collection, Camarillo, Cal.	Sold by	Kassel, Landesbibliothek Dealer	German Embassy, Wash., D.C.	Sept. 10, 1954
40 (Cont.)			Mainfrankisches Museum, Würzburg	" "	" "
41 (Cont.)	Library of Congress		Land Hesse	" "	" "
42 (Cont.)	Walter Rechsteiner, 728 Twenty-fourth St. Union City, N. J.	Army	Trieste Biblioteca Civica	US Political Adviser, Trieste	Sept. 17, 1954
43 (Cont.)	Mrs. Clara Elizabeth Hertling, Los Angeles, California	Importer and dealer	Mr. Marwitz who was sentenced in Munich for putting forgeries on market	Transferred to National Collection of Fine Arts, Smithsonian Inst. on permanent deposit.	Sept. 21, 1954
44 (Cont.)	Tom C. Harrison, 2658 Juliet St., Los Angeles 7, Cal.	Army GI.	Yi Household Changduk Palace, Seoul	Minister of Education, ROK, Seoul	Nov. 5, 1954
45 (Cont.)	Library of Congress			Transferred to Office of Military History, Dept. of the Army	Sept. 21, 1955
46 (Cont.)	Mr. Salem Manfred Flaum, 124 Pico Boulevard, Santa Monica, Cal.		University of Giessen Library	German Embassy Wash., D.C.	July 9, 1956

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117110

REPRODUCED AT THE NATIONAL ARCHIVES

Ry 59, #2 Lot-62-D-4

OFFICIAL USE ONLY

<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
47	1	Japanese sword and scabbard		Return requested
48	33	Icons (31) and Silverframes (2)	Museum of Fine Arts, Houston, Texas	Bureau of Customs, Washington, D. C. Supervising Customs Agent, New Orleans, Customs Agents in Brownsville, Laredo and Galveston, Texas
49	289	Silverware & Rugs		Return requested
50	11	Nine artifacts, c. A.D. 1300 and two books from Eichstätt.	Rochester Museum of Arts and Sciences, Rochester, N.Y.	Return requested
51	4	Objects (4) from Herrenchiemsee	Herwin Schaefer, Berkeley, California.	Office of the Provost Marshal General, Department of the Army, Bureau of Customs, Washington, D. C.
52	1228	Coins	Department of the Army	Office of the Provost Marshal General, Bureau of Customs, Washington, D. C. Supervising Customs Agent, Chicago.
53	88	Stamps	" " "	" " " " "
54	22,664	Miniature soldiers (lead)	City of Hersbruck, Germany.	Office of the Provost Marshal General, Department of the Army, Bureau of Customs, Washington, D. C.
55	1	Dachau Burial Urn	Wm. P. Stube, Jr., Houston Texas	Customs Agent, Houston, Texas

OFFICIAL USE ONLY

Rg. 59 01
 Lot 62-D-4

117111

OFFICIAL USE ONLY

<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
47 (Cont.)	Col. Fred C. Dyer, 3653 Winthrop Ave., Indianapolis, Ind.	Army	Japanese Government	Foreign Office Jap. Gov't. Tokyo	August 6, 1956
48 (Cont.)	Mr. Dana B. Mac Inerney	Army	USSR	USSR Embassy, Washington, D. C.	April 10, 1957
49 (Cont.)	Quartermaster Corps Department of the Army		Nazi loot found in Austria	Bundesdenkmalamt, Austria Govt. Vienna	July 30, '57
50 (Cont.)	Anonymous		Historical Society, Eichstätt, Bavaria	German Embassy Washington, D.C.	January 29, 1958
51 (Cont.)	Col. Samuel S. Morse	Army	Castles of Herrenchiemsee, Bavaria	German Embassy Washington, D. C.	" "
52 (Cont.)	Mr. John Ohringer Chicago, Illinois	Army	Mr. Anton Johannes Wiede, Hoerwarthstrasse 43/3, Munich 23, Germany	German Embassy Washington, D. C.	" "
53 (Cont.)	Dr. Chas. A. Owen, Jr. Rochester, Minn.	Army	" "	" "	" "
54 (Cont.)	Col. Larter 124 Evans Avenue San Antonio, Texas	"	Heimat Museum, Hersbruck, Germany	Shipped by Army to German Land Office for the Care and Preservation of Monuments by American Consul General, Munich.	May 29, 1958
55 (Cont.)	R. R. Cocke, P.O. Box 1052, Corsicana, Texas	Army	Munich, Germany	German Embassy, Washington, D.C.	May 6, 1959

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Ry 59 02
 lot 62-D-4

117112

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Authenticity WNO 968071
By TJ NARA Date 6/3/99

OFFICIAL USE ONLY

<u>Case No.</u>	<u>No. of Objects.</u>	<u>Description of Obj.</u>	<u>Reported by:</u>	<u>Investigated and Recovered by:</u>
56	31	Prehistoric artifacts from Russian excavation	Amer. Museum of Natural History, N.Y.C.	Return requested
57	14	Books and Objects	Major Robert E. Brizee	" "
58	1	Luther, 840 Lieder...	Princeton Univ. Library	" "
59	1	Letter from Joseph Haydn, dated 16 August 1782.		" "
60	2	Paintings: Koekkoek , Landscape, & Maes, Portrait of man, from Bad Wildungen Repository	Bureau of Customs (See Case #29: Rubens)	Bureau of Customs Washington D.C. and Supervisor of Customs, Los Angeles & Detroit
61	350 +	German State Archives: Royal papers and correspondence; state treaties	German Gov't.	Bureau of Customs, Washington, D. C. Collector of Customs, New York and Buffalo Dept. of Justice.

CU/AM:ARHall:lqf 11/27/61

OFFICIAL USE ONLY

RG 59, Box 1 Lot 62-D-4

117113

OFFICIAL USE ONLY

<u>Case No.</u>	<u>Received from:</u>	<u>Status</u>	<u>Owner</u>	<u>Returned to</u>	<u>Date of Return</u>
56 (Cont.)	Mr. James Larwood, Army Atlanta, Georgia		USSR	USSR Embassy, Washington, D.C.	August 18, 1959
57 (Cont.)	Major Brizee, 2809 Farm Road, Alexandria, Va.	Army	Korea Univ. Library & Im- perial Yi Household Collection Toksu Palace	Korean Embassy Wash., D.C.	Dec. 23, 1959 Mus.
58 (Cont.)	Princeton Univ. Library		Danziger Stadt Bibliothek	Privately to Library of Polish Acad. of Sc.	August 23, 1960
59 (Cont.)	Library of Congress		Deutsche Staats- bibliothek, Berlin	German Embassy Washington, D. C.	Dec. 21, 1960
60 (Cont.)	Mr. Valentine Lavin 4806 Cleveland Ave., N. W., Canton, Ohio.	Army	Not known Deposited in Bad Wildungen		
61 (Cont.)	Mr. Fritz Otto Weinert	East German immigrant to US.	German Govt.		

CU/AM:ARHall:lqf

11/27/61

OFFICIAL USE ONLY

117114

R659 Box 1 Lot 62-D-4

RG 260
 Entry Prop. Div., Secretariat
 File Section General Records of the
 Box 2 Direction

Alphabetical

Berlin, Germany
 1 July 1949

Mr. E. J. Cohn
 5 New Square
 Lincoln's Inn
 London, W.C. 2, England

Dear Mr. Cohn:

I have received your letter of 7 June 1949 concerning the restitution claim filed pursuant to Military Government Law No. 59 on behalf of Dr. O. Lehmann.

Military Government has in its custody at the present time several hundred thousand books which were recently moved from several collecting points in the U.S. Zone to a single depository at Wiesbaden. Due to their number and the inability to allocate sufficient personnel for the purpose, it has not been possible to sort and catalogue them by title and author. It is expected, however, that at a later date those which bear an individual's name or other mark of identification indicating probable ownership will have been segregated and be available for delivery to the person entitled to receive them.

Where a petition has been filed pursuant to Military Government Law No. 59, the Restitution Agency having jurisdiction may, under the Law, request additional particulars as to the claimed property, and may also, in the event there is no counter claim or objection by the present holder, issue an order granting the petition. It is also within the competence of that Agency to consider, in support of the specific claim under reference, such facts as to description of the property as the petition could reasonably be expected to provide under the circumstances.

As it is physically impossible for the Archival Depot to provide the claimant with a list of titles and authors, I can only suggest you furnish such information as is possible as to titles, authors, such additional descriptive matter concerning the books as is known, and pointing out further, as you have stated, that the particular books being claimed are all inscribed with the name of the petitioner or his brother. You may possibly obtain assistance by writing The Jewish Restitution Successor Organization, APO 696-A, attention Mr. Ferencz.

I sincerely regret I am unable to be of more immediate assistance.

Sincerely,

MILTON L. OGDEN
 Lt. Col. GSC
 Secretary General

117115

DECLASSIFIED

Authority NND 775057By WDP NARA Date 3/29/00RG 260Entry PRDPLBL

File _____

Box 8

C O P Y

CERTIFICATE OF CHANGE OF NAME

- of -

THE JEWISH RESTITUTION COMMISSION

- to -

JEWISH RESTITUTION SUCCESSOR ORGANIZATION

(Pursuant to Section 40 of the General Corporation Law)

WE, EDWARD M. M. WARBURG and ABRAM ROTHFELD, being respectively the President and Assistant Secretary of THE JEWISH RESTITUTION COMMISSION, certify:

1. The name of this corporation is THE JEWISH RESTITUTION COMMISSION.
2. The Certificate of Incorporation was filed in the office of the Secretary of State on the 15th day of May, 1947.
3. The new name to be assumed by this corporation is JEWISH RESTITUTION SUCCESSOR ORGANIZATION.

IN WITNESS WHEREOF, we have hereunto subscribed this Certificate this 29th day of July, 1948.

(S) Edward M. M. Warburg
President

(S) Abram Rothfeld
Assistant Secretary

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

On this 29th day of July, 1948, before me personally came EDWARD M. M. WARBURG and ABRAM ROTHFELD, to me known and known to me to be the persons described therein and who executed the within Certificate of Change of Name, and they thereupon duly acknowledged to me that they executed the same.

Lucy Gerstein
Notary Public

117116

DECLASSIFIED

Authority NND 775057By WDP NARA Date 3/29/00

RG	<u>260</u>
Entry	<u>PROPLBL</u>
File	
Box	<u>8</u>

COPY

CERTIFICATE OF INCORPORATION

- of -

THE JEWISH RESTITUTION COMMISSION

(Pursuant to the Membership Corporation Law)

WE, the undersigned, for the purpose of forming a membership corporation pursuant to the Membership Corporation Law of the State of New York, hereby certify:

1. The name of the proposed corporation shall be THE JEWISH RESTITUTION COMMISSION.
2. The purposes for which it is to be formed are:
 - a) To assist, aid, help, act for and on behalf of, and as successor to, Jewish persons, organizations, cultural and charitable funds and foundations, and communities, which were victims of Nazi or Fascist persecution and discrimination, in all matters relating to claims for the restitution of property and property rights of every nature and description, and for compensation and indemnification arising out of loss or damage suffered by them in consequence of such persecution and discrimination; and in connection with the foregoing to discover, claim, acquire, receive, hold, maintain, manage, administer, hire, liquidate, and otherwise dispose of property and property rights of every nature and description for the benefit of victims of Nazi or Fascist persecution or discrimination, and to apply the income therefrom, the increments thereto, and the proceeds thereof for the relief, rehabilitation, reestablishment, resettlement and immigration of such victims, all in accordance with the laws and policies established by the Governments or authorities in control of the countries, or areas, where any or all of the foregoing activities may be carried on.
 - b) To act in the aforementioned respects for the purpose of ascertaining claims to restitution, compensation or indemnification; claiming, acquiring, receiving, reducing to possession, or prosecuting such claims; holding, maintaining, salvaging, repairing, managing, administering, and in all respects dealing with such property and claims, and effecting disposition, liquidation or conversion of such property or claims by all appropriate means for the purposes herein stated.
 - c) To act in the aforementioned respect with regard to Jewish books, manuscripts, and other Jewish cultural and religious and historic objects in Germany, and in areas formerly occupied by Germany, and to distribute such objects to their rightful owners and to such Jewish organizations, institutions, and communities anywhere in the world as may be determined to be equitably and appropriately entitled to them.
 - d) To assist governmental and intergovernmental agencies, in a representative capacity or otherwise, in locating, identifying, preserving,

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DECLASSIFIED

Authority NND 775057By WDP NARA Date 3/29/00
 RG 260
 Entry PRDPLBL
 File _____
 Box 8

cataloguing and determining the proper disposition of Jewish books, manuscripts, and other Jewish cultural, religious, and historic objects in Germany or in areas formerly occupied by Germany.

- e) To have power to borrow money, and, from time to time, to make, accept, endorse, execute, and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporations for moneys borrowed or in payment for property acquired or for any of the other objects or purposes of the corporation or its business, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights, or privileges of the corporation wherever situated, whether now owned or hereafter to be acquired.
- f) Without limitation of the foregoing to do all and everything necessary, suitable and proper for the accomplishment of any of the purposes hereinbefore set forth and to do every other act or acts, thing or things incidental or appurtenant to or growing out of or connected with the aforesaid purposes, or any part thereof, provided the same be not inconsistent with the laws under which this corporation is organized or the laws of any country in which the activities of the corporation are carried on.

3. The corporation shall have no capital stock and shall not be conducted for profit. All assets remaining upon liquidation of the corporation shall be distributed solely for purposes of the relief, rehabilitation, resettlement and immigration of victims of Nazi or Fascist persecution or discrimination, in the manner provided in the By-Laws of the corporation, subject to the approval of the Supreme Court of the State of New York.

4. The territories in which its operations are principally to be conducted are the United States of America, Germany and formerly German occupied areas of Europe, and other areas throughout the world.

5. The city and county in which its office is to be located are the City of New York, County of New York.

6. The number of directors shall not be less than five (5), nor more than sixty-one (61). Officers and directors of the corporation need not be members.

7. The names and residences of the directors until the first annual meeting are:

<u>NAMES</u>	<u>ADDRESSES</u>
Louis Lipsky -	302 West 86th Street, New York, N.Y.
Jacob Blaustein -	Alto Dale, Pikes Well 6, Baltimore County, Maryland
Dr. Stephen S. Wise -	91 Central Park West, New York, N.Y.
Zelig Brodetsky *	77 Great Russell Street, London, England
Prof. Salo W. Baron -	405 West 118 Street, New York, N.Y.
Edward M. M. Warburg -	550 Park Avenue, New York, N.Y.
Emanuel Neumann -	749 West End Avenue, New York, N.Y.

8. All of the subscribers to this Certificate are of full age; at least two-thirds of them are citizens of the United States and at least one of them is a resident of the State of New York. Of the persons named as directors, at least one

DECLASSIFIED
Authority NND 775057
By WDP NARA Date 3/24/00

RG 260
Entry PRDPLBL
File _____
Box 8

of them is a citizen of the United States and a resident of the State of New York.

IN WITNESS WHEREOF, we have made, subscribed, and acknowledged this Certificate this 25th day of April, 1947.

LOUIS LIPSKY
JACOB BLAUSTEIN
STEPHEN S. WISE
ROBERT SZOLD
EDWARD M. M. WARBURG
E. NEUMANN
Salo W. Baron

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 25th day of April, 1947, before me personally came LOUIS LIPSKY, to me known and known to me to be the same person described in and who executed the foregoing Certificate of Incorporation, and he thereupon duly acknowledged to me that he executed the same.

Lucy Gerstein
Notary Public

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 25th day of April, 1947, before me personally came JACOB BLAUSTEIN, to me known and known to me to be the same person described in and who executed the foregoing Certificate of Incorporation, and he thereupon duly acknowledged to me that he executed the same.

Henry A. Weiller
Notary Public, State of New York
Residing in Bronx County
N.Y. Co. Clk's No. 303, Reg. No. 252-4-9
Commission Expires March 30, 1949

Henry A. Weiller
Notary Public

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 25th day of April, 1947, before me personally came DR. STEPHEN S. WISE, to me known and known to me to be the same person described in and who executed the foregoing Certificate of Incorporation, and he thereupon duly acknowledged to me that he executed the same.

Lucy Gerstein
Notary Public

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 25th day of April, 1947, before me personally came PROF. SALO W. BARON, to me known and known to me to be the same person described in and who executed the foregoing Certificate of Incorporation, and he thereupon duly acknowledged to me that he executed the same.

Lucy Gerstein
Notary Public

DECLASSIFIED
Authority <u>NND 75057</u>
By <u>AP</u> NARA Date <u>3/01/00</u>

RG	<u>2100</u>
Entry	<u>Recs of Prop Control DIV</u>
File	<u>Law 59 - Filing Deadline</u>
Box	<u>11</u>

Deadline

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)
Property Division
APO 742
Berlin, Germany

4 November 1948

MEMORANDUM TO GENERAL CLAY

SUBJECT: Consideration of Cut-off Date for Filing Claims under the Restitution Law

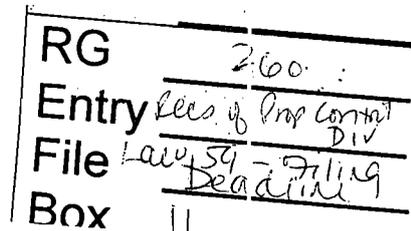
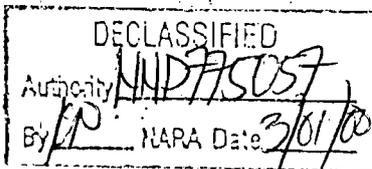
1. We have continually, during the last six months, received letters asking that the time for filing claims under the Restitution Law be extended, giving, in many cases, very compelling reasons. The tempo of these letters has stepped up recently, and it is fully expected that very shortly pressure from all sides will commence, because of the fact that only two months remain. JRSO has already indicated orally that they feel that it is impossible for them to do a satisfactory job in such a short time.

2. In order that a final decision may be made now, thus saving a great deal of wasted last-minute effort in the week or so before 31 December 1948, Legal Division and Property Division feel that all reasons for and against the extension of the filing date should be considered by you at this time, that a final decision be made, and that Washington be advised so that it can do whatever possible to deal with the question.

3. Reasons against extension of the date:

- a. Claimants have had thirteen months to file.
- b. The German property owners and the German Economy have already had three and a half years of uncertainty as to titles of property which may be claimed for restitution.
- c. Modification as to time of filing will lead to other pressures being exerted for other changes in the law, leading to some of the results encountered in denazification.
- d. Military Government desires to have terminated, insofar as possible, before the Occupation Statute becomes effective, those uncertainties and burdens imposed by Military Government on the German people and the German Economy.
- e. The elimination of the Property Division and the cutting down of Military Government participation in certain phases of the Occupation would be delayed at least for the time of the extension.

117120



4. Reasons in favor of the extension of the filing date:

a. On 1 November 1948, only 11,335 petitions, both complete and incomplete had been filed with the Central Filing Agency. This number is far less than the number which we had expected, although of course two months remain in the filing period.

b. Complaints have been received concerning inadequate publicity in various countries of the world, but there has been nothing to bear this out, other than the remark at "a." above. There is nothing further that OMGUS can do about this, since we have issued press releases, contacted known claimants by mail, and given full information to all military and diplomatic missions in Germany several times. The State Department was likewise requested to circularize all embassies and legations and bring the information to the attention of the governments to which they were accredited, although we understand this was not accomplished in some countries in a way to publicize fully the provisions of the law.

c. The war in Palestine has for some time stopped mail service, but it has now been resumed.

d. Individual lawyers and the JRSO find themselves in the position of trying to get sufficient information concerning the many claims which they are handling within a period which makes it almost physically impossible. Part of this can, of course, be attributed to the late start that JRSO had and the fact that some individual attorneys have only recently received the claims.

e. Under the provisions of the law, the JRSO may claim all unclaimed Jewish property, unless a written waiver of a claim is delivered before 31 December 1948. An informal opinion of a recent visitor from the War Department was that JRSO would profit at the expense of individual claimants who had not yet even heard of the law and that the extension would, therefore, be advisable, as a matter of justice to the true claimant.

f. An extension of time would bring us more nearly in line with the other occupation powers, since the French have extended their deadline until some time in May 1949, and the British, still without a restitution law, have extended the time for filing claims under General Order No. 10 until December 1949, but there appears to be no possibility of uniformity on other points.

5. The granting of an extension would relieve Military Government and the Restitution Agencies of certain criticism which results from refusals to administratively waive certain matters presently required.

DECLASSIFIED
Authority NDP/ASOS/7
By JP NARA Date 3/01/00

RG 260
Entry less of Prop Control DIV
File Law 59 - Filing Deadline
Box 11

These refusals are interpreted as non-cooperation by Military Government or the Restitution Agencies in solving the problems involved in the waiver. Examples:

a. JRSO has indicated that they feel that additional Military Government legislation must be promulgated which would allow it to file a claim at a later time, in the event that a report by the holder of confiscated property under Article 73 of the law had not been filed.

b. JRSO has already indicated that it expects extraordinary consideration from Military Government and the Restitution Agencies in supplementing the information contained in the minimum claim forms which they are filing to meet the 31 December 1948 deadline.

Any refusals by OMGUS or the Restitution Authorities to grant these or similar requests will probably be termed a sabotage of the purposes of the Restitution Law.

6. RECOMMENDATION: Both the Property Division and the Legal Division recommend that no extension of the deadline be made. Whichever way the decision is made, someone will suffer, and in the carrying out of sound Military Government administration, as well as strengthening our position vis-a-vis the new German provisional government, it is felt that we should not extend the filing period. Upon the premise that this recommendation is accepted, we have prepared the attached cable to Washington, outlining the reasons both for and against such a decision and stating that this is the final decision and they may so inform persons who inquire, giving the reasons therefor. In addition, we have asked in the cable that the State Department again immediately contact all embassies and legations, requesting them to point out to the respective governments to which they are accredited the urgency that their residents and nationals file claims before 31 December 1948. We will take exactly the same steps with respect to the military and diplomatic missions accredited here in Germany.

1 Incl: a/s

Telephone 43684

CONCURRENCE: Legal Division

W. E. McCondy

E. J. Cassoday
E. J. CASSODAY
Deputy Director

JRSO representatives has informed me he will not request extension if your recommendation is approved

DISTRIBUTION OF BOOKS IN THE U.S. FROM JULY 1, 1949 TO JAN. 31, 1952

<u>Name of Institution</u>	<u>No. of Items Received^a</u>	<u>No. Re- turned</u>	<u>Net Received</u>	<u>Rare Books Included</u>
A. <u>Priority Libraries</u>				
American Jewish Historical Society, N.Y.	358		358	
Baltimore Hebrew College, Baltimore	4,554 ^b	2	4,552	132
Brandeis University, Waltham, Mass.	11,288 ^c		11,288	28
College of Jewish Studies, Chicago	7,521		7,521	117
Dropsie College, Philadelphia	6,700 ^d	1,151	5,549	255
Hebrew Teachers College, Boston	7,275 ^e		7,275	98
Hebrew Theological College, Chicago	5,946	99	5,847	99
Hebrew Union College, Cincinnati	9,820 ^f	67	9,753	268
Jewish Community Library, Los Angeles	1,061		1,061	
Jewish Institute of Religion, N.Y.	10,661	1,281	9,380	305
Jewish Theological Seminary, N.Y.	13,320	45	13,275	326
Mesifita Rabbi Chaim Berlin, Brooklyn	1,282		1,282	
Mesifita Torah Vodaath, Brooklyn	3,713 ^g		3,713	
Ner Israel, Baltimore	4,689		4,689	101
Rabbinical College of Telsha, Cleveland	156		156	
Yeshiva University, N.Y.	10,564 ^h	1,157	9,407	218
Yiddish Scientific Institute, N.Y.	12,360 ^j	679	11,681	64
B. <u>Smaller Libraries</u>				
B'nai Brith Hillel Foundation	1,073	448	625	10
Beth Medrash Elyon, Spring Valley, N.Y.	350 ^k		350	
Beth Medrash Govoha, Lakewood, N.J.	536		536	18
Herzliah, N.Y.	1,014		1,014	9
Jewish Education Committee, N.Y.	37		37	
Jewish Teachers Seminary, N.Y.	1,062	35	1,027	
Jewish Welfare Board, N.Y.	236		236	36
Mirrer Yeshiva, N.Y.	410		410	10
Rabbi Schneersohn Library, Brooklyn	3,294		3,294	19
Yeshiva of Flatbush, Brooklyn	465		465	
Zionist Archives, N.Y.	2,587		2,587	
C. <u>One Time Allocations</u>				
Hebrew Convalescent Home, N.Y.	182		182	
Hebrew Institute of Long Island	63 ^l		63	
Jewish Sanitarium & Hospital for Chronic Diseases, Brooklyn	100		100	
Jewish Settlement House, N.Y.	47		47	
New York Board of Rabbis	22		22	
Wall Street Synagogue, N.Y.	52		52	
Yeshivoth (through Torah Umesorah)	12,013		12,013	
Scholarly Organizations	5,318		5,318	

117123

DISTRIBUTION OF BOOKS IN THE U.S. (CONTINUED)

<u>Name of Institution</u>	<u>No. of Items Received^a</u>	<u>No. Re- turned</u>	<u>Net Received</u>	<u>Rare Books Include</u>
<u>D. Non-Jewish Libraries</u>				
Columbia University	2,183		2,183	211
College of the City of New York	214		214	
Harvard University	2,166	246	1,920	51
Iowa University	185		185	5
Johns Hopkins University	45		45	
Joint University Religious Section, Nashville, Tenn.	423		423	
Library of Congress	5,708		5,708	163
New York Public Library	2,586	962	1,624	167
New York University	2,302	4	2,298	36
University of Pennsylvania	26		26	
University of Texas	635		635	
Yale University	<u>1,509</u>		<u>1,509</u>	<u>69</u>
TOTAL	158,111	6,176	151,935	2,805

- a Includes periodicals and newspapers, individual issues, sheets, etc.
- b Includes one photostat copy of Munich Talmud. Also received half a case with rabbinic fragments.
- c Includes more than 5,000 non-Jewish books.
- d Includes 3 incunables.
- e Includes collection of Verein die israelitischer Religionslehrer, Frankfurt/M.
- f Also received some archival material from Nazi archives and the microfilms of the Worms Community and Municipal Archives.
- g Received an additional allocation of 535 books through Torah Umesorah
- h Includes Stuermer Collection.
- j Received many Yiddish newspapers which were unbound. The figure is therefore misleading as to actual titles. Also received some archival material from the European Dias offices.
- k Plus 431 volumes through Torah Umesorah.
- l Plus 129 volumes through Torah Umesorah

117124

WORLD DISTRIBUTION OF CEREMONIAL OBJECTS AND TORAH SCROLLS

July 1, 1949 - January 31, 1952

Country	C E R E M O N I A L O B J E C T S					T O R A H S C R O L L S					
	Museum Pieces	Synagog Pieces	Silver Scrap Metal	Other Scrap Metal	Metal Fragments Unfit for Use	Total Ceremonial Objects	Scrolls	Scroll Fragments	Buried Scrolls	Total Scrolls	
Israel	2,285	976				3,261	804	(87)	(127)	1,0	
United States	1,326	1,824			(apprx. 100)	3,250	110*			1	
Great Britain	245	66	(3,713 for melting)	(495 for melting)		311 (4,208 for melting)	12	(see below)			
France	125	219				344		(see below)			
Germany	31	89				120					
Western Europe (excl. France & Germany)		129				129					
Western Europe (incl. France & Great Britain)							98				
South Africa	150	66				216					
Canada	151					151					
Argentina	150					150					
Peru	35					35					
TOTAL	4,162	336	3,369	3,713	495	apprx. 100	12,175	1,024	87	127	1,2

TOTAL CEREMONIAL OBJECTS DISTRIBUTED: 7,867

TOTAL TORAH SCROLLS DISTRIBUTED: 1,024

* An unknown number will require burial.

REPRODUCED AT THE NATIONAL ARCHIVES

117125

05/98/11110 09:56 FAX 202 232 3100

LAC/AMHS

JEWISH CULTURAL RECONSTRUCTION, INC.

APPENDIX VII

Distribution of Ceremonial Objects from New York Depot, 1950

According to Institutions

I. <u>United States:</u> Grand Total 2,829			
A. <u>Jewish Museums</u>			
1.	Hebrew Teachers College, Boston	53	
2.	B'nai Brith Hillel Foundations	65	
3.	Hebrew Theological College, Chicago	53	
4.	College of Jewish Studies, Chicago	56	
5.	Jewish Museum, New York	211	
6.	Hebrew Union College, Cincinnati	99	
7.	The Temple, Cleveland	70	
8.	Yeshiva University	245	
9.	National Jewish Welfare Board	147	
10.	Bureau of Jewish Education, Buffalo	<u>29</u>	1,028
B. <u>Non-Jewish Museums</u>			
11.	Brooklyn Museum	19	
12.	New York University	<u>36</u>	55
C. <u>Synagogues</u>			
	Immigrant Congregations	637	
	All Others via Synagogue Council	<u>1,109</u>	1,746
II. <u>Latin America and Canada:</u> Grand Total 466			
1.	Canada	151	
2.	Argentina	150	
3.	Curacao*	30	
4.	Chile*	50	
5.	Peru*	35	
6.	Mexico*	<u>50</u>	466
III. <u>European Museums:</u> Grand Total 370			
	Great Britain	245	
	France*	<u>125</u>	370
IV. <u>South African Museums:</u> Grand Total 150			
	So. Africa	150	<u>150</u>
TOTAL NUMBER OF OBJECTS			3,815

* Ready for Shipment

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According to Categories

Hanukka Lamps	339	
Pointers	391	
Torah Shields	284	
Spice Boxes	586	
Rimonim	414	(386 Pairs; 28 Singles)
Menoroth	413	
Candlesticks	64	
Plates	52	
Torah Crowns	21	
Megilloth	19	
Collection Boxes	19	
Cups	67	
Eternal Lights	9	
Medals, Coins, Amulets	42	
Textiles	330	
Torah Wrappers	294	
Ataroth	422	
Miscellaneous	<u>49</u>	
TOTAL NUMBER OF OBJECTS		3,815

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