

**Presidential Advisory Commission on
Holocaust Assets in the United States**

PCHA

Box 9

Art Team Documents

Folders 37 — 40

Documents 120119 — 122529



**PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES**

Edgar M. Bronfman
Chairman

Kenneth L. Klarhen
Executive Director

PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

ATTENTION NARA:

THIS IS A COPY SET OF DOCUMENTS AVAILABLE TO THE PUBLIC.

Capt. R. [unclear]
Informant

Pictures received following Press and Radio announcement
about looted pictures through Criminal Police, Munich,
taken to Art Collecting Point 1 Mar 46

- 1 oil painting on canvas, 1.50 x 1.10 m, unframed, signed
Jacob Marrol, Francofort 1652 (?),
Still Life with parrot
- 1 oil painting on wood, 1.20 x 0.90 m, golden frame, signed
Jan. Pynas A 1614, Group of people in mountain
landscape
- 1 oil painting on wood, 80 x 60 cm, black frame, unsigned,
Still Life with books
- 8 colored lithographs, 43 x 33 cm, silver frame, signed
R.v.Ottenfeld:
 1. Marine and bugler 1856
 2. Serbian Wurmsser-Odonel-and Mahony Free Corps
1798
 3. Field Artillery 1852-1860
 4. Field Artillery 1863-1867
 5. Regiment physician and invalide 1785
 6. Lombardo-Venetian and Archier. Body Guard 1840
 7. Artillerist, Bombardier, Carrier and Sapper
1836-1848
 8. Jazygians, Hussars and volunteer Styrian
Rifle Men 1859

120119

260: Ardelia Hall Coll: Box 427

File: Hitler Linz Museum II - retrieved Hitler Paintings

for Capt Rae

Pictures received following Press and radio announcement about looted pictures through Criminal Police, Munich, taken to Art Collecting Point 6 March 1946

- 1 Oil painting on canvas in golden frame, 40 x 60 cm, by A. Watteau, Chinese hunting group
- 1 oil painting on canvas with golden frame, 50 x 50 cm, signed Berchem: rocky scenery with people
- 1 oil painting on wood in golden frame, unsigned, 60 x 30 cm., probably Dutch master: sailboats

120120

Führerbau - Looting

On 29 April 1945, when the Americans were about to enter Munich, 723 items, including the SCHLOSS COLLECTION (262 paintings) were still in the air raid shelters of the Führerbau.

Between the middle of June 1945, when the Central Collecting Point was established in the Führerbau and the Verwaltungsbau and an adequate military guard was posted, and 15 Nov 1945, 148 have been found in the Central Collecting Point itself or recovered in Munich and its environs.

As of the latter date 575 paintings were still missing, including all but 22 of the paintings acquired by LINZ from the SCHLOSS collection.

120121

No. 427
 Ardelia Hall Collection: Box 427
 The Hildebrandt Museum II - Retrieved
 Hitler Paintings

REPRODUCED AT THE NATIONAL ARCHIVES

French Property from CCP, Munich
 Date: 30.I.46 (3rd transport)

As of 15 Nov 45. These 22
 paintings were the only ones
 of the 262 paintings from the
 Sydon Collection still in situ
 or recovered. History

120122

French run.Nr.	Munich Arr.Nr.	Author	Subject	Presumed Owner	History
513	8435/Landersdorf 16	Jordaens	Girls'head	Schloss Collection No. 127	bought for Linz, 1943
514	13942/Duchartre 1	Verspronck	Portrait of 1800,	" No. 273	"
515	8436/Landersdorf 17	Diepraam	The drinker	" No. 67	"
516	2656/Weneck 9	A.Molyn	Village-road	" No. 170	bought for Linz, stored at the Führerbau, stolen, then found with Mrs. Weneck
517	8438/Erding 2	L.v.Leyden	Madonna and child	" No. 141	bought for Linz, 1943
518	8424/Landersdorf 5	Oudenrogge	River-landscape	" No. 196	"
519	8427/Landersdorf 8	Cuyp, J.G.	Man's portrait	" No. 63	"
520	2651/Weneck 4	Hackert, Jan	Evening-landscape	" No. 91	bought for Linz, stored at the Führerbau, stolen, then found with Mrs. Weneck
521	8425/Landersdorf 4	School of Rubens	Arion on the dolphin	" No. 315	bought for Linz, 1943
522	8431/Landersdorf 12	Hanssens, P.	Interior	" No. 124	"
523	8426/Landersdorf 7	Brower, Ad.	Rural festival	" No. 36	"
524	8439/Erding 3	Birck Hals	Luncheon party	" No. 94	"

French run.Nr.	Munich Arr.Nr.	Author	Subject	Presumed Owner	History
525	8430/Landersdorf 11	M.v.Musscher	The first pipe	Schloss Collection No. 180	bought for Linz, 1943
526	2653/Weneck 6	Corn.Kick	Still-life	" No. 130	bought for Linz, stored at the Führerbau, stolen, then found with Mrs. Weneck
527	2654/Weneck 7	Walscapelle, J.	Flower-piece	" No. 280	"
528	8432/Landersdorf 13	Follower of Brouwer	Landscape	" No. 45	bought for Linz, 1943
529	8433/Landersdorf 14	G.v.d.Bosch	Interior of kitchen	" No. 20	"
530	13892/Führerbau 341	Netscher, C.	The young artists	" No. 187	"
531	2655/Weneck 8	Potter, Pieter	Officers and lady in a stable	" No. 208	bought for Linz, stored at the Führerbau, stolen, then found with Mrs. Weneck
532	2657/Weneck 10	Buesen, Jan	Card-players	" No. 48	"
533	8434/Landersdorf 15	Wouwerman, Ph.	Two riders on rest	" No. 287	bought for Linz
534	2652/Weneck 5	Ykens	Three parrots	" without No.	bought for Linz, stored at the Führerbau, stolen, then found with Mrs. Weneck

RG 260: Ardelia Hall Collection: Box 427: File: Hitler Linz Museum II - Received Hitler Paintings

<u>Country</u>	<u>Museum Pieces</u>	<u>Synagog Pieces</u>	<u>Silver Scrap Metal</u>	<u>Other Scrap Metal</u>	<u>ments Unfit for Use</u>	<u>Ceremonial Objects</u>	<u>Scrolls</u>	<u>Frag-ments</u>	<u>Buried Scrolls</u>	<u>Total Scrol</u>
Israel	2,285	976				3,261	804	(87)	(127)	1,018
United States	1,326	1,824			(apprx. 100)	3,230	110*			110
Great Britain	245	66	(3,713 for melting)	(495 for melting)		311 (4,208 for melting)	12 (see below)			12
France	125	219				344	(see below)			
Germany	31	89				120				
Western Europe (excl. France & Germany)		129				129				
Western Europe (incl. France & Great Britain)							98			98
South Africa	150	66				216				
Canada		151				151				
Argentina		150				150				
Peru		35				35				
TOTAL	4,162	336	3,369	495	apprx. 100	12,175	1,024	87	127	1,238

TOTAL CEREMONIAL OBJECTS DISTRIBUTED: 7,867

TOTAL TORAH SCROLLS DISTRIBUTED: 1,024

* An unknown number will require burial.

Torahs + ?

120124

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
APO 742

FILE NO:
SUBJECT: Loan of Books

NO.	TO	FROM	DATE	(Has this been coordinated with all concerned?)
1	Commander in Chief EC Dir 2150	C/MFAA Sect Rest Br ED	21 July 1947	NOTE FOR RECORD:

1. The enclosed memorandum to the Commander in Chief, EUCOM from Rabbi Philip S. Bernstein, Adviser on Jewish Affairs dated 17 July 1947, TAB "A", was received just after the letter of RED TAB was prepared on the 15th of July to the American Joint Distribution Committee. This letter has not yet been dispatched.

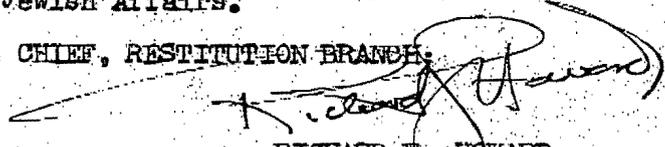
2. The letter to the AJDC represents the MFA&A position. In spite of repeated requests, the AJDC has furnished an accounting for less than one-quarter of the books lent to them. Contrary to the statement made by their representative on the 12th of July 1946, there is no indication that they have any receipts or any other record as to what happened to these books. This would not be a matter of grave concern were there not suspicion and repeated rumor that books were removed improperly under the cloak of this AJDC loan. This suspicion is in addition to the known improper removal of five boxes of the most valuable books and manuscripts in the depot with the connivance of a member of Rabbi Bernstein's staff and the use of the name and equipment of the AJDC.

3. The statement in Rabbi Bernstein's letter that there are more than 25,000 remaining books which would be appropriated for such a loan is not accurate. Any consideration of the request for further books should not specify the number and the number that might be lent should be entirely at the discretion of the director of the Offenbach Archival Depot. Moreover, it is believed that he should be included in any possible committee which would select such books. The most recent estimate by the director of the depot of the number of books suitable for such a loan is between five and six thousand.

4. MFA&A, Restitution Branch feels that it has a grave responsibility to the possible surviving original owners in the material involved. These original owners include nationals of formerly occupied countries as well as refugees now residents in the United States and other United Nations.

5. It is, therefore, recommended that the letter at the RED TAB be approved, signed and dispatched, and that information copy be sent to the Office of the Adviser on Jewish Affairs.

FOR THE CHIEF, RESTITUTION BRANCH:


RICHARD F. HOWARD
Chief, MFA&A Section

Incls. 2
Tab "A"
Tab -Red

Telephone BERLIN 43255
Econ Room 1055

120125

RG 760
Entry Property Div.
File AJDC Loan
Box 722

R E S T R I C T E D

OAD OMG GREATER HESSE 3 Mar 46 Monthly Report.

B. Summary of Operations.

1. Inventory of Books and Other Library Materials in Depot (Estimate, conservative).
25 March 1946.

a. Totals by Floors, Cases, Piles, Stocks, and Packages:

Floor	Cases	Piles (in cubic meters)	Stacks and Packages
1	417	119	--
2	182	3	45,000
3	326	--	20,000
4	1,212	282	10,000
5	214	--	500,000
TOTAL	2,351	405	575,000

b. Totals in items (books, pamphlets, newspapers etc.)

2351 cases at 220 items per case
equal 517,220

405 cu.meters at 1750 items
per cu meters equal 506,250

Stacks and packages 575,000

Total Items in Depot,
25 March 46 1,598,470

Items shipped out in
March, 1946 242,840

Grand Total in Depot at Date
of Activation 1,841,310

=====

2. List of items shipped out as of 25 March 1946.

(No record of any items having been restituted by predecessor agencies July 1945 to 1 March 1946)

a. Dutch Restitution.

- 109 cases. Jewish Portuguese Seminarium, Amsterdam
- 194 cases. Bibliotheca Rosenthaliana. Amsterdam
- 15 cases. Societas Spinozana. The Hague.
- 2 cases. Spinoza House at Rijnsburg near Leiden.
- 6 cases. Chabe Torah Society, Leeuwarden.

120126

BY *[Signature]*
 AUTHORITY *[Signature]*
 20277565
 UNCLASSIFIED

R E S T R I C T E D

OAD OMG GREATER HESSE 31 Mar 46 Monthly Report.

- 2 cases. Netherlands Jewish Seminarium, Amsterdam
- 7 cases. Gottschalk Collection, The Hague.
- 2 cases. Herzberger Collection, Amsterdam
- 1 case. Ginsberg Collection, Leiden
- 1 case. New Literary Society Collection, The Hague.
- 7 cases. Various Dutch Collections including pictures and other objects.
- 25 cases. Free Mason Collections.
- 10 medals. Jewish Historical Museum, Amsterdam.

b. French Restitution.

- 596 cases. Paris Bank, Rothschild Frères
- 80 cases. Lipschütz Librairie, Paris
- 57 cases. Various French Collections, including items from the libraries of members of the Rothschild Family, French Branch.

c. American Joint Distribution Committee Loan.

- 3 March 1946 -- 1400 items
- 25 March 1946 -- 4282 items

TOTAL 5682 items.
=====

d. Library of Congress Mission.

- 21 March 1946 -- 4,712 items
- 22 March 1946 -- 29 cartons, 1500 books; 5 cases, periodical WELTKAMPF; 27 cartons, misc. German newspapers and magazines.
- 25 March 1946 -- 17 cartons, 770 books; 22 cartons, German newspapers;
- 26 March 1946 -- 8 cases German newspapers 14 cases, 1,955 books; 6 cases German and French newspapers.

S.J. POMRENZE
Capt. AGD
Director OAD

- 8 Incls.
- Incl. 1 - Basic Directive, 2 Mar 46.
- Incl. 2 - Organization Chart.
- Incl. 3 - Floor Plan of Depot.
- Incl. 4 - List of Personnel
- Incl. 5 - Security Plan.
- Incl. 6 - List of Religious Objects and other Valuables.
- Incl. 7 - Tentative List of Library and Archival Collections at Offenbach Archival Depot.
- Incl. 8 - Work Plan for Sorting.

120127

66/107
109326
Authenticity

OFFICE OF MILITARY GOVERNMENT FOR GREATER HESSE
OFFENBACH ARCHIVAL DEPOT

DIRECTOR

DEPUTY DIRECTOR

CHIEF ADMINISTRATIVE BRANCH

PERSONNEL SECTION

SECURITY SECTION

SUPPLY SECTION

TRANSPORTATION SECTION

MAINTENANCE SECTION

CHIEF OPERATIONAL BRANCH

STORAGE & WAREHOUSING SECTION

CARE & PRESERVATION SECTION

SORTING SECTION

BOXING & CRATING SECTION

SHIPPING SECTION

CHIEF LIAISON BRANCH

HOLLAND

FRANCE

A3 DC

31W0

OTHERS AS NEEDED

1 MARCH 1946 APPROVED:

Patrick J. Kelleher
PATRICK J. KELLEHER
CAPT TC
LAND MFA & A SPEC

120128

RESTRICTED

OAD OMG GREATER HESSE 31 Mar 46 Monthly Report

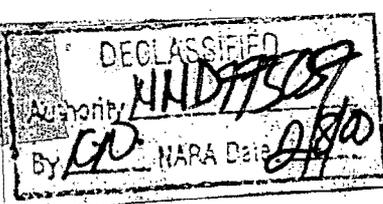
Inclosure 2: Organization Chart

-10-

Authority: *2000 775689*
BR KARL D. 6/29/99

RS 260
600/124

REPRODUCED AT THE NATIONAL ARCHIVES



BOX
 RG 260
 Entry OMGUS
 File Jewish Art
 Box 283

Secret

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
Economics Division
APO 742

AG 007 (RD)

27 May 1947

SUBJECT: Material wrongfully sent from Offenbach Archival Depot and presently at Jerusalem

TO: Chief of Staff

I. DISCUSSION

1. With reference to confidential telegram from the Political Adviser to the Consulate General at Jerusalem (TAB "A"), attention is invited to the following:

a. The material referred to is known to contain identifiable restitutable matter of great value, including a number of items belonging to Russian museums and libraries, at least three of Italian ownership, one of Austrian ownership, and one apparently belonging to a Dr. Josef Brauer, 728 West 181st Street, New York, New York (see TAB "B").

b. With the concurrence of the Inspector General, telegrams (TAB "C") were dispatched requesting immediate return of the five boxes by the most expeditious means. These telegrams were coordinated with Political Affairs and the Inspector General.

c. Concerning Jewish material, discussions beginning at least as early as December 1945 between the State, War and Navy Departments and OMGUS indicate particular interest and concern on the part of many individuals and groups; and indicate further that even the Jewish people are far from unanimous in their ideas with respect to the disposition of such religious and cultural objects. W-86514 dated 2 May 46 (TAB "D") presents proposals of a "committee representing leading Jewish organizations" and suggests no restitution to "governments of countries where Jewish communities have been substantially eliminated", but our CG-6925 of 14 June 46 (TAB "E") points out this would mean revision of Control Council definition of restitution. Then WL-94368 of 14 July 46 (TAB "F") outlines completely different plans proposed by various Jewish organizations, with a proposed State Department reply which again differs and suggests a trustee board of all interested organizations. Our CG-9626 of 24 July 46 (TAB "G") once more reaffirms quadripartite commitments and points out difficulties inherent in permitting any private organization to abrogate the powers of governments. Again, our CG-5664 of 16 October 46 (TAB "H") is answer to further sweeping proposals in WL-81072 of 22 September 46 (TAB "I") is clear and unequivocal in stating that objects removed by the Germans from Jews or Jewish organizations or groups in formerly occupied countries should be restituted to those countries. This restitution of identifiable items is in accordance with our quadripartite commitments and is the only just procedure to follow in regard to Jewish interests in formerly occupied countries regardless of the desires of some elements of American Jewry or individual Jews or Jewish organizations. Some of these, as we have seen, are not above extra-legal methods to accomplish their personal ends.

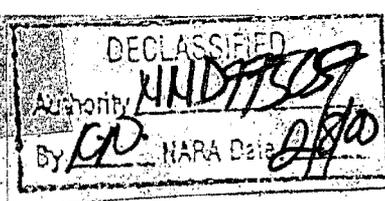
d. Concerning unidentifiable Jewish material, eventually determined to be impossible to reconstitute, the exchanges mentioned above as well as JCS 1570/9 as quoted in cable WL-85682 dated 16 November 46 (TAB "J") indicate that special directives will be received. This cable states (par 1 D) that "Jewish books, manuscripts and literature of cultural or religious importance will be exempted ((from the directive to turn over other unidentifiable material to IOCR) and disposed of pursuant to separate directive." Therefore, no group or organization except Military Government can as yet be recognized as a proper trustee for this material.

Inspector General

621021

Secret

120120



BOX
RG <u>260</u>
Entry <u>OMGUS</u>
File <u>Jewish Art</u>
Box <u>283</u>

Secret

e. To be of any value from a restitution viewpoint, any inventory made in conformity to the telegram from the Political Adviser (TAB "A") should include all possible details of identifying marks, ex libris book plates, etc., which might be of value in determining the provenance and restitubility of the valuable items involved. Complete facilities and reference material for such inventory are available at the Offenbach Archival Depot and no where else.

f. If these materials should remain in Jerusalem, both identification and restitution would be difficult if not impossible to control.

2. In view of the above facts, it is respectfully suggested that the facilities at Offenbach would be much more suitable for the proper eventual identification and disposition of the material, and its return to Offenbach, as already directed, would prevent a considerable wrong to the probable eventual rightful owners of much of the material. It would enable the Restitution Branch to fulfill its commitments, and would prevent criticism of the United States by other powers which naturally expect these commitments to be carried out.

3. Eventually, all screened and unidentified objects would be turned over to a properly accredited custodian (see IX-85682 - TAB "G"), but not until the approved identification and restitution procedures had been carried out, and such custodian has been approved by JCS or SWNCC.

II. ACTION RECOMMENDED.

It is recommended that the above facts be called to the attention of the Military Governor and that the cable of 1 May 1947 at the RED TAB be reaffirmed.

III. CONCURRENCES.

Political Affairs () ()
 Inspector General () ()

L. WILKINSON
 Colonel, GSC
 A/Director

Telephone BERLIN 42009

DECLASSIFIED
Authority WINDTSCOR
By GD NARA Date 2/27/00

BOX
RG 260
Entry OMGUS
File Jewish Art
Box 283

~~SECRET~~

Secret

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
AD CARLS

OUTGOING MESSAGE

ROAD 011602Z MAY 47/eb

SECRET
PRIORITY

TO : AMERICAN CONSULATE JERUSALEM FOR RECORD ONLY
FROM : OFFICE SIGNED EXACTLY
REF ID : CG-8987

Reurad JKR-116 dated 21 April, unnumbered cable through State dated 26 April and POLAD cable dated 22 April, instructions from OMGUS for Hebrew University are that 5 pages mentioned and contents are to be returned by most expeditious means to Offenbach Archival Depot, Offenbach, Frankfurt, AFG 543. Of utmost importance that these materials be returned, at once, as they contain some identifiable vestigial property of great value, care removal without any authorization. JKR-116 is AFG IN 55617

ORIGINATOR : ECOM AUTH: JOHN H ALLEN
INFORMATION : S/O COL
LMO
ECOM AD HUNG
FOL ARE

CG-8987 2 MAY 47 17/eb

~~SECRET~~

Secret

RG 7600 260
 Entry Archives Hall
 File Wiesbaden
 Box 66

DECLASSIFIED

Authority NND 775057
 By JW NARA Date 3-1-00

CONFIDENTIALdraft

American Consul General
 Jerusalem, Palestine

Dear Sir:

Reference is made to our cable of 6 May 1947 regarding the custody of five cases of books removed from the Offenbach Depot and shipped to Jerusalem. Reference is also made to your cable of 26 June 1947 advising that inventory had been completed and to your subsequent transmittal of custody receipt for the manuscripts contained in these five cases executed by Dr. I. Joel, the librarian of Jebrz University, Palestine on 22 June 1947.

An agreement, (copy enclosed) has been entered into by U.S. Military Government, Berlin, Germany, and authorized representatives of JCR, Inc., with the concurrence of a representative of JRSO, Inc., for the transfer of these books and manuscripts to JCR, Inc. For the purposes of this transfer these works may be identified as follows:

- a. Unidentified manuscripts - As you will note from the agreement these manuscripts and books are to be transferred to JCR, Inc., by Memorandum Receipt with the sole proviso that these properties are to be utilized for the maintenance of the cultural heritage of the Jewish people.
- b. Identifiable books and manuscripts - As you will note from the agreement, these are to be transferred to JCR, Inc., subject to the proviso

574
 (Mr. [unclear] conducted
 the [unclear] of
 this [unclear] to [unclear]
 from [unclear] to [unclear]
 Palestine office
 [unclear])

120132

RG WADA 260
Entry Audition Hall
File Wiesbaden
Box 66

DECLASSIFIED

Authority NND 775057By JW NARA Date 3-100

- 2 -

that they will endeavor to locate the rightful owners of the property and restitute the properties to the rightful owners.

It will be appreciated if you will designate a representative of your staff to screen all of the documents and manuscripts which were placed in custody of Jebrz University library endeavoring to identify these manuscripts from the book plates or other markings. Enclosed for your information and use in this screening is an inventory prepared at the Offenbach Depot indicating owners, insofar as that information is known to the Director of the Offenbach Depot.

It will also be appreciated if your designated representative will execute on behalf of U.S. Military Government the necessary Custody Receipts in accordance with the terms of the enclosed agreement for the transfer of both the identified and unidentified properties to JCR, Inc; and will make arrangements with Mr. _____ who is the designated representative of JCR, Inc., for this transfer to have forwarded to us copies of letters of notice and reports of efforts to accomplish restitution as provided in paragraph 3 of the agreement.

120133

RG 260
 Entry Archival Hall
 File Wiesbaden
 Box 66

DECLASSIFIED
 Authority NND 775057
 By JW NARA Date 3-1-00

Secret

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

3/10/20
 Mark

30 March 1949

MEMORANDUM

✓ TO : GENERAL CLAY
 SUBJECT : Jewish Cultural Properties Removed to Palestine

1. As instructed by you, we are negotiating with JCR concerning their signing a receipt for the Jewish properties formerly at Offenbach Archival Depot and now located in Palestine, such receipt to be executed under the agreement recently entered into with JCR covering transfer of unidentifiable Jewish cultural properties presently located at Offenbach.

2. A study of the inventories of the properties transferred to Palestine reveals that not all of these properties are unidentifiable. Thus, we could not transfer title free and clear to JCR as we can in the case of properties whose rightful owner cannot possibly be determined. In view of this, we recommend that the agreement to transfer these properties include an additional provision that such of these properties as can be identified as to ownership will be notified to the owners by JCR and will be returned to the owners by JCR subject to payment of shipping costs by the owners.

3. If you approve of this provision, we will make an offer along these lines to JCR.

Phillip Hawkins
 PHILLIPS HAWKINS
 Director

Tel: 43773
 Rm 2036 Econ Bldg.

120134

RG 7600 260
 Entry Archival Hall
 File Wiesbaden
 Box 66

DECLASSIFIED
 Authority NND 775057
 By JW HARA Date 3-1-00

Secret

30 March 1949

MEMORANDUM

TO : GENERAL CLAY

SUBJECT : Jewish Cultural Properties Removed to Palestine

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PHILLIPS HAWKINS
 Director

Tel: 43773
 Rm 2036 Econ Bldg

Secret

120135

RG 7400 260
Entry Auditorium Hall
File Wiesbaden
Box 66

DECLASSIFIED

Authority NND 775057By JW NARA Date 3-1-00copy**CONFIDENTIAL**TELEGRAM SENT

TO : JERUSALEM

Date: May 6, 1947

Code: CONFIDENTIAL

FROM FRANKFURT

Reference your telegram regarding five cases of books from Offenbach Depot. Military authorities here desire that Consulate General make arrangements for opening of boxes in your presence, an inventory made, and a receipt obtained from Jebrz University, incorporating therein a statement that the University will be responsible for safekeeping of the material and agrees to produce them on demand of proper authority. If such arrangements can be made, military authorities here will agree to leave the books and material at the University until their final disposition has been determined.

Please reply earliest.

MURPHY

CONFIDENTIAL

120136

RG 260
Entry Auditorium Hall
File Wiesbaden
Box 66

DECLASSIFIED
Authority NND 775057
By JW NARA Date 3-100

~~CONFIDENTIAL~~
COPY

TELEGRAM SENT

Date: May 6, 1947

TO : JERUSALEM
Code: CONFIDENTIAL

FROM FRANKFURT

Reference your telegram regarding five cases of books from Offenbach Depot. Military authorities here desire that Consulate General make arrangements for opening of boxes in your presence, an inventory made, and a receipt obtained from Jebrz University, incorporating therein a statement that the University will be responsible for safekeeping of the material and agrees to produce them on demand of proper authority. If such arrangements can be made, military authorities here will agree to leave the books and material at the University until their final disposition has been determined.

Please reply earliest.

MURPHY

120137

~~CONFIDENTIAL~~

RG 7400 260
Entry Archival Hall
File Wiesbaden
Box 66

DECLASSIFIED
Authority NND 775057
By JW NARA Date 3-1-00

"OMGUS will unconditionally turn over to the JCR all archives, libraries, pamphlets, etc., principally in Hebrew, Yiddish and German, and Jewish ritual objects in OMGUS custody, except for property definitely identifiable as having come from such countries outside Germany whose Government would be entitled to restitution. Such property will be turned over to the JCR against a custody receipt."



See Ser 7072

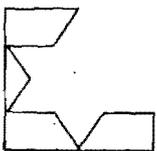
OF LEARNING AND LIBRARIES: THE SEMINARY LIBRARY AT ONE HUNDRED

by Herman Dicker

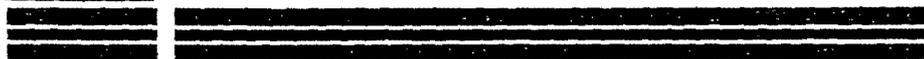
Foreword by
ISMAR SCHORSCH
Chancellor
Jewish Theological Seminary

A Centennial Publication of
The Jewish Theological Seminary of America
New York 1988

120140



A CENTURY OF ACHIEVEMENT



1886-1986

תקופת הישגים

Marx as Curator	53
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Illustrations

1. SABATO MORAIS, Founding President
2. SOLOMON SCHECHTER, Second President (with bookplate)
3. CYRUS ADLER, Third President
4. JACOB H. SCHIFF, philanthropist and major supporter (with bookplate)
5. MAYER SULZBERGER, Principal architect of Library (with bookplate)
6. LOUIS MARSHALL, Chairman of Seminary Board of Directors
7. MORTIMER L. SCHIFF, Organizer of Library Corporation (with bookplate)
8. ELKAN N. ADLER, World traveler and book collector (with bookplate)
9. LINDA R. MILLER, Donor of Enelow Collection (with bookplate)
10. SOLOMON GOLDMAN, Rabbi, scholar, communal leader (with bookplate)
11. ALEXANDER MARX, Seminary Librarian 1903–1954 (with bookplate)
12. LOUIS FINKELSTEIN, Fourth President 1940–1951, Chancellor 1951–1972
13. PRESIDENT HARRY S. TRUMAN, Viewing rare library book with Chancellor Finkelstein and Professor Marx
14. THE FIRE OF 1966
15. STUDENT RETRIEVING DAMAGED BOOKS

year, and its exhibits attracted ever-larger numbers of visitors. In a letter drafted for circulation among Seminary-affiliated rabbis, Marx reported that 26,000 visitors came to the museum in 1941.¹²

In a now familiar pattern, growth meant the need for more space. Felix Warburg's widow, Frieda (1876–1958), agreed to donate to the museum her family's former residence at 1109 Fifth Avenue. The transfer was to take place on January 14, 1944, the seventy-third anniversary of her late husband's birth. The new museum building was opened to the public on May 7, 1947.

The Seminary library and museum, under Marx, became important repositories of the European Jewish heritage. In what was, tragically, a unique case, the Jewish community of Danzig shipped its ceremonial objects to the Seminary for safekeeping until the time when the Nazi fury would pass. This collection was destined to become a sacred memorial to a once-flourishing Jewish community.

In other cases, what was salvaged of European Jewish life were mere pieces, picked up and put together with extraordinary devotion by American military personnel and civilians after the war. When the Allied armies entered Germany during World War II, they found approximately eight million foreign nationals, most of whom had been brought in by the Germans to work for the Nazi war machine. One of the difficult tasks confronting the military was the repatriation of these displaced persons to their former homelands.

Also stranded in Germany were approximately 50,000 Jews, survivors of the camps. Repatriation was not an option for the surviving Jews, who did not have a homeland. They were forced to remain in and around the displaced-persons camps, in Germany, until havens became available in the new State of Israel and elsewhere.¹³

The Allied armies also had to contend with millions of books and cultural objects that had survived the war. Some of these items were identifiably German and had been placed in storage by the Nazis in order to protect them from aerial bombardment.

But tens of thousands of these objects were treasures that the Nazis had looted from the Jewish communities and Jewish individuals they had destroyed.

A commission on European Jewish Cultural Reconstruction, headed by Professor Salo W. Baron of Columbia University, had been formed in part to deal with the reclamation of this property. While the full fury of the Holocaust did not become known to the world until after the war, enough information had become available before 1945 to anticipate the wholesale destruction of Jewish life in Europe, and the commission's goal was to look ahead to the task of rebuilding the shattered communities. Its work would include a survey of the Jewish scene as it existed prior to the war and advising the United Nations on the reconstruction of the cultural aspects of Jewish life.¹⁴ The commission had the full support of leading Jewish organizations, such as the American Joint Distribution Committee, the American Jewish Committee, and the American Association for Jewish Education, and enjoyed the expertise of many scholars and educators who had themselves escaped from Nazi Europe. Alexander Marx was an active member of the commission. He headed the subcommittee on research, which submitted a detailed survey of the educational institutions in Europe before the rise of the Nazis.

In the fall of 1945, Professor Baron and members of the commission met with General Lucius D. Clay (1897–1978), the officer responsible for civil affairs in the U.S. Zone of Germany. They advised him to set up a special depot to serve as a collection point for the millions of books and cultural objects found by the military. From this central point, efforts to return all captured materials to their legitimate owners could commence. As a result of this meeting, the Offenbach depot was established, and for three crucial years, from 1946 to 1949, it served as the hub for receiving, sorting, and shipping over three million items.

The first director of the depot was Captain Seymour J. Pomrenze, an experienced archivist and linguist. He had been serving as the archivist of Wuerttemberg-Baden, but was reassigned to his new post on the recommendation of Judge Simon

120142

In the name of the Rabbinical Organization

Rabbi Samuel A. Snieg
Chairman and Chief Rabbi of the U.S. Zone¹⁹

Not all heirless Jewish material and property was properly routed through the Offenbach depot and Jewish Cultural Reconstruction Foundation. In some cases, use of unauthorized channels resulted in no real harm, as with the library of the prestigious *Klaus* synagogue of Mannheim. Its last rabbi was the learned Isaac Unna (1872-1948), whose Talmud classes were attended by Dr. Max Gruenewald, the scholarly community rabbi of Mannheim. In a recent interview, Rabbi Gruenewald told the story of how that library came to its current home in Cincinnati.²⁰ The *Klaus* library fortunately had been removed from the synagogue before the Nazis did it any damage, and spent the war years in storage at the municipal *Schlossbibliothek* ("Castle library"). After the war, the library was turned over to Rabbi Henry Tavel, a U.S. Army chaplain stationed in nearby Heidelberg. On his own authority, he shipped it to his alma mater, the Hebrew Union College in Cincinnati.

In other cases, individuals had come into possession of Jewish property illegally, and were trying to bypass regulations in order to realize a personal profit. Sometimes such crimes were thwarted. In May 1950, a Berlin bookdealer offered Alexander Marx a beautifully illustrated manuscript for the sum of \$5,000. As is customary, Marx requested that the manuscript be mailed to him on approval. Former Seminary Librarian and Chancellor Gerson Cohen tells the rest of the story:

As soon as the velvet-bound manuscript was in his hands, he sensed that it was not completely unfamiliar. Immediately, Dr. Marx, whose knowledge of Hebrew manuscripts was legendary, recognized certain pages as having been reproduced in an 1898 article, where they were identified a part of *Rothschild Manuscript 24*. Tempting as the item must have been to a librarian, Dr. Marx immediately notified the U.S. State Department, and the Rothschild family, of his discovery. Correspondence confirmed the fact that this was indeed a manuscript stolen from the Roth-

schild collection in Paris by the Nazis. The State Department thanked Dr. Marx for his help in restoring the prayer book to its rightful owner; the Rothschild family requested that he bring it back personally. They were understandably unwilling to trust the precious book to any common carrier. In the summer of 1951, Dr. Marx complied with their request and the story ended.

Fifteen years later, a new chapter was added. Baron Edmond de Rothschild, of the French branch of the famous family, presented the Seminary library with a fifteenth-century illuminated manuscript, in an almost perfect state of preservation. That manuscript has had a privileged position in our collections. First, it is extraordinarily beautiful. Second, it is rare, having been written in Florence in 1492 by the scribe Abraham Judah of Camerino. And finally, in presenting it Baron de Rothschild referred graciously to Dr. Marx's role in restoring the first manuscript to his family, and to the gratitude this act had inspired.²¹

THE ACHIEVEMENTS OF ALEXANDER MARX

When Alexander Marx came to the Seminary library in 1902, he found 5,000 printed books and three manuscripts in his care. In 1948, when he celebrated his seventieth birthday, he was in charge of the largest collection of Hebraica and Judaica in the world, with 140,000 books and 8,000 manuscripts.²² In the year ending March 31, 1947, the library served 14,892 readers and visitors. In a year when the Seminary had need to borrow books from eleven institutions, seventy-nine libraries turned to the Seminary for interlibrary loans. Over the twenty years ending in 1947, the Seminary knew of 700 books and articles that were based in part on Seminary library materials.

The esteem which Marx had earned from colleagues everywhere was amply expressed at a special program on January 29, 1948, marking his seventieth birthday. All the Seminary-affiliated organizations participated, as did more than thirty other institutions, including Columbia, Harvard, Princeton, Yale, and universities from abroad. The occasion included the presentation by the Rabbinical Assembly of Marx's portrait, which still occupies a prominent place in the library. Professor Lieberman addressed the assembly and, in honor of the occasion, edited the Marx Jubilee volume, published in 1950.

at the time led to a reorganization of the top Seminary administration with Finkelstein assuming the new post of chancellor and delegating administrative duties to two vice-chancellors and the Seminary provost.

No longer tied down to day-to-day duties in New York, Finkelstein embarked on a three-month-long trip to Israel in the spring of 1952. As a result of this trip, arrangements were set into motion for an Israel Center for Seminary students. A few years later, in 1958, ground was broken for the American Student Center, and from then on each rabbinical student was required to study there for one year.

To all involved, and especially to Alexander Marx, the highlight of the trip was a special convocation on May 25, 1952, at which the honorary degree of Doctor of Hebrew Letters was conferred upon David Ben-Gurion (1886–1973), the Prime Minister of Israel. Marx made the presentation, which was meant as a personal tribute to Ben-Gurion and also as a symbolic expression of the Seminary's support of Israel.

Taking pride in this official function and deriving satisfaction from transacting library business in Israel, Marx also experienced joy on this visit to Jerusalem as he became reacquainted with his family, including his brother-in-law Shmuel Yosef Agnon (1888–1970), the famous poet and Nobel Prize winner of 1966.

Upon his return to New York, Marx concentrated on his work with manuscripts. He was particularly anxious to make progress on his critical edition of the complete *Seder Olam*, part of which had been his Ph.D. dissertation. In this undertaking, he was ably assisted by one of his favorite students and now his close associate, librarian Gerson Cohen. Sadly, Marx did not live to see its publication. He died at the age of seventy-five on December 26, 1953. Gerson Cohen describes the last few weeks of Marx's productive life in his response to a concerned correspondent:

With reference to your inquiry concerning Doctor Marx, I can tell you that the passing of Professor Louis Ginzberg on November 11,

1953 was a great blow to him. His lifelong friend and colleague was the last of his close associates who had begun teaching with him in 1903. On December 17, 1953, the widow of Professor Israel Davidson, died, and after Professor Marx returned from the funeral he felt ill and went to bed. He was taken to the hospital on Wednesday December 23rd, and passed away on Shabbos morning, December 26, 1953. He died without suffering physical pain and in the thick of work, for he had many plans for the Library in which he was deeply involved to the very last. We indeed feel the loss keenly as you can well understand.²⁴

Serving as a magnificent memorial to Marx was the Seminary library, consisting of 153,000 volumes and 8,500 manuscripts at the time of his death. After Marx's death, the personal libraries of three great friends and colleagues—Davidson, Ginzberg, and Marx—were combined, becoming a separate collection in their names. Thus were added to the library 4,000 volumes from Ginzberg, whose major strength lay in the area of Talmud, Codes, and Responsa; 13,000 volumes of the Marx library, bought for the Seminary by a number of friends, and covering the fields of Jewish history, literature, and bibliography; and the many books from the Davidson collection, especially strong in medieval Hebrew literature, which were on permanent loan to the Seminary from the College of the City of New York.

Library of Congress Mission.....	20,329
British Zone of Occupation.....	10,796
In Storage.....	161,681
Ready for Shipment.....	85,167
In Processing.....	26,623
Total.....	3,205,198

SOURCE: Monthly reports of the Offenbach Archival Depot.

Table 2

OFFENBACH ARCHIVAL DEPOT DISPOSITION OF MATERIALS WITHIN THE
UNITED STATES ZONE OF OCCUPATION
MARCH 2, 1946-APRIL 30, 1949

<i>Disposition</i>	<i>No. of Items</i>
<i>Preussische Staatsbibliothek</i> , Berlin.....	700,000
Bailieeship of Minister President of <i>Land Hesse</i>	296,473
Bipartite Finance Board, Bad Homburg.....	190,843
<i>Stadt- und Universitaetsbibliothek</i> Frankfurt.....	79,310
<i>Grosse Nationale Mutterloge zu den 3 Weltkugeln</i>	49,853
American Joint Distribution Committee.....	20,923
Wiesbaden Central Collecting Point.....	17,279
Board of Education and Culture for the Liberated Jews in Germany.....	6,000
G-2 Division OMGUS.....	5,957
Finance Division OMGUS.....	4,361
Hesse Regional Library, Darmstadt.....	3,000
St. George's Seminary, Frankfurt.....	1,799
Munich Central Collecting Point.....	1,690
<i>Wuerttembergische Landesbibliothek</i> , Stuttgart.....	1,544
Miscellaneous.....	1,520
Total.....	1,380,552

SOURCE: Monthly reports of the Offenbach Archival Depot.

JEWISH CULTURAL RECONSTRUCTION, INC.

DISTRIBUTION OF BOOKS FROM NEW YORK DEPOT
JULY 1, 1949-NOV. 30, 1950

According to Institutions

<i>Name of Institution</i>	<i>No. Rec'd</i>	<i>No. Ret'ned</i>	<i>Net Rec'd</i>
A. Priority Libraries			
1. American Jewish Historical Soc'ty	43		43
2. Baltimore Hebrew College	1,887	3	1,884
3. Brandeis University	2,569		2,569
4. College of Jew. Studies, Chicago	3,561		3,561
5. Dropsie College	3,475	465	3,010
6. Hebrew Teachers College, Boston	1,958		1,958
7. Hebrew Theol. College, Chicago	3,020	99	2,921
8. Hebrew Union College, Cincinnati	2,388	67	2,321
9. Jewish Community Library, L.A.	907		907
10. Jewish Institute of Religion	6,409	1,036	5,373
11. Jewish Theological Seminary	4,445	45	4,400
12. Mesifita Chaim Berlin	1,105		1,105
13. Mesifita Torah Vodaath	3,713		3,713
14. Ner Israel, Baltimore	2,582		2,582
15. Rabbinical-College of Telshe	156		156
16. Yeshiva University (Including 5,932 of Stuermer Collection)	8,429	350	8,079
17. Yiddish Scientific Institute	3,379	89	3,290
B. Smaller Libraries			
1. B'nai Brith Hillel Foundation	1,013	448	565
2. Beth Medrash Elyon	350		350
3. Beth Medrash Govoha	450		450
4. Jewish Teachers Seminary	615		615
5. Jewish Welfare Board	200		200
6. Mirrer Yeshiva	400		400
7. Schneersohn Library	990		990
8. Yeshiva of Flatbush	332		332
9. Zionist Archives	970		970
C. Non-Jewish Libraries			
1. Columbia University	69		69
2. City College	214		214
3. Harvard University	200	65	135
4. Johns Hopkins University	2		2

Plates	53	
Menoroth	133	
Hanukah Lamps	182	
Collecting Boxes	20	
Rimonim	180	
Textiles (Torah Curtains, etc.)	96	
Torah Wrappers	100	
Ataroth Ornaments	88	
Megiloth	9	
Candlesticks	12	
Torah Crowns	17	
Medals and Coins	35	
Miscellaneous	<u>23</u>	
Total	1,698	Items

Appendix C

Library Statistics
July 1, 1985–June 30, 1986

Technical Services

Number of titles acquired	2,449
Number of volumes acquired	3,265
Number of titles cataloged	3,954
Number of volumes processed	5,789

Public Services

Number of volumes borrowed	15,935
Number of library visitors	95,613
Interlibrary loan—Borrowed	83
Interlibrary loan—Loaned	222

Staff (as of June 30, 1986)

<i>Professional</i> —Full-time	8
—Part-time	3 (1.8 FTE)
—Full-time equivalent	9.8
<i>Other professional</i> —Full-time	3
—Part-time	3 (1.4 FTE)
—Full-time equivalent	4.4
<i>Support Staff</i> —Full-time	9
—Part-time	2 (1.0 FTE)
—Full-time equivalent	10

17. Shlomo Shunami, *About Libraries and Librarianship* (Hebrew) (Jerusalem, 1969), pp. 53 f.
18. See Herman Dicker, *Creativity, Holocaust, Reconstruction: Jewish Life in Wuertemberg, Past and Present* (New York, 1984), p. 131.
19. *Talmud* (Munich and Heidelberg, 1948). Rabbi Snieg's dedication also includes thanks to Rabbi Philip S. Bernstein, advisor on Jewish affairs at U.S. Army Headquarters; Professor Samuel Sar of the Central Orthodox Committee, and Rabbi Solomon Shapiro of the American Joint Distribution Committee.
20. Rabbi Gruenewald was associated with the Seminary as a refugee scholar, as described in chapter 3. The president of the Leo Baeck Institute, New York, from 1955 to 1985, he was interviewed by the author on January 21, 1986. The word *Klaus* (German *Klausur*) is derived from the medieval Latin *clausa* ("cloister"), and in Jewish history came to mean a House of Study.
21. Gerson D. Cohen, Foreword to *The Rothschild Mabzor, 1492* (New York, 1983), pp. 7 f.
22. Library report, May 6, 1947, JTS Marx Archives.
23. Letter, *ibid.*
24. *Ibid.*

CHAPTER FIVE

1. Report to overseers meeting, January 21, 1951, p. 8 (JTS Archives, Administrative file).
2. They were so named because a bibliographical insert was typed on the reverse side of the notorious newspaper *Shtetmer* ("Stormer").
3. Memorandum, January 5, 1951 (JTS Archives, Administrative file).
4. Library report, January 29, 1954, to March 31, 1954 (JTS Archives, loc. cit.).
5. Memorandum, March 1955 (JTS Archives, loc. cit.).
6. From interview of Gerson D. Cohen by Herman Dicker, November 7, 1985.
7. Nahum M. Sarna to Herman Dicker, February 3, 1986.
8. *Ibid.*
9. Library report, May 15, 1959, to September 30, 1959, p. 1 (JTS Archives, Administrative file).
10. The Tauber report appeared in a mimeographed edition entitled: Maurice F. Tauber, "A Report of the Library of the Jewish Theological Seminary" (prepared at the request of the Administration of the Jewish Theological Seminary, New York, 1959).
11. The English title of Dr. Schmelzer's Hebrew dissertation is "The Poetical Works of Isaac Ibn Ghayyat."

CHAPTER SEVEN

1. *Jewish Book Annual* 21 (1963-64): 53-59.

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- . *Academic Bulletin*. New York, 1976-86.
- . *Reports for Overseers*. New York, 1962-75.
- . *Reports from Chancellor Gerson D. Cohen*. New York, 1976-84.

RG 260
 Entry Ardeica Hall
 File _____
 Box Info

OFFICE OF MILITARY GOVERNMENT FOR HESSE
 Property Division
 APO 633 US Army

Wiesbaden, Germany
 21 January 1949

MEMORANDUM

SUBJECT: Baltic Books

TO: Major H. D. Anastasis

1. In addition to the 10,700 Latvian books categorized in memorandum of 13 January 1949, there are 976 books of Estonian origin and 19,207 from Lithuania at the Offenbach Archival Depot. All the Lithuanian books are of Jewish ownership.

2. The Estonian books include 206 of Jewish ownership (miscellaneous) and 870 identifiable as non-Jewish. The latter group is subdivided as follows:

a. J. Tomp'i nim am. Klubi Raamatukogu, Tallina	57
b. Tallina Partei-Aktiivimaja Raamatukogu	24
c. Tallina Garnisoni Sõdurite Kodu	33
d. Kaitseliidu staabi Raamatukogu	27
e. Kleinere Bibliotheken (ca 60)	155
f. Ohne Kennzeichen (non-Jewish)	<u>574</u>
	870

3. If Vilna is regarded as historically Lithuanian and the two libraries known as "Iwria" and "Jeschiwo-Mir" are, as presently believed, former Lithuanian institutions, the break-down of the 19,207 Lithuanian books is as follows:

Vilna	3 477	
Kovno	5 880	
Mapu (Vilna, Private library)	<u>7 145</u>	16 502
? Iwria	887	
? Jeschiwo-Mir	<u>1 818</u>	2 705
		<u>19 207</u>

RG	<u>260</u>
Entry	<u>Arabella Hall</u>
File	<u></u>
Box	<u>666</u>

4. The principal Lithuanian libraries represented in addition to Mapu, Iwria, and Jeschiwo-Mir above mentioned are:

Vilna

Biblioteka Gimm, Hum. z jez.wykl. polskim G. Epsztyjna w Wilniw	171
Husm Debeit-Hamidrash Poalei Tzedekm Wilno	168
Kinderbibliothek Z.P.K. Wilno	251
Lewinskij Haykil, Wilno (private)	178
Lejba Libszyc, Wilno (private)	409
Sfria Al-Yad Ha-Talmud Torah Ha-Ironi Be-Vilna Le-Zeher Hamanoah Rabbi Dover Yakow Zondel Halohen Kambor Zihrono Le-Veraha	290
Kleinere Bibliotheken (ca. 175)	1 574
Privat Besitzer (ca. 105)	436
	<u>3 477</u>

Kovno

A. Gurewitsch, Kovno (private)	353
Beit Ha-Musar Al-Yedai Ha Meyased Admer Rabbi Israel Salont (private)	102
Bibioteka "Kultura", Kaune	750
Kauna Zydu Laidotoju Sajungos Maldu Namai	187
MTSR Transporto Darbininku ir Tarnautoju Prof. Sajungo Kauno	119
Mordehai Ben Rabbi Josef Kerimer, Kovno (private)	162
Rabinas A. Brojdas, Kaunas-Karmelitai (private)	101
Rabinas I. Rozensonas, Kaunas (private)	195
Sinagogos Valdyba, Kaunas	139
Vilijampole, Buecherlager bei der jüdischen Ghetto-Gemeinde	386

RG 260
 Entry Ardelia Hall
 File _____
 Box 66

Vyriausias Rabinas B. Sapiro, Kaunas (private)	<u>102</u>
Kleinere Bibliotheken (ca. 215)	1 671
Privat Besitzer (ca. 255)	<u>1 316</u>
	<u>5 880</u>

5. There are no cultural objects deriving from either Estonia or Lithuania among the holdings of the Wiesbaden Collecting Point.


 THEODORE A. HEINRICH
 Chief, MEAA Section

RG 7618 200
Entry Apr 1947
File Washington
Box 66

DECLASSIFIED
Authority NND 775057
By JW NARA Date 3-1-00

~~SECRET~~

OFFICE OF MILITARY GOVERNMENT

AG CABLES

INCOMING M



~~UNCLASS~~

R O U T E

FROM : AMERICAN CONSUL
TO : OMBUS
REF NO : JER-116

Hebrew University recd
5 cases of books from Offenbach &
Friedman have been recd. Univers
safe keeping subj to further inst

ACTION : IA&C
INFORMATION : C/S
ECON
POL AFF

AGC IN 55617 21 Apr 47

~~UNCLASS~~

SECRET

DECLASSIFIED
Authority NND 775087
By GD NARA Date 2/27/00

BOX
RG 260
Entry OMGUS
File Jewish Art
Box 283

OFFICE OF DIRECTOR
ECONOMICS DIVISION

16 May
DATE

TO:

TO:

- Dir
- D/Dir - Neg
- D/Dir - Adm
- D/Dir - Opn
- Exec. Adm
- Asst. Exec.
- Ch. Clk
- PA. to Dir
- P. R. O.
- Adm. Off.
- Pers. Off.
- Msg. Ctr.

FOR:
Please see me
Information
Note & Return
Necessary Action
Recommendations
Comment
Approval <input checked="" type="checkbox"/>
Signature <input checked="" type="checkbox"/>
Prepare reply & Rm.
Reply Direct

- R. & S.
- P. & C.
- R. & A.
- Sci. Adv.
- E. D. Sec.
- AES. Off.
- Ind.
- T. & C.
- Dec.
- S. A.
- F. & A.
- Rest.

Col Allen

Please revise
as indicated

SW

DECLASSIFIED
 Authority NDT/SCB
 By GD NARA Date 2/8/00

BOX
 RG 260
 Entry OMGUS
 File Jewish Art
 Box 283

CONFIDENTIAL

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
 Economics Division
 APO 742

AG 602.3 (ED/Res)

17 May 1947

SUBJECT: Material from Offenbach Archival Depot at Jerusalem

TO : Military Governor
 Office of Military Government for Germany (U.S.)
 APO 742, U. S. Army

1. With reference to the confidential telegram, copy of which is attached, from the Political Advisor to the Consulate General at Jerusalem, dated 6 May 1947, concerning material taken from the Offenbach Archival Depot to Hebrew University, Jerusalem, it is recommended that instructions be given to the Consul-General at Jerusalem that a copy of the inventory called for in referenced telegram be forwarded at the earliest possible date to this Headquarters, attention Restitution Branch. If it is intended that the items remain in Jerusalem while disposition is being determined in Berlin and Offenbach, it would be desirable that the inventory include, in addition to the facts normal to such an inventory, details of identifying marks, book-plates, etc., which might be of additional value in determining the provenance and restitutability of the items involved. ~~However, the entire problem of identification and eventual disposition would be greatly simplified if all the items could be returned to the Archival Depot, Offenbach, as soon as they have been inventoried.~~

2. If it develops that sufficient information cannot be obtained in the manner referred to above, ~~is it intended that a qualified MFA&A representative be sent to Jerusalem to determine the facts concerning the origin and restitutability of the various items, in order that the Restitution Branch may fulfill its obligations?~~

*Proposed
 above to this
 effect is
 attached for
 approval.*

It is recommended

1 Incl: Cy of Teleg a/s
 Copy furnished:
 ODPA
 Telephone BERLIN 42009

E. WILKINSON
 Colonel, GSC
 A/Director

Obtain all possible information

CONFIDENTIAL

DECLASSIFIED
Authority 44D77509
By GP NARA Date 2/8/00

BOX
RG 260
Entry OMG-45
File Jewish Art
Box 283

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U. S.)
APO 742
OFFICE OF DIRECTOR
ECONOMICS DIVISION

TO: DATE 19 May

Col. Allen

Please see me

AW

DECLASSIFIED

Authority

ANDASSOY

By

GD

NARA Date

2/8/00

BOX

RG

260

Entry

OMOUS

File

Jewish Art

Box

283

TO, American Consulate General
Jerusalem

REOURAD CC-8987 dated 2 May
1947 and TOLAD cable dated 6 May
concerning five coils of books from
Offentuch Archival Dept

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

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Box 8

JRSO

EXCERPT FROM PARLIAMENTARY DEBATES -- HOUSE OF COMMONS -- OFFICIAL REPORT --
TUESDAY, 8th MARCH, 1949

GERMANY (RESTITUTION OF PROPERTY)

Motion made, and Question proposed, "That this House do now adjourn." --
(Mr. Snow.)

12.5 a.m.

Brigadier Medlicott (Norfolk, Eastern):

It is with some diffidence that I rise at this late hour, but the subject matter is one which I feel ought to be ventilated without further delay. I wish to raise the subject of the delay in promulgating the law for the restitution of property in the British zone of Germany. This matter came to my notice as a result of inquiries which I had to make in a professional capacity on behalf of a former Germany subject, who had been dispossessed of his property before the war by the Nazi Government. I was astonished to find that at this late stage this man was still kept out of the property which was taken away from him without compensation by the Nazi regime. Consequent upon that discovery I made a further study of this problem, and I have been profoundly disturbed by what I found. In the years between the wars we were accused of lacking many qualities, but we were not lacking in conscience. In those years our consciences were outraged by the brazen robbery and confiscation which went on in Germany, and which was mainly directed against the Jewish community. I want to make it clear that this question of restitution does not relate only to the Jews. There were non-Jewish anti-Nazis, whose property was stolen, and they, as much as the members of the Jewish race, are interested in this matter. In so far as approximately 95 per cent of the confiscated property was taken from members of the Jewish fraternity, however, the problem is one which affects them overwhelmingly.

The German treatment of the Jews was one of the factors which helped to unite Europe, and ultimately the world, against Germany. It was felt by those of us who belonged to the communities in which a liberal form of democracy was practised that it could not live side by side with the kind of tyranny which was being practised against the Jewish community in Germany.

I would have thought, therefore, that when the war was won the most strenuous effort would have been made to restore property with all possible speed, as far as the changed conditions through the great loss of life and the upheaval of the war would allow. What has, in fact, happened? Restitution laws have been passed by practically every ex-enemy country. The restitution problem has been dealt with in almost every part of Europe, but Great Britain shares with Russia the unhappy distinction of being one of the only two countries where this matter has not yet been dealt with. Even the Russians have passed or allowed a restitution law in respect of Thuringia. The immediate point of comparison is, however, in relation to the three Allied Occupation zones of Western Germany. In the American and French zones restitution laws were passed as long ago as November, 1947, nearly 1½ years ago. These restitution laws, furthermore, are working satisfactorily. A large number of properties have been restored, some of them by agreement and in other cases upon the

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decision of the Restitution Court or Restitution Chambers.

The American and French authorities have in fact gone a step further, and have tackled the much more difficult question of compensation where it is no longer possible to effect restitution of the specific property which was taken away. Draft laws dealing with this second stage of restitution have been prepared, and probably will shortly be put into force. Yet, after nearly four years, we have still not passed the first kind of restitution measure. We are also approaching the time when some unification of the Western zones will be achieved. I would have thought that this was an added reason why we should have kept in step with our Allies, so that there would be uniformity in the treatment of this problem throughout the whole area involved.

I want to trace shortly the history of this matter, and the facts which are relevant are quite brief. In January, 1948, three months after the American and French authorities had passed their restitution laws, a conference took place, in this country, between the Foreign Office and the organisations which are recognized as representing the interests of most of the claimants. Action was promised in that January conference, but it was not until June, 1948, that the first draft restitution law was shown to these organisations. These organisations raised certain objections on the ground that the draft was less favourable in material respects than the corresponding laws already promulgated in the American and French zones. The Foreign Office, I understand, said that a fresh draft would be submitted in a few weeks. It is understood - and we can only make assumptions on this point - that a fresh draft did in fact arrive from the British authorities in Germany, but not until November.

In those two stages we have examples of very considerable delay, a January conference resulting in a draft in June, and then no further draft until the following November, and even now, in March, 1949, that draft has still not been re-shown to the interested parties.

In the meantime, there could have been many settlements out of court and I want to say, in passing, that it is not only the dispossessed persons who are complaining; it is highly unsatisfactory that there should be so much uncertainty about the law relating to rights of ownership. Not only those who have been dispossessed, but those who are temporarily holding some kind of ownership are thus anxious that this long-continued delay shall be brought to an end. Meanwhile, even amicable arrangements between the parties are ruled out because they would not be permitted by the British authorities.

Not only private individuals are affected by this delay. Jewish charities and other Jewish organisations are also denied the return of their properties and it seems particularly regrettable that even Jewish cemeteries are not permitted to be returned into the jurisdiction and ownership of the community to which they rightfully belong. Time is passing, Hitler's Germany lasted only 12 years and yet those who were his principal victims have already had to wait nearly one-third as long as that time - and they are still waiting for the restoration of the rights to which they are entitled.

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One other complication threatens. We are told that the issue of the Germans Occupation Statute is near and it is feared that this draft Statute may contain no provision reserving to the Allied Powers some jurisdiction over this question of the restitution of property. I do submit that it will be a very serious matter if the present unsatisfactory position is allowed to crystallise and if no proper provision is made before the Occupation Statute is passed for the restoration of property to those from whom it has been taken.

Something more than property is at issue here. The time has arrived when our name for fair dealing is possibly going to be questioned. I suggest that we should have been the first in all Europe to see that this matter was dealt with. I think we are entitled to ask why we are the last. I would be interested if the Minister of State could give us any indication as to where the delay lies. Is there some obstruction in the British administration in Germany or, has this matter perhaps got into the hands of the lawyers, who have been allowed to become masters of the Ministry instead of its servants?

I would point out that this was the situation of many millions of members of the Jewish race - some 6,000,000 of them in all - who had been already stripped of all their worldly possessions, lost their lives as well in the German concentration camps and gas chambers, and of whom only a remnant are left. It is believed that there are in fact only some 10,000 possible claimants left in the British zone and perhaps 100,000 claimants who are living outside the British zone. It is a very tragic residue who are asking for what is their due. In conclusion may I recall that when the Nazis were doing their grim work they openly boasted that the dead would never return to claim their rights. There are nevertheless some who have happily survived and who do claim their rights. We are entitled to ask, how much longer have they still to wait?

12.20 a.m.

Mr. Sydney Silverman (Nelson and Colney):

The hon. and gallant Member for Eastern Norfolk (Brigadier Medlicott) has put his case so moderately, modestly, and yet so completely, and we are all so anxious to hear the Minister's reply, that I do not want to take more than a few moments, but I want to say two things to the right hon. Gentleman. The first is that no one doubts his own knowledge, understanding, and sympathy in this matter, but it is because we recognise that fact that it is so difficult to understand, as the hon. and gallant Gentleman has pointed out, why this country, whom all the world would have expected to be the first in this matter should be the last. It is not for want of sympathy in the Foreign Office, of that I am certain. Then what is it that is holding us up so far behind not merely the ex-enemy nations, upon whom, after all, we forced the policy of restitution in the treaties we have compelled them to sign, but the United States, who had precisely and exactly the same problem to deal with under exactly the same conditions in that other part of Western Germany with which we are seeking to accommodate and co-ordinate our policy?

It is true - it has been suggested in some places - that one of the reasons is that the military administration in the British zone is un-

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willing to accept the same kind of Statute as America, something less generous, less complete, something which would leave in German hands all the property for whom no heir can be found? I see the difficulty about a successor corporation in regard to the heirs of those who have disappeared. I do not want to ask too many questions because there will not be time for an answer, but I hope the right hon. Gentleman will be able to assure the House that the delay will not be long, and that our Statute will be as generous as anyone else's.

Mr. Janner (Leicester, West) rose-

Mr. Deputy-Speaker: Mr. Mc Neil.

12.23 a.m.

The Minister of State (Mr. McNeil): I am indebted and touched, as I frequently am by the remarks of my hon. Friend the Member for Nelson and Colne (Mr. S. Silverman) in his references to myself, and I thank the hon. and gallant Member for East Norfolk (Brigadier Medlicott) for his moderation, and I also apologise to my hon. Friend the Member for West Leicester for not being able to give way.

Mr. Janner: I only wanted to ask two questions.

Mr. Mc. Neil: The intentions of the Government are not in doubt, of that I am sure. We acknowledge our obligations to these unfortunate people and their successors, and we are desperately anxious to discharge our duty on this subject efficiently and justly. It is argued that we are behind the other two Powers. Here I want to say in parenthesis, although there is a limited Statute, the Soviet zone has no general discharge on this subject either.

Our address to the subject was necessarily complex. We had to deal not only with the people who have been deprived of property, which as the hon. and gallant Gentleman understands, but we also had to take into account the people who were forced to negotiate property under duress, and it is equally true that although the great bulk of this property was the property of Jews, the worst treated of these people, there was some 5 or 7 per cent. of the property which formerly belonged to people whom we, on this side of the House, would have called comrades, and for that reason it was taken from them. Moreover, there were the obligations introduced by such features as dilapidations, even appreciations, and profits.

When we first addressed ourselves to the subject some of the property had, in our opinion, been illegally disposed of as long as 14 years before, so any legislation had necessarily to be very complex. We first hoped there would be quadripartite action, and with the other three Powers we took up conversations on this subject. We had, however, taken one independent action, and that was, as I have tried to explain to the House before, that we did put through a general order making arrangements for claims to be filed and registered, in the hope that we could go into action immediately an ordinance had been promulgated and a court or body constituted for this purpose. But we did base ourselves first on the hope of quadripartite agreement. Those talks broke down in November, 1947.

The Americans and the French had already prepared separate, and rather

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varying laws to deal with such a contingency. I think I ought to apologise to the House for having to admit that we had not prepared against such a contingency ourselves by doing the spade work on a law relating only to our zone. However, that was one of the big setbacks we had to meet. The hon. and gallant Gentleman referred to the course of negotiations, and the delay. My dates accord fairly accurately with his. There is one feature to which I wish to draw attention. We had most properly, in my opinion, entered into undertakings that we would take no action without consulting the appropriate organisations in this country. In addition, we naturally had to meet the representatives of His Majesty's Government in Berlin, so we had, as it were, almost three-cornered discussions going on.

The easiest course would have been to conform pretty closely to the American model. I am satisfied that the overriding reason why we did not thus conform was that we feared that, if we produced an instrument that was too inflexible or looked harsh, we might thereby encourage or create a recrudescence of anti-Semitic feeling. I have apologised for the delay, but I am satisfied, from my examination of these circumstances, that that was a very real factor. When we had made our first attempt, neglecting the American model, we were eventually, not forced, but eager to admit that the American model worked very well. There was a great deal of amicable settlement, surprisingly little litigation, and most certainly, as far as we could see, no reaction which might have been interpreted as anti-Semitic feeling.

We, therefore, have directed our representatives in Germany to produce an instrument applying to both zones, because we had discovered, as the Americans have discovered, that sometimes we had a person with half his property in the American and half in the British zone. The Americans found it was impossible for administrative reasons to make the modifications which should have been made in their instrument if it were to apply to the slightly different local conditions in our zone. Since that was impossible, we directed ourselves to producing a third text, closely following the American model. That, I am glad to say, we received four days ago. I and my advisers have only had a preliminary look at this but I should say to the House that I think it is a satisfactory instrument if we are to base ourselves on the American experience. I want to assure the House that so far as I can see there will be little delay in formalising this instrument.

I want to make two points. We are, of course, determined to consult again the organisations in this country. We are indebted to them for the advice they have given, for their wealth of experience; and I am indebted to them for their courtesy on this subject. We are also under the obligation to submit the draft ordinance to the Land Government in our zone. It is desirable that we should have the consent as well as the experience of these people blended upon it. I should hope that these two series of conversations will be developed quickly and that within a relatively short time, I hope a matter of weeks, I may be able to inform the House that the instrument is there. I feel I ought to apologise for the delay. We have trodden a tortuous path. But even though I apologise for the delay I want to say that there should be no doubt of our intention and sympathy in this matter. We want this

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instrument to be flexible, just and appropriate to us today and one we ought quickly to discharge.

Mr. Janner: Will the Minister say whether he is proposing to presume that there was duress before coming to a conclusion in respect of any property and put the onus of proof upon the present owner in respect of property confiscated, whether confiscated by word or by assent or transfer by deed? Has he considered the point with regard to heirless property being considered as a matter for compensating a community, and whether it is proposed to restore to communities which exist at the present time in Germany those properties which have been communal property and which they are entitled to have back?

Mr. McNeil: Yes, the ordinance covers such properties. I should have told my hon. Friend that there is provision for intestate property. There we would have to provide a trustee or make trusteeship arrangements. Where confiscation has taken place, the matter is straightforward. On the question of duress I would not attempt to answer offhand that this is assumed. If it is what the Americans have done, we would approximately be the same on that point. Of course, we are making it obligatory for anyone who has knowledge of property to bring that information. Registration takes place as well as claim by deed.

Mr. Janner: With corporations?

Mr. McNeil: Corporations, yes; I am fairly certain I am right, but perhaps I might look at that matter and send an answer to my hon. Friend.

Question put, and agreed to.

Adjourned accordingly at Twenty-five
Minutes to One o'Clock.

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 Box 712
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ADDENDUM II

to Memorandum of Agreement of 15 February 1949
Subject "Jewish Cultural Property"

1. Pursuant to the intent of the basic agreement of 15 February 1949 that JCR, Inc. will act as trustee in receiving certain Jewish cultural property for the Jewish people and in distributing it to such public or quasi-public religious, cultural or educational institutions as it sees fit, to be used in the interest of perpetuating Jewish art and culture; certain additional Jewish cultural properties originating in the Baltic area, to be specifically listed in inventories and receipts, are transferred herewith to JCR, Inc.

2. Since an earlier ownership of these properties is known although the circumstances of removal to Germany are unknown and recognizing the unlikelihood that any of the earlier owners of these various properties are in existence today, JCR, Inc. hereby agrees to exercise reasonable diligence in endeavoring to locate such owners and make restitution provided the rightful owners agree to pay cost of shipping and insurance in transit.

3. Disposition will be made by JCR, Inc. of such of these properties as have not been restituted at the end of two years from the date hereof in the same manner as provided in the basic agreement of 15 February 1949.

4. JCR, Inc. agrees to accept custody of these properties by 30 June 1949. Custody will be taken by receipts executed jointly by representatives of the U.S. Military Government and JCR, Inc. at the time of shipment from U.S. Military Government depots.

5. The costs of packing and crating and of shipping either to the German frontier or to a JCR, Inc. depot within Germany (whichever immediate destination is elected by JCR, Inc.) except the cost of insurance will be borne as an occupation cost by the German Government of the Land from which the property is shipped.

Date _____

Authorized Representative, US Military Government

Place _____

Authorized Representative, JCR, Inc.Consented to and Approved on
behalf of JRSO, Inc.

by

Authorized Representative, JRSO, Inc.

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

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Entry	<u>Property</u>
File	
Box	<u>712</u>

C O P Y

MEMORANDUM OF AGREEMENT

SUBJECT: Jewish Cultural Property

1. Jewish Cultural properties, separated from owning individuals and organizations in Europe during the period of Nazi rule, taken into custody by the U. S. Military Government in occupied Germany, listed by categories below and to be specifically listed in inventories and receipts, are transferred herewith to JCR, Inc., subject to the conditions set forth herein. The JCR will act as trustee in receiving this property for the Jewish people and in distributing it to such public or quasi-public religious, cultural, or educational institutions as it sees fit to be used in the interest of perpetuating Jewish art and culture.

2. Categories of cultural properties.

The properties thus transferred are unidentifiable and hence not the proper subject of a claim under Law 59. They are grouped in the following categories:

- a. Jewish books, archives and miscellaneous documents in various languages.
- b. Torah scrolls and miscellaneous church and synagogue vestments, altar covers, prayer shawls, etc.
- c. Jewish ritual objects of precious metals and including precious stones.
- d. Miscellaneous Jewish paintings and furnishings.
- e. Such other Jewish cultural properties as JCR and Military Government shall agree to transfer. Such properties shall be transferred upon a custody receipt which shall contain a statement as set forth in Appendix A hereto.

3. In consideration of the fact that no claims have been received for and no identification of prior ownership can be reasonably established for the properties, these properties are transferred to JCR, Inc., with the proviso that they are to be utilized for the maintenance of the cultural heritage of the Jewish people, and therefore the physical integrity of these properties will be maintained. The Jewish ritual objects of precious metals are to be utilized as such and not converted to monetary metal except such objects as may have been so damaged as to prevent normal use.

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 Box 712

4. JCR, Inc. agrees to accept custody of these properties by 30 May 1949, and will provide partial shipping instructions within 30 calendar days hereof and will provide by not later than 31 March 1949, shipping destinations either within or outside Germany for all the properties so transferred. Custody will be taken, by the JCR, Inc., by receipt executed jointly by representatives of the U.S. Military Governor and JCR, Inc., at the time of shipment from U.S. Military Government depots.

5. The costs of packing and crating and of shipping either to the German frontier or to a JCR, Inc., depot within Germany (whichever immediate destination is elected by JCR, Inc.) except the cost of insurance, will be borne as occupation costs by the German Government of the Land from which the property is shipped.

6. Military Government will assist JCR, Inc. in locating necessary warehouse space and give any necessary clearance for employment of guards and other maintenance personnel, the expenses of this warehousing to be borne by JCR, Inc.

Date Feb. 15, 1949
Frankfurt, Germany

/s/ Orren E. McJunkins
 Authorized Representative,
 U. S. Military Governor

/s/ Joshua Starr
 Authorized Representative, JCR, Inc.

Consented to and Approved on behalf of
 JRSO, Inc.

by

/s/ Benjamin B. Ferenes
 Authorized Representative, JRSO, Inc.

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

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Box 712APPENDIX A

This receipt is given with the understanding the JCR, Inc. receives the properties herein described on a custody basis only. JCR, Inc. agrees that they will maintain any collections received hereunder intact and will preserve all properties in a form that they will be in a position to deliver them to a restitutee in case they are so requested by Military Government. It is understood between JCR, Inc. and Military Government that an annual review shall be made of the facts surrounding these properties and a decision will be made as to whether or not it is necessary for JCR, Inc. to continue in the position of a custodian or may be granted outright possession of the properties involved. In the event that restitution of these properties is effected, the cost involved in shipping the properties from the place where they are located at the time JCR, Inc. is notified to the final destination, shall be borne by the restitutee.

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Property

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Box

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Under*

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*24 Jan 48
Pub Drafts*

MEMORANDUM OF AGREEMENT

SUBJECT: Jewish Cultural Property

1. Jewish cultural properties, separated from owning individuals and organizations during World War II in Europe and taken into custody by the U.S. Military Government in occupied Germany; listed by categories below and more specifically listed in an accompanying inventory, are transferred herewith to JCR, Inc., subject to the conditions set forth herein. The JCR will act as trustee in receiving this property for the Jewish people and will distribute it to public or quasi-public religious, cultural, or educational institutions.

2. Categories of cultural properties.

The properties thus transferred are grouped in the following categories:

<u>Category</u>	<u>No. of Items</u> (more or less)
a. Books and manuscripts unidentified as to previous owner	142,000
b. Books and manuscripts of Jewish content in the German language, unidentified as to previous owner	65,000
c. Books and manuscripts of Jewish content in various languages, unidentified or only partially identifiable (includes works in the languages of the Baltic States, Czechoslovakia, etc.)	43,000
d. Books and manuscripts, identified as the property of Jewish institutions and private libraries in Germany	106,000
e. Valuable Hebrew books and manuscripts, unidentified as to previous owner	5,000

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- f. Torah Scrolls and miscellaneous church and synagogue vestments, altar cover, prayer shawls, etc. 1500
- g. Jewish ritual objects of precious metals and including precious stones

3. In consideration of the facts that no claims have been received for and no identification of prior ownership can be reasonably established for the properties in categories a, b, e, f, and g, these properties are transferred to JCR, Inc., with the sole proviso that they are to be utilized for the maintenance of the cultural heritage of the Jewish people, and, therefore, the physical integrity of these properties will be maintained. The Jewish ritual objects of precious metals are to be utilized as such and not converted to monetary metal.

4. The collections of books and manuscripts, category "c" shall be maintained intact and properly preserved for a period of one year from the date hereof, for the purpose of restitution to the countries of origin, should claims for restitution be received by Military Government and satisfactory evidence of restitutability be established.

5. The books and manuscripts, identified as the property of Jewish institutions and private libraries in Germany, category "d" will be held intact and properly preserved subject to disposition by J.R.S.O.

6. JCR, Inc., will on ____ February 1949 assume custody for all of those cultural materials stored at the Offenbach Archival Depot, providing necessary staff and guards for maintenance and disposition of these properties. Storage space in this building will continue to be provided by U.S. Military

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Government for not to exceed 180 calendar days. The ritual objects now in storage in the Wiesbaden Collecting Point, will be retained in such storage for not more than 90 calendar days, pending establishment of secure storage elsewhere by JCR, Inc.

Date _____

/s/
Authorized Representative, U.S.
Military Governor

/s/
Authorized Representative, JCR, Inc.

Concurred on behalf of JRSO, Inc.,

by

Authorized Representative, JRSO, Inc.

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Box	<u>8</u>

J R S O

AUTHORIZED PERSONNEL

(as of 1 Dec 48)

U. S. Personnel

Ferencz, Benjamin B.
 Fisher, Joel H.
 Kagan, Saul
 Klein, Eugene
 Loebenstein, Siegmund
 Schoenfeld, Herbert
 Starr, Joshua

German Personnel

Basch, Karl
 Braun, Samuel
 Guriel, Ernst
 Doerfflein, Konrad
 Forst, Dr. Eduard
 Gerbecht, Wilhelm
 Gerson, Rudolf
 Glaessner, Emil
 Goldenberg, Ylia
 Grudinski, Ulrich Louis
 Grynblatt, Maurice
 Gusch, Dr. Bruno
 Hage, Dr. Kurt Leopold
 Hermann, Ernst
 Hilbert, Hanns
 Hirschfeld, Marcel
 Hornig, Dr. Klaus
 Kettlein, Gertrud
 Klein, Dr. Ruth A.
 Koerner, Dr. Kurt
 Loesch, Dr. Joseph
 Monreal, Hans Alfred
 Neumann, Kurt
 Pinhard, Ria
 Quedguweit, Wilhelm
 Schaar, Kurt
 Schloss, Franz
 Schmeiter, Bernhard
 Traube, Siefried
 Weteschnik, Dr. Herbert
 Willig-Wilk, Adam
 Wunderlich, Elly

Other

Czechoslovakia:
 Lux, Frantisek
 Weis, Dr. Jiri

IRO:
 Nothmann, Otto
 Rosenfeld, Martin

Israel:
 Cahn, Arthur
 Nussbaum, Dr. Meinhold

UK:
 Speyer, Walter

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Box 8

J R S O

PERSONNEL

DELETED FROM JRSO AUTHORIZATION

NO. 1

U.S.

German

Other

Garber, Sidney Earl

Hammerschmidt, Robert
Michel, Fritz
Richard, Georg

Fink, Hilda Helen (South-Africa)

C360
285

Report on the Operations
of
The Jewish Restitution
Successor Organization

1947-1972

Prepared by
Saul Kagan
Ernest H. Weismann

JEWISH RESTITUTION SUCCESSOR ORGANIZATION

Preface

The attached report summarizes the principal activities and financial results of the operation of the Jewish Restitution Successor Organization during its first 25 years of existence. This report is not intended as a substitute for the history of the JRSO which will entail major research and a full analysis of the moral, legal, diplomatic, political and Jewish communal problems confronting the JRSO since its inception in 1947.

The achievements of the JRSO could not have been possible without the close cooperation of the major Jewish organizations which have been its founders and whose representatives guided the policies of its Board. The impressive results described in this report could not have been achieved without the ingenuity, extraordinary devotion and high professional excellence of the JRSO staff in Germany and New York.

A sense of profound moral satisfaction in establishing the principle that the perpetrators should not enjoy the spoils of their criminal acts and the knowledge that more than DM 200,000,000 recovered by the JRSO aided in the relief, rehabilitation and resettlement of Jewish victims of Nazi persecution are the true rewards for all who were and continue to be associated with the work of this unique organization.

Maurice M. Boukstein

President

Monroe Goldwater

Chairman, Executive Committee

Saul Kagan

Executive Secretary

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I. Introduction

This report covers JRSO's activities over the twenty-five year span between August 1947 and December 1972. A long look back on activities and accomplishments would be timely indeed after a quarter of a century of service.

The idea that a nation may not retain property that it gained by the mass spoliation of minorities whom it persecuted on racial or religious grounds, led to the formation of the Jewish Restitution Successor Organization (JRSO). Twelve Jewish organizations united to form an organization that would serve as successors to those who had perished without heirs. The JRSO was incorporated in the State of New York on May 12, 1947.

Even before the Nazi surrender, the U.S. Government announced the intention to take appropriate steps that would safeguard the properties which the Nazi Government had seized under duress from their former owners. Acting on that policy, the U.S. Military Government, on November 10, 1947, enacted Military Government (M.G.) Law #59, on the Restitution of Identifiable Property. Potential heirs were authorized to submit claims, and the JRSO was appointed in June of 1948 to recover the unclaimed portion which presumably represented heirless property. In August 1948, operations began at the headquarters the JRSO opened at Nuremberg in the U.S. Zone of Germany. A parallel British law providing for a successor organization in the British Zone of Germany was promulgated on May 28, 1949, and the Jewish Trust Corporation for Germany, Ltd. (JTC), with headquarters in Hamburg, was subsequently designated. Finally, on March 18, 1952, the Jewish Trust Corporation, French branch, with headquarters in Mainz, was appointed as the successor organization in the French Zone of Occupation.

In Berlin, matters took a different turn. The city was governed by the four Occupation Powers through the medium of the Berlin Kommandatura, until the three Western Powers split with the Soviets in June 1948. Eventually, the three successor organizations were appointed as Trust Corporations in the three Sectors of Greater Berlin, under the terms of the Berlin Restitution order of July 26, 1949. On May 7, 1951, the JTC and the JTC-French Branch designated the JRSO as their sole general agent for all western sectors of Berlin.

II. Recovery and Utilization of Heirless Property

1) Individual sales and settlements

M.G. Law #59 thrust a tremendous burden on the JRSO. The delay in the official designation of the JRSO by Military Government left the JRSO a mere five months for the filing by December 31, 1948 of claims for the restitution of Jewish properties from Germans who had held them in the Nazi years and who

were now required by law to report the fact to the U.S. Military Government. Over 163,000 claims were submitted by the filing deadline. A great many were duplications of claims already filed by the original owner or his heirs. During the filing period, the main concern of the JRSO was to omit nothing that would prevent the recovery of Jewish properties confiscated in the U.S. Zone since 1933.

In the years that followed the expiration of the deadline, the JRSO recovered thousands of pieces of property or else attempted to reach amicable settlements of claims with German aryanizers. The properties recovered had to be managed and sold. This task was beset with a great number of legal problems. Significant savings in labor and other costs would have arisen had the JRSO been able to effect settlements in cash with restitutors. In many instances, restitutors preferred to transfer the property claimed to the JRSO, the more so if it had suffered war damage in whole or in part. It should be noted that the War Damage Claims Law (Kriegsfolgengesetz) providing war damage compensation was enacted only in November 1957. In many instances, the JRSO did reach amicable settlements for the transfer of real property. But in the greatest number, suits against incumbent owners became necessary on the ground that the wrongful acquisition of confiscated properties nullified any sales contracts that pertained to them, and had to be restored to the original owner, even if the purchaser was in ignorance of the wrongful taking. Purchasers in good faith of such properties were protected under U.S. M.G. Law #59, in a few exceptional instances.

A prodigious task confronted the JRSO in assembling a staff of lawyers qualified to conduct the legal proceedings required. Moreover, the anti-Jewish attitudes fostered by the Third Reich continued to hover over segments of the German population.

Legal complications arose on every hand. For example, in the case of encumbrances on restituted property, the question arose: to what degree and for how long a time were holders or former holders of such properties required to compensate claimants or their successors for profits derived therefrom. Profits which restitutors had willfully diminished or neglected also had to be restored to claimants. On the other hand, the incumbent owners were entitled to compensation for essential expenditures they had incurred over the period of their tenure. And above all, in exchange for the restitution of confiscated properties, claimants were required to refund to restitutors the consideration they had received.

This example was but one of many legal problems the JRSO was called upon to grapple with over the course of its existence. In many instances, the JRSO had to pursue claims through the courts, moving from the Restitution Agency to the Restitution Chambers of the lower court, and then through the Appellate

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Courts. It deserves mention that the U.S. Court of Restitution Appeals was notably helpful in recognizing the rights of the JRSO under M.G. Law #59. These difficulties notwithstanding, in the 25-year span between 1948-1972, the JRSO obtained DM 17,625,000 from the sale of restituted properties, while refunds of considerations received by claimants reached DM 1,127,000, all told. Installment collections from purchasers have proceeded at a satisfactory pace and but a small number of doubtful accounts have cropped up.

Prior to the time of sale, the JRSO was compelled to maintain a large department for the administration of properties, and that included among its duties the maintenance, the collection of rents, the making of repairs, and the finding of buyers. In some regions, the JRSO office managed the properties, while in others, principally in Berlin, the management was delegated to real estate firms. The property management proved profitable, on the whole, and net income from it reached DM 1,200,000. In Berlin, the JRSO also administered properties in the British and French sectors of the city, on behalf of the JTC and the JTC-French Branch respectively. The financial results over the 25-year span from 1948 through 1972 were as follows:

Income from individual sales of recovered property		DM 17,625,000	
Income from amicable settlements with restitutors		<u>25,400,000</u>	
			DM 43,025,000
Less - Management Expenses:			
Administration of recovered properties	DM 3,000,000		
Minus—rental income	<u>1,800,000</u>	<u>1,200,000</u>	
			DM 41,825,000

2) Bulk settlements

The JRSO recognized very swiftly that the continuation of the procedure it was following would prove excessively costly and time-consuming, notwithstanding the substantial sums arising from individual sales of recovered properties and from individual amicable settlements. The JRSO realized that its important task was to turn properties and claims into ready cash within the briefest possible stretch, and to make available the proceeds for the relief, rehabilitation, resettlement and cultural rehabilitation of surviving victims of Nazi persecution. To achieve this goal, the JRSO assigned all of its remaining claims and unsold properties to the four German State Governments (Laender), within the U.S. Zone of Occupation, for a reasonable lump sum payment.

Negotiations began in 1950 with the four Laender in the U.S. Zone: Hesse, Bremen, Bavaria, Baden-Wuerttemberg, and subsequently with Berlin. To

accept the assignment of the JRSO claims against private persons was initially politically unpalatable to the Laender. Following extensive negotiations the JRSO succeeded in arriving at the following settlements:

(1) Hesse, February 13, 1951	DM 25,000,000	
Less—reductions for counter-claims and sundry credits	<u>7,816,550</u>	DM 17,183,450
(2) Bremen, June 28, 1951	DM 1,500,000	
Less—adjustments	<u>242,460</u>	DM 1,257,540
(3) Baden-Wuerttemberg, November 6, 1951	DM 10,000,000	
Less-sundry credits and adjustments	<u>280,000</u>	DM 9,720,000
(4) Bavaria, July 29, 1952	DM 20,000,000	
Less-counter-claims and adjustments	<u>4,680,000</u>	DM 15,320,000
(5) Berlin, December 22, 1955, as amended (JRSO share)	DM 4,900,000	
Less-sundry deductions	<u>4,700</u>	DM 4,895,300
		DM 48,376,290

The negotiations with Land Berlin which can best be described as laborious, painstaking and difficult call for a more detailed description. The successor organizations, led by the JRSO, reached an agreement with Land Berlin, following prolonged negotiations that stretched from January 1953 to November 1959. First, a settlement was reached on December 22, 1955 whereby the City of Berlin was to pay DM 13,500,000 in return for the assignment to it of all restitution claims held by the successor organizations at that date and the transfer to it of all real property and mortgages held by the successor organizations on April 1, 1955, and of all assets recovered after April 1, 1955.

The distribution of the DM 13,500,000 was as follows: DM 1,000,000 was paid directly to the Berlin Jewish Community for assets it had assigned or transferred in the Nazi era; DM 9,000,000 was placed at the disposal of the Israel Purchasing Mission in Germany (Shilumim Corporation) for the placement of orders with West Berlin industries, under the terms of the Reparations Agreement between West Germany and Israel, and repayable to the successor organizations in four semi-annual installments; the remaining DM 3,500,000 was retained by the city as security against pending equity claims and other matters that the Agreement of 1955 had declared to be subject to settlement only in general terms. Scarcely was the agreement reached than differences cropped up between the parties on the implementation of a number of clauses. To a claim for payment, in the sum of DM 3,500,000, the City of Berlin presented counter-claims amounting to DM 4,700,000 which the successor

organizations refused to accept. In a supplementary agreement, dated May 1956, the successor organizations waived their claims for payment to the DM 3,500,000, while the City of Berlin waived its counter-claims of DM 4,700,000. Even after this compromise was reached, new controversies developed, until at last, in November 1959, the parties concluded a final agreement, whereby they waived all claims arising out of the earlier agreement, subject to a payment of DM 50,000 by the City of Berlin.

The share of the JRSO in the new Agreement was fixed at 49%, by the terms of an understanding among the successor organizations. That was the percentage of heirless property located in the U.S. Sector of Berlin, estimates indicated. The JTC share was fixed at 43% and that of the JTC-French Branch at 7%.

III. Monetary Claims Against The Reich— Reich Claims Settlement

The Reich Claims Settlement dealt with monetary claims against the Reich. They were linked to the so-called "Dritte Masse" claims that arose from the confiscation by the Nazi regime of savings, bank accounts, securities, jewelry and other valuables - properties that were identifiable at the time of confiscation but which were no longer in existence at the time the claims were filed. By the terms of the Convention between the Western Powers and the German Federal Republic, signed at Bonn on May 26, 1952, the latter shouldered responsibility, up to the sum of DM 1,500,000,000, for confiscations carried out by the Third Reich. Additional legislation was needed to implement that commitment. Meanwhile, the successor organizations chose to file law suits against the Reich in the tens of thousands, under the Restitution Laws enacted in the western zones of occupation. In fact, restitution orders issued by the courts possessed only declaratory value. The successor organizations, as well as the German Federal Government agreed to resolve this matter through a bulk settlement. An agreement was signed on March 16, 1956. It called for payment of DM 75,000,000, in three installments, to the three successor organizations as an unconditional payment, within approximately one year from the date of signature. After payment of the third installment, on April 1, 1957, the successor organizations were required to withdraw all the claims filed earlier by them against the Reich.

Wherever, by the terms of the various global agreements between the successor organizations and the Laender, transfers were made in settlement of "Dritte Masse" claims, the German Federal Government undertook to refund to the Laender the sum of those payments.

The signing of the bulk settlement agreement of March 16, 1956 cleared the way for the German Federal Government to accept "Dritte Masse" claims from individuals. To that end, it enacted the Federal Restitution Law (Bundes-

rueckerstattungsgesetz - BRUEG), in 1956, which fixed a payments ceiling of DM 1,500,000,000. The agreement with the successor organizations provided that claims in excess of DM 75,000,000 should become payable only if total disbursements under the BRUEG fell below the ceiling of DM 1,500,000,000. That unknown figure gained the name "shadow quota" (Schattenquote) and was destined to play a significant role in future negotiations with the German Federal Government.

The following ratios were used in the distribution to the successor organizations, of the DM 75,000,000:

JRSO	51.17%	(DM 38,377,500)
JTC	42.28%	(DM 31,710,000)
JTC-French Branch	6.55%	(DM 4,912,500)

The chances for the receipt of additional payments, "shadow quotas", under the terms of the Reich Claims Settlement appeared remote at the time. But then events took an unexpected turn.

The bulk settlement of March 16, 1956 restricted the maximum commitment to the successor organizations by the German Federal Government to 10% of all payments going to individual claimants or their successors under the BRUEG. However, the successor organizations had limited their claims to the payment of DM 75,000,000 by the Federal Government and to DM 15,000,000 the JRSO had received from the Laender in the U.S. Zone under the terms of the various global agreements. Consequently, the Reich Claims Settlement provided that, after receipt of DM 75,000,000, the successor organizations waived the right to additional payments, if the overall sum of DM 1,500,000,000 under the BRUEG was insufficient to meet payments to individuals claimants or their successors in title. It was the purpose of the waiver to secure for individual claimants a greater share in the fund of DM 1,500,000,000. Only in the event individual claimants failed to absorb fully the DM 1,500,000,000, would the successor organizations be entitled to "shadow quota" payments.

In 1964, the German Parliament enacted an amended Federal Restitution Law (BRUEG) which enlarged the volume of payments, and expanded the scope of eligibility. Thereupon, the Federal Government lifted the ceiling of DM 1,500,000,000 and agreed to settle in full all adjudicated claims. Payments under the BRUEG soon ranged beyond the earlier ceiling by many millions of Deutsche Marks.

The new situation changed fundamentally the conditions under which the successor organizations had accepted the terms of the bulk settlement of March 16, 1956, most notably in respect to the signing of the waiver described above. But the German Federal Government refused to grant redress to the successor

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organizations. When negotiations for an amicable settlement broke down, the successor organizations invoked arbitration proceedings under the terms of Article 13 of the settlement of 1956. An Arbitration Board was formed, and after several hearings, it proposed a compromise which both parties accepted, with some modifications, on July 27, 1966. By its terms, the successor organizations received DM 43,120,000 and the Zentralrat der Juden in Deutschland DM 3,250,000. The sums were all payable in three installments, and the last fell due on February 1, 1968. The following ratios were used in the distribution of the DM 43,120,000 to the successor organizations:

JRSO	49.76%	(DM 21,456,512)
JTC	41.12%	(DM 17,730,944)
JTC-French Branch	9.12%	(DM 3,932,544)

The increase in the quota of the JTC-French Branch from 6.55% under the 1956 Agreement to 9.12% was met by corresponding decreases in the ratios of the other two successor organizations.

IV. Monetary Claims for Existing Securities and Bank Accounts

1) Individual confiscations

The JRSO claims for the restitution of identifiable securities and bank accounts in the U.S. Zone of Germany encountered no special difficulties. But in Berlin the position was different. The recovery of securities and bank accounts became the major component among the responsibilities shouldered by the Berlin office. The results were significant. In the Third Reich, confiscated Jewish properties were registered in the records of various institutions with a precision and orderliness that bordered on the grotesque, and enabled the JRSO to trace individual as well as mass acts of confiscation that were perpetrated under the Eleventh Decree pursuant to the Reich Citizenship Law. At this point, it is unnecessary to enter into any detailed description of the machinery installed by the Third Reich for dealing with individual or with mass confiscation orders. Suffice it to mention that the files of the Oberfinanzpraesidenten in the German provinces, the German Reichsbank and the Prussian State Bank (Seehandlung) were the main sources of information. Those files disclosed which securities were sold and hence could no longer be traced, so that they became monetary claims against the Reich under the terms of the settlement of March 16, 1955, and which bank accounts and securities remained on deposit on May 8, 1945. In the latter cases, the claims had to be filed under the Berlin Restitution Order (REAO), issued by the Berlin Kommandatura on July 26, 1949.

Special information on confiscations also came from the lists of Jews subject to mass deportations. In those instances, deportees were required to furnish the Oberfinanzpraesidenten with a detailed list of their properties, including bank accounts, securities, jewelry, household goods, and the like. Other information was gleaned from the lists submitted to the Oberfinanzpraesidenten by the debtors of Jewish creditors.

To collect and to analyze the wealth of information abounding in the offices of the Oberfinanzpraesidenten, which also were in charge of the deportation cards index, called for painstaking and laborious investigations on the part of the JRSO staff in Berlin. The difficulties of research were moderated when the so-called Sondervermoegensverwaltung (representative of the former Reich in restitution cases) in Berlin, acting on behalf of the Federal Finance Ministry, was equipped with a staff large enough to administer the files and to deal with the great volume of inquiries pouring in from individuals, successor organizations and government departments.

The German General Law on the Consequences of the War, Allgemeines Kriegsfolgen gesetz (AKG), dated November 1957, and the Validation of Securities Law (Wertpapierbereinigungsgesetz) of September 1949, set up cumbersome procedures aiming at revalidating securities and converting them into monetary values at the rate of DM 10 per RM 100 of their nominal value. To complete the task was the work of many years at the Berlin office. Special problems arose from the provisions of the AKG governing the conversion of Treasury bonds and of loans issued by the Reich, the Reich-Railways, the Reichspost and the former State of Prussia into a debt of the German Federal Republic. To safeguard their rights before the filing deadline of December 31, 1958, the successor organizations filed general or blanket claims, until they could validate the individual claims that qualified for restitution or conversion and could overcome other legal obstacles of a serious character.

Another significant legal obstacle was the refusal by the German authorities to recognize that former Reichbonds, confiscated from Jews and subsequently cancelled by the Reich Debts Administration (Reichsschuldenverwaltung), had to be treated in the validation and conversion proceedings as if they were still in existence. The validation of all claims was prepared in the course of the years 1959-1963. At first, the German authorities (Sondervermoegensverwaltung) refused to accept the filing of proceedings based on general claims, but the Supreme Restitution Court in Berlin (ORG) overruled the position and held the proceedings to be valid. In the years that followed, general claims of this character could be validated with the names of their former owners, their validation and conversion privileges, and then transformed into individual claims. Settlements were reached before the Berlin Restitution Courts at the rate of 30-40 cases at a stroke. The JRSO Berlin, acting for all the successor organizations, became the owner of a sizable portfolio of securities, the admin-

istration of which called for the collection of interest and of cash and stock dividends, and demanded a familiarity with investment policy and a wide range of financial skills.

2) *Mass confiscations (bulk settlements)*

a) *General Claim #7 (Reichsvereinigung)*

General Claim #7 ranked high among the general claims filed by the JRSO. They pertained to obligations of the Reich Debts Administration (Reichsschuldbuchforderungen) and comprised essentially securities, real estate and so-called Heimeinkaufs-accounts seized from the Reichsvereinigung der Juden in Deutschland. These accounts were created as a piece of Gestapo deceit. On the pretext that they would be admitted to homes for the aged in Theresienstadt, deportees were persuaded to transfer their securities, mortgages and bank accounts, by "Exchange Agreement," to the Reichsvereinigung, an agency created and controlled by the Nazi authorities. To the Reichsvereinigung, the Nazis transferred assets seized from the dissolved Jewish communities and charitable agencies and from individuals prior to their deportation to the concentration camp at Theresienstadt (Terezin). The balance sheet of the Reichsvereinigung alone disclosed securities valued at RM 67,000,000 and in the records of the Reich Debts Administration they were entered as a replacement for confiscated government securities.

In what degree was the JRSO able to identify this concentration of assets through the names of the former owners or their heirs? The investigations seeking to trace the origin of these assets faced exceptional difficulties. To begin with, the Federal Government objected that it would be called upon to pay two indemnities for the same asset. It maintained that assets in the Reichsvereinigung-accounts may not necessarily be heirless in fact, but may belong in part, at least, to individuals or their heirs to whom it owed liability under the Federal Restitution Law (BRUEG). Moreover, the Federal Government sought to prove that the obligations of the Reich Debts Administration were derived, in substantial part, from confiscations levied as taxes on emigration (Auswanderungsabgaben) for which it was liable under the Federal Indemnification Law (BEG).

The JRSO mustered its efforts to reach an amicable settlement with the German Federal Government. It was clear to all that attempts to identify each and every asset would stretch into the indefinite future. In consequence, the successor organizations and the German Federal Government and Land Berlin, reached agreement on General Claim #7 (mainly Reichsvereinigungs assets), on April 12, 1963. Land Berlin had entered the controversy via Berlin Kommandatura Directive #50 of 1949, which had granted jurisdiction over com-

mercial and organizational property first to a Berlin Commission and later to the City of Berlin itself. By agreement with the German Federal Government, the successor organizations received the sum of DM 7,000,000: the JRSO 50.85%, DM 3,559,500, the JTC 41.65%, DM 2,915,500, and the French Branch 7.5%, DM 525,000. The General Trust Corporation (Allgemeine Treuhand Organization (ATO) in Berlin, which was empowered to deal with the rights and interests of Nazi victims persecuted for reasons of race rather than religion, received DM 200,000 out of the DM 7,000,000 as its share in the agreement. The JRSO's share of this payment amounted to DM 101,700.

b) *Ministerial Accounts*

The Ministerial Accounts were held at the Prussian State Bank (Seehandlung) and were listed in the names of individual ministries. In these accounts, securities confiscated from Jewish owners, in Czechoslovakia and Austria predominantly, were deposited and exchanged into liabilities of the Reich Debts Register (Schuldbuchforderungen). Moreover, these accounts included securities seized as enforced payments of anti-Jewish levies and Jewish assets forfeited under the terms of the Eleventh Decree to the Reich Citizenship Law.

The JRSO in Berlin filed restitution claims for these accounts, on its own behalf and for the other successor organizations as well. Once again, it was called upon to verify the identities of former owners of deposits in the ministerial accounts, for otherwise the German Federal Government would have treated the DM 75,000,000 earmarked for transfer to the successor organizations under the Reich Claims Settlement, as satisfaction in full of all the latter's claims. In fact, the Federal Government contested the technical validity of those claims on the ground that the successor organizations were unable to identify the original owners of the assets, in every instance. The possibility of a double indemnity loomed large in the minds of the German Federal authorities.

On January 21, 1959, the Supreme Restitution Court in Berlin (ORG), found in favor of the successor organizations, holding they were entitled to claim heirless property if they could prove that the assets in question stemmed from spoiliations inflicted upon Nazi victims. The decision led to the opening of negotiations aimed at reaching an amicable settlement. First, the parties agreed to authorize the Official Trustee (Haupttreuhaender) of the Sondervermoegensverwaltung (representative of the former Reich in restitution cases) to sell the securities in the Ministerial Accounts at the Prussian State Bank. The sale yielded some DM 25,700,000, including interest. In May 1960, the Federal Government approved an advance payment of DM 12,000,000 to the successor organizations, and in a final agreement, dated October 11, 1960, the Federal Government undertook to pay DM 6,000,000 more. The Federal Government

retained the remaining DM 8,000,000, by consent of the successor organizations, so as to meet whatever claims individuals might subsequently file to securities held in the Ministerial Accounts.

In the payments of DM 18,000,000, 50.85%, DM 9,153,000, went to the JRSO, 41.65%, DM 7,497,000, to the JTC and 7.5%, DM 1,350,000, to the JTC-French Branch.

The agreement of October 11, 1960 imposed an obligation upon the successor organizations to indemnify the General Trust Corporation (ATO) for claims to heirless property that were traceable to Nazi victims who were persecuted on grounds of race rather than religion. Following prolonged negotiations, the ATO accepted in settlement the sum of DM 1,500,000 or 8.33% of the aggregate payments accruing to the successor organizations from the Ministerial Accounts. The JRSO share in these payments came to 50.85%, DM 877,500.

c) *Haupttreuhandstelle Ost Settlement (HTO)*

In September 1940, the Nazi Government issued the so-called Poland Decree, by which the Haupttreuhandstelle Ost (HTO) was authorized to confiscate the property of Polish citizens located within Greater Germany. These properties belonged to Jews or to persons of Jewish descent who were not of the Jewish faith, and to non-Jewish Polish nationals. Since the General Trust Corporation (ATO) bore the responsibility of protecting the interests of persecutees for reasons of race but not of religion, the JRSO had to enlist its cooperation.

JRSO Berlin, acting for all four successor organizations, filed claims for the restitution of securities and bank accounts administered for the HTO by two Berlin banks. From 1964 onward, the JRSO sought to reach a bulk settlement of these claims with the Federal Finance Ministry. Here again the German authorities were reluctant to proceed on the grounds of a possible double liability, under the BRUEG and the BEG as well, both covering the same assets. Thereupon, the JRSO proceeded to analyze about 600 HTO files to establish whether assets claimed by individuals were identical with securities or bank accounts held in the banks for the HTO. Three years of preparation by the JRSO preceded the submission to the German authorities of a thoroughly substantiated statement of account covering the securities claimed, together with a detailed analysis of the validation and conversion of the old shares into the new ones expressed in Deutsche Marks plus interest, along with dividends, and, wherever justified, compensation for the loss of old savings (*Altsparentschaedigung*). The JRSO established the value of the HTO assets at DM 5,145,000.

Following protracted negotiations, an agreement was reached with the Federal Finance Ministry, on July 22, 1969, for the settlement of all claims to the assets of the HTO in the sum of DM 4,000,000. Moreover, the successor

organizations were released from the responsibilities imposed upon them by the settlements of the General Claim #7, the Ministerial Accounts and individual claims (*Einzelfaelle*) which required them to indemnify the German authorities against the possibility of double compensation. For this purpose, it was provided that the Finance Ministry should withhold from the settlement of DM 4,000,000 the sum of DM 300,000 for a three-year span, and that the ATO should also receive the sum of DM 300,000 minus DM 100,000 that it owed the successor organizations from the settlement of the so-called "Dresdner Bank Accounts."*

These deductions reduced the net sum to DM 3,400,000. Of that amount, the JRSO received 49.76% (DM 1,691,840), the JTC 41.12% (DM 1,398,080), and the JTC-French Branch 9.12% (DM 310,080).

In August 1972, the Federal Finance Ministry remitted to the JRSO for account of all Jewish successor organizations the sum of DM 262,920, the unused balance of the DM 300,000 withheld by it in the settlement of 1969.

The JRSO has now been relieved of the obligation to indemnify the German authorities for individual claims for assets restituted to them under the terms of the various global settlements. After August 1972, the German authorities had to bear the responsibility for meeting any claims individuals may file subsequently that would expose the Finance Ministry to double liability.

V. *Compensation For The Loss Of Old Savings Accounts (Altsparentschaedigung)*

The German currency reform that entered into force on June 20, 1948 created severe hardships on persons who owned savings accounts, mortgages, government bonds of the Reich, debts registered in the Reich Debts Book (*Reichschuldverschreibungen*) and a variety of other accounts deposited with commercial and savings banks. Indeed, Reichsmarks were made convertible into the new Deutsche Marks in the ratio of RM 100 : DM 6.5 for savings accounts, in contrast with RM 100 : DM 10, in the case of other debts and mortgages. The Law for the Alleviation of Hardships Arising from the Currency Reform (*Gesetz zur Milderung der Währungsreform-Altsparengestz*) of July 1953, provided for compensation in some form for losses individuals had suffered from the effects of the currency reform.

By the terms of the 1953 law and its amendment of 1959, old savings, predominantly funds deposited in banks and savings institutions or invested in

* The claiming period for the three Jewish successor organizations under the Berlin Restitution Order had expired on December 31, 1950. The claiming period for the ATO expired in 1953. In the intervening period, the ATO filed a claim on behalf of all successor organizations for Jewish accounts seized at the Dresdner Bank which resulted in a favorable settlement. It was agreed that the value of Jewish assets in the settlement was DM 100,000.

bonds issued by the Reich and the German Laender, as well as debts registered in the Reich Debts Book, must have been in existence on January 1, 1940 in order to qualify for compensation. Moreover, claimants were required to be holders of the old savings on both January 1, 1940 and June 20, 1948. The Law granted 10% in compensation for investment losses arising from Reich debts, bonds and mortgages, and 13½% for savings account losses.

The 1953 law granted compensation to individuals but not to corporations for losses arising from the currency reform. The successor organizations were non-existent on January 1, 1940 and had to battle for recognition as old savers with respect to the various assets restituted to them. The argument they advanced that they had succeeded the original owners retroactive to the date of the original holdings (ex-tunc), and hence must be considered the holders of the assets on both January 1, 1940 and June 20, 1948, was accepted by the German Federal Equalization Authority (Bundesausgleichsamt) in Bad-Homburg.

The JRSO and the German authorities both agreed to settle compensation claims for old savings via global agreements. The first settlement was signed in August 1969 and covered mortgages, securities and bank accounts restituted to the JRSO in the U.S. Zone. The Federal Equalization Authority recognized JRSO claims amounting to DM 3,607,839, and produced compensation for the loss of old savings coming to DM 575,658, including 4% interest from January 1, 1953 to August 31, 1966. In June 1964, the Jewish Trust Corporation reached a settlement with the Federal Equalization Authority, in the sum of DM 184,000, for mortgages and securities restituted to the successor organization in the British Zone.

The compensation claims for securities confiscated and held by the Reichsbank and the Prussian State Bank in Berlin presented a more difficult problem. These claims were collected by the JRSO Berlin, acting on behalf of all the successor organizations. On claims for restituted mortgages and securities other than Reich bonds, a settlement of DM 580,013 was reached in 1966, of which 52.50% (DM 304,507) represented the JRSO's share. Compensation claims for Reich bonds had to be submitted to the Equalization Office (Ausgleichsamt) in Berlin-Wilmersdorf. In 1968, that office paid on account to the successor organizations the sum of DM 41,500 in cash, and DM 67,000 in Federal German Bonds.

With respect to the assets of the Reichsvereinigung, which were mainly in the form of securities, Directive #50 had awarded them to the successor organizations. It became a task of many years for the JRSO Berlin to probe the origin of those securities and to show that they qualified for compensation under the Law for the Loss of Old Savings. Moreover, that Law granted compensation to religious and welfare organizations only for claims concerning assets of their social funds. To establish which portions of the assets of the former Jewish Communities and of the charitable and welfare organizations were

earmarked for social service purposes and which for operating funds, construction funds and the like, proved immensely difficult. Finally, a special regulation to permit the successor organizations to file claims for old savings (only individuals were entitled to do so under the existing law), was issued on October 25, 1968.

The special regulation, dated December 9, 1968, opened the way to a compromise settlement of compensation claims for mortgages and securities other than Reich debts. The Federal Equalization Office recognized claims in the sum of RM 3,928,088, which produced compensation payments of DM 392,800 plus DM 251,392 (4% interest from January 1, 1953 to December 31, 1968) coming to DM 644,192, in all. The JRSO share amounted to DM 328,538.

Among the claims filed by the JRSO were also claims for restitution of securities confiscated from the Paris branch of the Rothschild family. The JRSO assigned the claim subsequently to the law firm that represented the Rothschilds. The successor organizations received a participation of 20% in the proceeds arising from the sale of the Rothschild securities as well as from the compensation stemming from the Law for the Loss of Old Savings. The latter claims were settled in part in January 1972: The share of the successor organizations came to DM 411,802, while the JRSO share amounted to DM 216,196. Additional claims for the loss of old savings are still pending.

Pending also are claims on Reich bonds and Reich debts submitted under the Law for the Loss of Old Savings to the Equalization Office in Berlin-Wilmersdorf. Claims that remain open on account of special problems pertaining to the evidence needed to qualify them for compensation, may yield DM 100,000 in all, estimates indicate.

VI. Levy On Mortgage Profits (Hypothekengewinnabgabe, HGA)

In 1952, the German Federal Government enacted the Equalization of Burdens Law (Lastenausgleichsgesetz, LAG) to alleviate financial losses suffered as an outcome of the war. Funds to finance the law were obtained in part by syphoning off profits that real estate owners had gained by clearing their properties of encumbrances following the currency conversion in 1948, when Reichsmark mortgages shrank to a mere one-tenth of their former value when expressed in Deutsche Marks. The LAG introduced a special levy on mortgage profits (Hypothekengewinnabgabe, HGA), to tax the inequitable enrichment of real estate owners who became beneficiaries of the currency conversion. The levy was computed on the basis of the encumbrances that had burdened the properties on June 21, 1948. The HGA levy amounted to nine-tenths of the value of the nominal mortgage on that date and represented an encumbrance on

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the property (Grundschild) held by the Federal Government and entered in the Land Registry.

Provisionally, the German authorities exempted the successor organizations from that portion of the HGA levy which fell due within the period of their ownership. On the other hand, the German authorities maintained that upon the sale of properties by the successor organizations, it fell to the lot of the buyers to pay the tax in the installments prescribed by law from the time they purchased the property.

The successor organizations immediately protested the taxation of properties that were restituted to them, whether still held in their hands or previously sold. The uncertainty of the legal position impelled the JRSO to introduce the following procedures:

1. For buyers who wished to acquire property free of encumbrance, the JRSO paid the HGA with the right to claim a refund, should it become clear that the successor organizations were not liable for payment of the tax.
2. For buyers who acquired property encumbered by the levy on mortgage profits, the purchase price was reduced in relation to the possible tax liability that might arise during their ownership.
3. The purchaser undertook to repay to the JRSO a reduced purchase price in the event payment of the levy became unnecessary.

Many years were required to clarify the legal position. The Jewish Trust Corporation had filed a test case in the Finance Court at Cologne which was won in October 1960. The suit was grounded on the argument that heirless Jewish properties were exempt from special taxation under the Contractual Agreement concluded between the German Federal Government and the Allied Occupation Powers (Ueberleitungsvertrag), Article 5, Section III, and hence, the special levy could not be imposed on properties restituted to the successor organizations. The German Finance Ministry appealed the decision to the Federal Finance Court. On January 18, 1963, the Court held the successor organizations to be exempt from the payment of the Levy of Mortgage Profits.

Accordingly, the JRSO proceeded to claim a refund of the taxes it had already paid, or set out to recover from buyers of its properties the sums by which purchase prices were reduced in relation to the contingent tax liability. The task was a wide-ranging one that has yet to reach completion to date, because many buyers were granted the right of repayment by installments.

In Berlin, a special situation arose in the case of properties transferred to the City under the Global Settlement concluded in December 1955. The properties transferred to the City of Berlin by the JRSO were all exempted finally from the HGA. Hence the City of Berlin was called upon to indemnify the JRSO for the considerable savings from the reduction in the purchase price that arose under the terms of the Global Agreement. A solution was reached, in August 1964, in the form of a bulk settlement agreement calling for the payment of DM 800,000

to the JRSO on behalf of the three successor organizations. The JRSO share came to DM 471,680, the JTC received DM 292,720 and the JTC-French Branch DM 35,600. Moreover, through the year 1972, the JRSO received refunds in the former U.S. Zone and in Berlin for properties it had not transferred to the City in the sum of DM 725,460, in all.

VII. Restitution Of Former Jewish Communal Property

In 1933, 600,000 Jews lived in Germany. By the close of World War II, the number had all but reached the vanishing point. A mere 10,000 - 12,000 Jews remained in the U.S. Zone and in Berlin. The majority were survivors of concentration camps and many were east European in origin. They chose to remain in Germany for reasons of illness or of age predominantly. They reestablished Jewish communities in a number of cities and towns in post-war Germany, and most were small and weak. In the U.S. Zone, Frankfurt and Munich were the largest, while Berlin with its 7,000 Jews was the most important.

In keeping with Military Government Law #59, the property of all Jewish communities and organizations which were dissolved in the Nazi era under the Tenth Decree to the Reichsbürgergesetz, was entrusted to the JRSO for distribution. From the very inception, the JRSO proceeded to aid the new communities in rebuilding Jewish communal life. Over the years, the JRSO transferred to them pieces of property for the establishment of new synagogues, old-age homes or new community centers. However, the new Jewish communities protested. They refused to accept the fact that the JRSO, like the successor organizations in the British and French Zones of Germany, would have a decisive voice on the distribution and utilization of the former communal or organizational property. The JRSO supported by the Allied authorities was unable to accept the claim that the newly formed Jewish communities were identical with their predecessors and hence entitled to receive the communal properties of the latter, in their entirety.

The impasse led to a series of vexatious law suits, and the case of the Augsburg community, with a membership of under 50, became notable. The new community laid claim to restituted property, in the value of DM 800,000, that had once belonged to the old community, the membership of which had ranged beyond 1,000. Ultimately, the U.S. Court of Restitution Appeals rejected the claim. In that instance, and subsequently in similar ones, the JRSO view prevailed that the wide-ranging disparities between the new membership and the old should not be lost to view. Moreover, the JRSO owed a responsibility not merely to the small number of Jews who now resided in Germany, but also to the greater numbers who had migrated to other countries and rated consideration, in their vast majority, as beneficiaries of JRSO funds. The decision of

the U.S. Court of Restitution impelled most of the communities to reach agreements with the JRSO for the division of communal properties. All told, the JRSO transferred to the communities property valued at DM 3,500,000 (\$833,350 at the exchange rate prevailing at that date) and retained communal properties valued at some DM 5,000,000 (\$1,190,500).

VIII. Indemnification Claims For Destroyed Synagogues, Communal and Organizational Property, and Cultural Objects

1) Berlin

In Berlin, by way of contrast, the recovery and the division of former communal properties proceeded with less friction. It should be noted, however, that only rubble and ruins were available for restitution in Berlin, in light of the utter destruction of synagogues and community center buildings that occurred on the Kristallnacht, November 10, 1938. Hence the JRSO claims for compensation against Land Berlin pertained to damage to property inflicted by the Nazi regime. Negotiations with the Berlin Senate on the size of the compensation, and simultaneously with the Jewish community on the division of it, encountered numerous hurdles. Finally, on March 3, 1955, Land Berlin agreed to pay DM 10,300,000, before deducting DM 700,000 previously advanced to the Jewish community (DM 9,600,000 net). Of that sum, the Jewish community received DM 3,000,000, and the successor organizations DM 6,600,000. At the same time, Land Berlin waived its claims for the refund of advances made to the new Jewish community in the sums of DM 1,452,000 and RM 1,792,174.81. Of the DM 6,600,000, the JRSO received DM 1,507,144, the JTC DM 4,000,000, and the JTC-French Branch DM 1,092,856.

In May 1960, the successor organizations approved a supplementary payment of DM 550,000 to the Berlin Jewish Community, in settlement of indemnification claims for the destruction of communal property. The shares of the JRSO in this payment came to DM 134,500, of the JTC to DM 393,000, and of the JTC-French Branch to DM 22,500. The supplementary payment placed the Berlin Jewish Community on an equal footing with those in the Western Zones, which had received 50% in settlement of claims for communal properties that suffered destruction or damage.

2) U.S. Zone

On its claims for damage to communal properties in the U.S. Zone, the JRSO had attempted for years to reach agreements with the Laender and with the Jewish communities, in an effort to provide funds for future needs of the reconstituted Jewish communities. The JRSO and the Jewish communities

agreed that the share that would accrue to the Jewish communities from the global settlement with the Laender should not be instantly distributed. Instead, a trust fund should be established under the provisions of German Law (registered association) to be used for the communal and welfare needs of the Jewish communities in the U.S. Zone. These communities were united in Federations (Landesverbaende) in their respective Laender: Bavaria, Hesse, Baden-Wuerttemberg and Bremen. Eventually, the Federations became members of the Trust Fund, together with the Zentralrat der Juden in Deutschland (Central Board of Jews in Germany). The Zentralrat acted as a moderator in the negotiations between the JRSO and the Landesverbaende. It also aided in reconciling conflicting claims among the parties and conflicted opinions among the Landesverbaende.

The Federal Indemnification Law (BEG) that was enacted in 1953 authorized the successor organizations to claim compensation for damage to synagogues and other communal properties. The preparation of these claims called for painstaking research on the blueprints of destroyed buildings - their plans, measurements, furnishings and equipment. Eyewitness accounts given by survivors or by non-Jews proved of value in the preparation of global settlements with the Laender.

In 1956, an amended BEG was enacted and it exerted a wide-ranging effect on the preparatory work the JRSO was called upon to perform. The right to compensation on the part of the successor organizations was limited to a maximum of DM 75,000 per object for destruction or damage. The new Jewish communities, however, were empowered to submit indemnification claims in their own right for payments in excess of DM 75,000, upon proof that the damage suffered exceeded the ceiling of DM 75,000 and it was required for their communal purposes. This provision for payment of the "surplus" (the so-called Ueberhang) of Section 148-3 of the BEG, called for a new calculation of the JRSO claims. Simultaneously, it stirred new conflicts with the Landesverbaende which were authorized to file compensation claims concurrently with the JRSO.

In December 1957, the JRSO, the Landesverbaende and the Zentralrat reached a final agreement. It provided that the proceeds of claims for the destruction of synagogues and other cultural, communal and organizational properties should be shared equally by the JRSO and the Jewish communities in the former U.S. Zone. The share of the latter was reduced by whatever payments the JRSO had already made to communities with whom it had reached settlement in earlier years. The rest was earmarked for payment to a Trust Fund (Treuhandverein) that would cope with requests for meeting the needs of the Jewish communities in the former U.S. Zone. The membership of the Trust Fund included three JRSO representatives. The agreement also stated

that the Trust Fund would have at its disposal no less than DM 4,000,000, of which the JRSO was to provide an advance payment of DM 1,000,000. Moreover, the JRSO agreed to pay DM 500,000 out of the proceeds of the Reich Claims Settlement with the German Federal Government. Of that sum, DM 75,000 was earmarked for the Zentralrat der Juden in Deutschland. And finally, the Jewish communities in the former U.S. Zone agreed to shoulder responsibility for the maintenance of cemeteries that remained in active use. Inactive cemeteries were to be transferred to the Landesverband of jurisdiction, which would bear responsibility for maintenance.

This Trust Fund, the Juedischer Treuhandfonds Sueddeutschland, was established in 1960. It paved the way for implementing the Overall Agreement, and for reaching settlements with the Laender of Bavaria and Hesse.

The settlement with Land Bavaria, dated October 24, 1960, recognized claims amounting to DM 38,000,000. Of that sum, DM 26,000,000 was payable to the JRSO, and DM 12,000,000 as "Ueberhang" to the Trust Fund, the Landesverband, and to various Jewish communities in Bavaria. The DM 26,000,000 was to be divided in equal shares between the JRSO and the Jewish communities in Bavaria.

The settlement with Land Hesse, dated November 29, 1961, recognized claims amounting to DM 62,153,873. Of that sum, DM 29,695,000 was payable to the JRSO, DM 13,824,000 to the Trust Fund, and DM 18,634,873 to the Landesverband, and to various Jewish communities in Hesse, notably Frankfurt/Main, which had ranked among the wealthiest in pre-Nazi Germany. Claims reaching DM 13,153,376 were recognized as "Ueberhang."

In the case of Land Baden-Wuerttemberg, the JRSO had already settled its claims for damage to synagogues, cemeteries and other communal or organizational properties on November 6, 1951. A settlement payment to the JRSO, in the sum of DM 10,000,000, included DM 1,500,000 for the assignment of pending restitution claims and the sale of restituted, but unsold property. In 1956, the Israelitische Kultusvereinigung Wuerttemberg-Hohenzollern (for Land Wuerttemberg) and the Oberrat der Israeliten Badens (for Land Baden), the central Jewish communal organizations, demanded payment of the JRSO of one-half the sum of the DM 1,500,000 which Land Baden-Wuerttemberg had undertaken to pay in discharge of all indemnification claims for the destruction or damage of synagogues, cemeteries, and other real property. Protracted negotiations produced an agreement in August 1957, whereby the JRSO paid DM 284,179 to the Israelitische Kultusvereinigung Wuerttemberg-Hohenzollern and DM 283,983 to the Oberrat der Israeliten Badens.

In Land Bremen, the smallest land in the U.S. Zone, the JRSO, in March 1955, had filed claims for damage to communal and organizational property of the Jewish communities in Bremen and Bremerhaven. In September 1959, the JRSO assigned these claims to the Jewish Community of Land Bremen, against

payment of DM 100,000, and the latter settled them directly with the Government of Land Bremen. On December 1, 1959, the Bremen Senate paid DM 1,500,000 for the construction of a new synagogue and a home for the aged.

3) *British and French Zones*

In the British Zone, the Jewish Trust Corporation and the Laender Governments reached the global settlements outlined below, that covered indemnification claims for damage to synagogues and for the destruction of communal and organizational properties.

1. Land Hamburg, DM 5,000,000. The JTC received DM 2,400,000, which it shared with the Jewish Communal Fund for North-West Germany, and DM 2,600,000, as "Ueberhang" went to the Jewish Community of Hamburg.

2. Lower Saxony, DM 9,450,000. The JTC received DM 5,700,000 which it shared with the Jewish Communal Fund, and DM 3,750,000 went to the Jewish communities of Lower Saxony.

3. North-Rhine Westphalia, DM 21,000,000, to be shared with the Jewish Communal Fund.

4. Schleswig-Holstein, DM 1,133,047. The JTC received DM 600,071 which it shared with the Jewish Communal Fund, and DM 532,976 as "Ueberhang" went to the Jewish Communal Fund, in trust for the Jewish communities of Schleswig-Holstein.

In the French Zone, the JTC-French Branch and the Laender Governments reached the global settlements outlined below that covered indemnification claims for damage to synagogues and for the destruction of communal and organizational properties.

1. Mainz, DM 1,740,950.

2. Worms, DM 435,000.

3. Trier, DM 1,080,000.

4. South Baden, DM 2,400,000.

5. Bad Kreuznach, DM 750,000.

6. South Wuerttemberg and Hohenzollern, DM 1,250,000.

7. Koblenz, DM 3,350,000.

4) *B'nai B'rith*

Among the organizations that considered themselves to be successors in interest of communal organizations dissolved under the Tenth Decree to the Reichsbuergergesetz (Reich Citizenship Law), was the Supreme Lodge of the Order of B'nai B'rith, Washington, D.C. The B'nai B'rith asserted a claim to the restitution of properties seized by the Nazi regime from its Lodges in the former U.S. and British Zones. The B'nai B'rith maintained that their claims for

restitution took precedence over those filed by the JRSO for the properties of its former Lodges.

The B'nai B'rith asserted its claim on the ground that its former Lodges in Germany had held their assets as trustees of the Order. When the Lodges were dissolved by Nazi administrative action, their assets passed automatically to the Supreme Lodge in Washington, D.C. The JRSO and the JTC rejected the argument, on the ground that several court decisions had held that the Lodges in Germany were formed as separate legal bodies. Hence, the successor organizations maintained, they alone must be considered the sole legitimate claimants, while the claim of the Supreme Lodge to act as the legal successor of the former Lodges in Germany lacked foundation in law.

The JRSO expressed the wish to facilitate the recovery of the properties in question, but without yielding ground on the legal aspects. Finally, agreement was reached on March 30, 1951, whereby the JRSO agreed to assign to the Supreme Lodge all of its claims to former Lodge properties in Germany, while the Supreme Lodge agreed to use all the assets recovered under the terms of the Agreement for the relief, rehabilitation and resettlement of Jewish victims of Nazi persecution, and predominantly for those in Israel. Thereafter, the JRSO segregated in a separate trust account, for the benefit of the Supreme Lodge, the income and assets that accrued from those properties. In its turn, the JRSO was compensated for the expenditures it had incurred in those cases.

Net recoveries in the former U.S. Zone that were credited to the B'nai B'rith ranged beyond DM 450,000. The greater part went into the purchase and maintenance of a unit in the Hillel Foundation of the B'nai B'rith in Israel.

IX. Pensions For Former Community Officials

Former Jewish community officials in Germany, among them rabbis, teachers, cantors, librarians, social workers, or their widows, who would have been eligible for pensions had the Nazis not destroyed their communities, petitioned the JRSO to set aside a portion of its assets to meet those pension claims. The petitions were grounded on the argument that the JRSO, as the successor to the former Jewish communities in Germany, was liable for the pension obligations. The JRSO maintained that whatever obligations the former communities might have had to these pensioners, the obligations did not accrue to it as the successor organization.

At the same time, in light of the importance and the pressing urgency of these pension claims, the JRSO referred claimants to indemnification legislation in Germany that was scheduled for enactment. The JRSO joined hands with the Conference on Jewish Material Claims Against Germany (Claims Conference) to devise procedures with the German Federal Government for the payment of

pension claims of officials and employees of the former Jewish communities in Germany. In fact, by Protocol #1, signed on September 10, 1952, between the German Federal Republic and the Claims Conference, the former undertook to pay compensation to persons who had suffered losses as officials or employees of Jewish communities or of public institutions within the territories of the German Reich as of December 31, 1937. On April 9, 1953, the Federal Interior Ministry issued guidelines for the implementation of that obligation. To set the program in motion with the greatest possible speed, a fund was created for the making of pension payments, and the Claims Conference was authorized to appoint a Pensions Advisory Board. Acting in a strictly advisory capacity, the Board weighed the claims submitted and presented its views of them to the German authorities. Over the years, the Pensions Advisory Board has evaluated over 3,500 claims, and pension payments to beneficiaries exceeded \$23,000,000, all told.

X. Maintenance Of Abandoned Jewish Cemeteries

By the close of World War II, some 1,700 abandoned Jewish cemeteries in the Western Zones of Germany were in disrepair and without care. All were confiscated by the Reich, and had been vandalized in the absence of the former owners, the Jewish communities. The Military Governments in Germany enforced the restoration of the desecrated burial grounds, but the care of them lay beyond the capabilities of the newly formed Jewish communities scattered throughout the Western Zones.

The three successor organizations and the Jewish communities formed a committee to negotiate with the German Federal Government on the matter. In 1953, a settlement was reached whereby the latter agreed to pay DM 200,000 for the restoration of cemeteries which had gone without maintenance after 1945. Subsequently, on Rosh Hashanah Eve, 5717 (1956), the German Federal Government and the Laender agreed to provide care and maintenance. In June 1957, a Protocol agreement was signed between the Federal and the Laender Governments on the one hand and the three successor organizations, the Landesverbaende and the Zentralrat der Juden in Deutschland on the other. The Protocol called for the grant of permanent care to abandoned Jewish cemeteries in the German Federal Republic, upkeep in harmony with the surrounding landscape, maintenance of a surrounding wall equipped with a gate and lock, and grass cutting at regular intervals. The care of individual graves and tombstones was left to the next of kin. The agreement did not cover West Berlin since no Jewish cemeteries were located in that city.

On February 20, 1958, implementation of the Protocol was assured by an agreement between the German Federal Government and the Laender to share

equally in the costs of upkeep, which would reach DM 0.25 per square meter, estimates indicated.

Under the overall agreement between the JRSO, the Landesverband, and the Jewish communities in the U.S. Zone, title to abandoned cemeteries was transferred to the particular Landesverband charged with jurisdiction. Where maintenance costs ranged beyond those shouldered by the Federal and Laender Governments, the excess was to be covered by a special fund that the Treuhandfonds in the U.S. Zone were scheduled to establish.

Open cemeteries, those in active use as burial grounds, are currently under maintenance by the Jewish communities in the territories in question.

XI. The Legal Aid Department

U.S. Military Government Law #59, promulgated in 1947, authorized former owners and their heirs to claim the restitution of identifiable property. Similar laws were enacted for the British Zone in 1949, for the French Zone in 1952, and for the three western sectors of Berlin in 1949.

The restitution laws were very complex. Private claimants needed the aid of lawyers, but many lacked the means to pay for the cost of their services. The need strengthened the notion of forming a legal aid society, composed of former German lawyers, in the main, who were ready to represent private claimants scattered the world over, and led to the founding of the United Restitution Organization (U.R.O.) in 1948. It was formed in London as an English company and opened offices in Israel, the U.S., France, Great Britain, in the British and French Zones of Germany and in the corresponding sectors of Berlin. But in the U.S. Zone and in the U.S. Sector of Berlin, it ran into difficulties. The U.S. Military Government was unwilling to authorize an unknown legal aid society to submit the claims of clients based on M.G. Law #59, the Berlin Restitution Law of July 1949, and the General Claims Law for the U.S. Zone of August 1949. The U.S. Military Government, in ignorance of the notable caliber of the personalities who supported the URO, voiced the fear that claimants of small means might fall into the hands of irresponsible persons who would hold back for their own pockets a great share of the sums recovered. The U.S. authorities believed that the JRSO was in a position to carry out the legal aid program singlehanded. Accordingly, the JRSO opened Legal Aid Departments, by the end of 1948, to collaborate with the URO in providing claimants of small means with services they needed. Such departments were opened in Nuremberg, Frankfurt, Munich and Berlin. Although subject to administrative supervision by the JRSO, those departments functioned autonomously, acting more as branch offices of the URO than as departments of the JRSO. Great stress was laid upon avoiding conflicts of interest between the claims handled by the Legal Aid Departments and those of the JRSO itself.

XII. Board Of Equity Procedures And Equity Hardship Fund

In all, the JRSO paid individual claimants of properties that the organization had already recovered a sum bordering on DM 12,500,000. Predominantly, the claimants were heirs to properties who had forfeited their legal rights to restitution by the failure to file their claims by December 31, 1948, the filing deadline set forth in M.G. Law #59.

The JRSO had withdrawn its claims to private properties wherever former owners or their heirs had submitted claims before the filing deadline had expired. But now, claimants who had failed to submit timely claims, challenged the validity of the JRSO claims to the properties in question, and demanded the transfer to them of the claims or the proceeds. Their protests were never weakened by any realization that the swift action taken by the JRSO had made recoveries possible to begin with, and hence that the JRSO alone was legally entitled to the proceeds. By April 1950, some 300 persons had petitioned the JRSO for the assignment of such claims or the proceeds of them, and appearances suggested that these petitions were but the first forerunners of many.

The moral predicament underlying the JRSO position was clear: should it proceed with the recovery of properties to which it was legally entitled or should it reduce the funds available for the relief and rehabilitation of Nazi victims by accepting the claims of heirs who retained at least equitable rights? It also was true that negligence in meeting the filing deadline was not the only ground for the forfeiture of claims. In many instances, claimants had never learned of the existence of the filing deadline or of the existence of the very property they were now claiming, or they were informed, incorrectly, that the filing of a claim was unnecessary to protect their rights. The need for an equitable procedure to handle the petitions of claimants impressed itself upon all.

Accordingly, the JRSO obtained amendments and special licenses under the terms of M.G. Law #59, so as to legalize the assignment of its rights to late claimants in equity cases. An Equity Board was created to deal with these claims and they swiftly gained the label "equity claims." The JRSO, by public announcements, invited late claimants to submit petitions to it before December 31, 1950, and expressed its readiness to assign its legal rights to all heirs, however remote the relationship, who could prove their rights to the title, subject to a service charge to be paid by them. The service charge varied in size in keeping with the value of the property and the claimant's relationship to the original owner. In hardship cases, only a nominal service charge was levied.

Some 2,500 equity claims were submitted by December 31, 1950, the expiration date of the filing deadline, and considerably more came in afterwards. A second filing deadline was publicly announced for December 31, 1951, and it

called for a slightly higher service charge for late petitioners. A third one was dated December 31, 1952, more than five years beyond the enactment of M.G. Law #59. By the end of July 1955, over 4,800 equity claims were submitted to the JRSO.

The same pattern was followed in the British Zone at the Jewish Trust Corporation and at its branch for the French Zone. Finally, the three successor organizations agreed that the equity procedures should be closed by December 31, 1955, and that claims should not be accepted thereafter. Payments on these equity claims reached nearly DM 12,500,000. At the same time, to deal with the claims of needy persons who might file at a still later date, a trust fund, the Equity Hardship Fund, was created in London in July 1956.

The three successor organizations endowed the Fund with a capital of DM 2,000,000 and with a management expense account of DM 250,000. The contributions ranged as follows:

	Trust Fund	Management Expenses
JRSO	DM 925,000	DM 115,625
JTC	DM 925,000	DM 115,625
JTC-French Branch	DM 150,000	DM 18,750

The filing deadline for the Equity Hardship Fund expired on June 30, 1957, but the successor organizations agreed to transfer to it all claims that had reached them after January 1, 1956. The Fund stated in its by-laws that only the original owner or his heirs who qualified as near relatives, and who were in need, were eligible to file claims. Claims adjudicated by the Fund were paid at a reduced rate - 70% of the award or DM 50,000, whichever was less.

Once again, claimants in considerable numbers filed petitions after June 30, 1957, and once again, the successor organizations extended the deadline, this time to December 31, 1958. It is notable that the latter date fell a full ten years after the original deadline fixed by M.G. Law #59. In all, 490 cases were adjudicated and payments reached some DM 1,250,000. The surplus was repaid to the successor organizations in keeping with the size of their share in the original capital. The JRSO share came to 46.25% (DM 235,000).

XIII. The Recovery Of Cultural Property

In its claims to heirless property, the JRSO did not restrict itself to the recovery of real estate, bank accounts, securities and the like. From the inception, its Cultural Property Division sought to trace and to recover Jewish cultural, artistic and religious objects the Nazis had plundered within Germany, or had transported to German territory from occupied eastern countries. The

U.S. Military Government had taken custody of these objects and had listed them specifically in inventories.

In 1947, the Jewish Cultural Reconstruction Corporation (JCR) was established by Jewish scholars and Jewish cultural organizations, and linked to the JRSO for tracing, restituting and allocating Jewish books and ceremonial objects that the Nazis had plundered. The JCR came to act as a virtual arm of the JRSO for the recovery of such objects. In February 1949, it won official recognition as the trustee of all cultural Jewish objects that were stored at the Offenbach depot in Germany. Over 10,000 ceremonial objects were recovered and distributed to synagogues and museums in Israel, Western Europe, South Africa and the United States. Many cases of objects containing, in all, over 1,000 Torah scrolls that were burnt, torn, or reduced to fragments, were shipped to the JDC offices in Paris for examination and repair at the hands of scribes, and for subsequent distribution in Israel and Europe. Some scrolls were 200 years old and more. Over 250,000 books, pamphlets and other writings were also distributed in Israel, Western Europe and the United States. Entire libraries and collections, e.g. the Hermann Cohen Library, were transferred in toto to the Hebrew University in Jerusalem. Other volumes, over 2,500 in all, many of them rare and centuries old, went to the Jewish Theological Seminary, the Institute of Jewish Religion and the Yiddish Scientific Institute (YIVO), all in New York.

Scarcely a major Jewish community in the world failed to benefit from the redistribution of these treasures. A substantial share went to Jewish communities in Western Europe and aided in their struggle for cultural and spiritual reconstruction. Similarly, the Hebrew University Library, and the Bezalel Museum in Jerusalem, along with other libraries, yeshivot and religious institutions in Israel, received allotments in cooperation with the Israeli Ministry for Religious Affairs. In making the distributions, an advisory committee of leading Jewish librarians, art curators and other experts assisted the JCR. In cases where the original Jewish owners could be traced, recovered objects were returned to them.

In addition to Jewish cultural and religious objects, the JCR acting as an agent of the JRSO probed for art objects that were secular in character, notably paintings from Jewish museums or Jewish private homes that the Nazis had seized. In greatest part, these objects were cached near Munich, in the U.S. Zone. In February 1949, the Munich Collecting Point of the U.S. Military Government transferred to the JRSO eleven crates containing nearly 700 art objects. These were shipped to New York, in November 1949, and were transferred to the storage rooms of the Jewish Museum in that city for examination and appraisal by experts and art dealers. Thirty-five old paintings that had undergone restoration were shipped to the Bezalel Museum in Israel, as representative examples.

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The remaining objects, among them some 100 paintings, 150 drawings and prints, 200 miniatures, a number of carved angels in wood, and a large figure of St. Ambrosius valued at some \$4,500, were offered at public sale. The existence of the collection was publicly advertised so as to enable individual owners or their heirs to come forward. As a result, several paintings were claimed at this point and were withdrawn from the sale. In a few instances, paintings were repurchased from art dealers at a later point.

In 1952, the JRSO uncovered a collection of nearly 400 pictures in the Office of the Administration of Properties of the City of Berlin that originally were plundered by the Nazis from the Reichsvereinigung der Juden in Deutschland. Most of the paintings had been the property of the Berlin Jewish Museum. The distribution of this collection was agreed upon as follows, after discussions held with the JTC and the JTC-French Branch: fifteen paintings to the Jewish Museum of the Hebrew Union College at Cincinnati, Ohio; five paintings to the United Kingdom, for display in London primarily, at homes for the aged for refugees from Central Europe; three or four paintings were earmarked for the same purpose to the JTC, French Branch. The rest were scheduled to go to the Bezalel Museum, Jerusalem, with the proviso that 25-30 paintings should be hung in homes for the aged conducted by the Irgun Olej Merkaz Europa, the Israel branch of the Council of Jews from Germany. Paintings were also returned to individual claimants or their heirs who were able to prove previous ownership.

XIV. Heirless Property In The United States (U.S. Public Law #626)

When World War II began, title to assets in the United States belonging to enemy countries and their nationals, was vested in the Alien Property Custodian, pursuant to Executive Order #9095 of March 11, 1942. German owned assets, running to some \$541,000,000 in value, were subsequently seized. The Trading with the Enemy Act provided that after the war ended, those properties should be disposed of "as Congress shall direct."

The JRSO as the American successor organization for heirless and unclaimed property of Jewish victims of Nazi persecution sought recognition of its role by the Office of Alien Property. After many years of intensive efforts with the executive and legislative branches President Eisenhower designated, on January 13, 1955, the JRSO as the successor organization, under U.S. Public Law #626. As the successor in interest, it was authorized to receive unclaimed properties of deceased persons that were seized in 1942, under the terms of an Executive

Order issued under the Trading with the Enemy Act, having a ceiling of \$3,000,000.

Under the Executive Order, the JRSO filed claims at the Office of Alien Property (OAP), although in many instances it lacked specific information in support of those claims. The JRSO probed for information in the records of the OAP. In every instance, the JRSO had to establish whether an individual claim was filed and, if not, to submit evidence that the former owner had been a Nazi victim. The task was tremendous in scope, stretching over a span of ten years, and was beset with many difficulties. After thousands of claims were filed at the OAP, it became clear to all that a bulk settlement and not an adjudication on a case-by-case basis was in the mutual interest of all parties. The U.S. Government would otherwise be confronted with enormous administrative costs in proportion to the size of the claims.

In 1960, Senator Keating, together with Senators Javits and Kefauver, introduced in the 86th Congress an Amendment to Section 32(h) of the Trading with the Enemy Act that called for a bulk settlement in the amount of \$500,000 of all the claims submitted by the JRSO. Payments were to stem from the fund set aside for unclaimed properties of deceased persons. The House of Representatives passed the bill, while the Senate Judiciary Committee reported it favorably to the Senate. Unhappily, the Senate adjourned before the measure could reach the floor. In the next Congress, Senator Keating offered an identical bill, co-sponsored this time by Senators Hart of Michigan and Scott of Pennsylvania. The bill, Public Law 87-846, passed both houses and was enacted on October 22, 1962.

On February 26, 1963, President Kennedy issued Executive Order 11,086 that amended the Executive Order President Eisenhower had issued in 1955. It invited the filing of applications for the designation of successor in interest, and also delegated to the Foreign Claims Settlement Commission all the powers conferred upon the President by Section 32(h) of the Trading with the Enemy Act as amended by Public Law 87-846. The JRSO was then designated as the sole successor organization, and on June 18, 1963, it requested the Foreign Claims Settlement Commission in Washington, D.C. for the full payment of \$500,000. The JRSO certified that the entire sum would be used in the United States for the rehabilitation and resettlement of persons in need who had suffered the loss of liberty at Nazi hands. No portion of the funds were to be used for the payment of legal fees, salaries, or other administrative expenses connected with the filing of claims or the recovery of property under Section 32 of the Trading with the Enemy Act. The JRSO agreed to submit a full report on the use of the funds to the President of the Foreign Claims Settlement Commission.

On June 28, 1963, the Foreign Claims Settlement Commission awarded the

\$500,000 to the JRSO. To put the funds to the most effective use, the JRSO granted the first priorities to organizations that aided the handicapped and the aged and the economic rehabilitation of the young.

The funds were allocated as follows:

Agudath Israel World Organization, New York \$50,000

To aid in establishing a housing project in New York City for aged Nazi victims. The Agudath-Israel shouldered responsibility for completing the project and maintaining it.

Catholic Relief Service - National Catholic Welfare Conference, New York \$50,000

To provide handicapped Nazi victims in need with one-time rehabilitation grants ranging in size up to \$1,500 per family

Nehemiah Robinson Memorial Scholarship Fund \$100,000

To establish a scholarship fund in memory of Dr. Nehemiah Robinson, administered by the United Help, Inc. in New York. Nazi victims who had completed their secondary education were eligible to apply for scholarships providing vocational and professional training. The JRSO did not seek to administer the program separately, since the United Help has conducted a scholarship program of its own for a number of years.

United Hias Service, New York \$100,000

To resettle problem families in communities outside of New York City, with the aid of one-time integration grants, in cooperation with the local Jewish resettlement agencies. These agencies had to shoulder responsibility for providing beneficiaries with continuing care. Individual grants ranged in size up to \$1,500 per family.

United Help, Inc., New York \$200,000

To aid in establishing a housing project for Nazi victims in the vicinity of New York City (Flushing). The United Help was required to provide the funds needed to complete the project and to maintain it.

XV. Allocations

From its early beginnings, the JRSO channelled the funds that arose from the restitution of heirless property to the aid of Nazi victims in need. Beneficiaries were many, but the funds were limited. Allocations were granted virtually from the start because JRSO administrative costs were low in the first seven years of its existence. Office space at JRSO headquarters in Nuernberg, and at its eleven regional offices were provided by the U.S. Army. Salaries for the large staff, which numbered 330 persons at the peak, were met out of occupation costs

advanced by the U.S. Military Government. Subsequently, the advance of occupation costs was cancelled by the U.S. High Commissioner.

The question arose whether the JRSO should conduct a program of relief, rehabilitation and reconstruction with an apparatus of its own or should channel welfare funds via organizations with experience in conducting aid programs for Nazi victims in need. From the outset, all hands agreed that the two major constituent bodies of the JRSO—the Jewish Agency for Israel and the JDC—should conduct the relief activities of the JRSO as its operating agents.

Jewish Agency for Israel (JAFI)

Up to December 31, 1972, JRSO grants to the Jewish Agency amounted to DM 114,044,273, in all. The Jewish Agency used the first DM 13,000,000 in JRSO funds for the purchase of pre-fabricated homes for new immigrants in the Ma'abaroah, the transit camps. Additional funds went for the purchase of agricultural machinery, construction equipment, tools, irrigation pipes and other materials for the use of new settlements inhabited by Nazi victims. In the past fifteen years, JRSO funds aided the Jewish Agency in meeting its responsibilities in the fields of immigration and absorption, agricultural settlements and youth aliyah. In immigration and absorption, aid to new immigrants consisted predominantly in providing housing, health services, and education in Ulpanim and in institutions of higher learning. In the field of agricultural settlements, JRSO funds were channelled to existing settlements as well as to new ones, and also helped to provide water for farm use. The funds also aided in the maintenance and care of children and teenagers in Youth Aliyah institutions.

American Jewish Joint Distribution Committee (JDC)

In the 25-year span between 1947-1972, payments to the JDC came to DM 56,171,060, in all. In the first year, the funds helped to meet general relief needs of displaced persons at Camp Fochrenwald, the last of the DP camps in Germany to close its gates. The JDC bore responsibility for the maintenance costs, which were large, but the JRSO contribution helped to meet them in part. After Camp Fochrenwald closed, the JRSO allocations aided mainly in the operation of Malben, a JDC network in Israel for the aid of aged and handicapped immigrants. They were Nazi victims, in the greatest part. JRSO funds helped to provide needy persons with institutional care in hospitals and homes for the aged, and aided programs for handicapped children, sheltered workshops, and those aimed at completing the integration of immigrants into the State of Israel.

Council of Jews from Germany

From the very start, the Council of Jews from Germany, a co-founder of the JRSO, requested a share of the recoveries from heirless properties for the aid of German-Jewish emigres in need who were scattered the world over. Those

emigrees, the Council contended, had a legitimate claim to a share of the funds which had accrued from properties that had once belonged to German Jews, almost in their entirety. In 1953, the JRSO granted an allocation of \$200,000 to "Help and Reconstruction", an affiliate of the Council, that aided German-Jewish refugees in the United States. The funds were used for the construction and maintenance of a home for the aged in New York City for Jewish Nazi victims in need.

On November 3, 1954 an agreement was reached in Paris between the Council and the JRSO. It provided that 11% of all future sums available for distribution by the JRSO should be channelled to the Council of Jews from Germany.

JRSO allocations to the Council from November 3, 1954 to December 31, 1972 reached DM 14,910,219, and the distribution took the following pattern:

United Help, Inc.	DM 7,131,350
Leo Baeck Institutes	5,518,130
Irgun Olej Merkaz Europa	2,018,739
Our Parents Home, Johannesburg	110,000
American Federation of Jews from Central Europe	132,000

The Council designated United Help, Inc. as its operating agent for the funds from the JRSO available to it for distribution in the United States. United Help, Inc. is the coordinator of the activities of Help and Reconstruction, Inc., The Blue Card, Inc., and Selfhelp of Emigrees from Central Europe, Inc., three agencies created in the United States by Jewish Nazi victims from Germany to cope with the social needs of refugees who stemmed from Central Europe.

Allocations to the Leo Baeck Institutes in New York, London and Jerusalem enabled the Council to promote cultural projects and programs which it is hoped will preserve for the coming generations the spiritual heritage of German speaking Jewry.

The Irgun Olej Merkaz Europa, Tel-Aviv, attends to the interests of Jewish Nazi victims in need who are dwelling in Israel. The JRSO allocations went mainly for cash relief, to complement social welfare aid provided by the State of Israel.

Smaller Organizations in Israel

In 1951, the Congregation K'hall Adath-Jeshurun, New York, requested the JRSO to return nine restituted properties in Frankfurt/Main (Germany) which had formerly belonged to the Franfurter Israelitische Religionsgesellschaft, an Orthodox body. Agreement was reached in May 1954, following three years of negotiations. By its terms, the Jewish Agency and the JDC agreed to yield a part of their shares in the JRSO recoveries, to permit the grant of DM

200,000 towards the construction costs of a convalescent home in Israel for Torah students who attended religious schools affiliated with the Vaad Hayeshivoth in that country. The home would bear the name of the Frankfurter Israelitische Religionsgesellschaft. The arrangement met the wishes of the representatives of the former Religionsgesellschaft, that a part of the proceeds of its former properties in Frankfurt should memorialize in Israel the name and spirit of its community, and they waived all further claims on the JRSO. The agreement paved the way for a shift in policy in the distribution of JRSO funds. It was decided that a certain percentage of the funds accumulated for distribution would be made available for specific projects submitted by claimant agencies other than the JDC, the Jewish Agency and the Council of Jews from Germany. Proposals for the use in Israel of funds in aid of schools, synagogues and for other religious purposes were submitted by the Vaad Hayeshivot and the Chief Rabbi of Israel. Grants were also requested for a special Building Loan Fund in Israel to assist in the improvement and expansion of Yeshiva premises, and for the building of a convalescent home to service the teaching staff and seminary students of the Beth Jacob School system in Israel. The Ministry of Religion in Israel proposed a special fund for the construction and repair of synagogues in Israel, focusing especially on those serving Nazi victims primarily. Allocations were granted in the following sums initially: Building Loan Fund, DM 231,000, Beth Jacob School system, DM 150,000, and towards the special fund for synagogue construction in Israel, DM 219,000.

On June 27, 1956, the JRSO Executive Committee formulated a definitive key for the distribution of its funds among the Jewish Agency, the JDC, the Council of Jews from Germany and for religious projects in Israel, in the following percentages:

Jewish Agency for Israel	56.95%
American Joint Distribution Committee	28.05%
Council of Jews from Germany	11.00%
Religious Projects in Israel	4.00%

Over the years, JRSO allocations for Israel fell into four main categories: yeshivoth, religious teachers' seminaries, synagogues and religious research projects.

Allocations to Israel were granted in aid of the organizations and programs listed in the table below:

1. <i>Yeshivoth</i>	
Building Loan Fund	IL 500,000
Medical Aid Fund (Mifal Hatorah)	115,000
<i>Vaad Hayeshivoth</i>	
Convalescent Home, Natanya	100,714
Funds to provide Gemaroth	140,000
Loan Fund for Educational Furnishings	100,000
2. <i>Teachers' Seminaries and Religious Youth Education</i>	
Beth Pinchas Teachers' Seminary	95,000
Central Beth Jacob Teachers' Seminary	405,000
Central Committee for Rest Centers for Religious Youth, Sde Chemed	170,000
Meon Yeladim	40,000
Mifal "Or Hachaim"	50,000
Council of the Sepharadic Community in Jerusalem	90,000
3. <i>Special Synagogue Fund</i>	425,157
4. <i>Religious Research Projects</i>	
Ernest Marton Cultural Centre and Archives	50,000
Institute for Publication of Religious Books for Newcomers	10,000
Lithuanian Jewry Archives	30,000
Megilat Polen	45,000
Moreshet Sofrim	20,000
Mosad Harav Kook	55,000
Netzah, B'nei B'rak	10,000
Neva Hayeled	50,000
Otzar Haposkim	75,000
Supreme Religious Centre "Hechal Shlomo"	30,000
Institute for the Talmudic Encyclopedia	100,000
Torah Shelemah Research Institute, Jerusalem	80,000
Offset Printing School and Plant in Kfar Chabad (Lubavitch)	65,000
Yeshurun Library	50,000
	<u>IL 2,900,871</u>

XVI. Summary And Conclusions

The foregoing chapters should amply demonstrate that the JRSO has satisfied the aspirations of its sponsors. It has met the restitution objectives against formidable difficulties and has used 82.5% of its receipts for the social work carried on by its sponsoring agents, the Jewish Agency for Israel, the American Jewish Joint Distribution Committee and the Council of Jews from Germany. The JRSO has discovered and claimed heirless Jewish property wherever it could dig it out, to quote only restitution claims against individuals, restitution claims against the German States, monetary claims against the former Reich, claims for securities and bank accounts and claims for Jewish communal property. Moreover, plundered Jewish books, paintings and ritual objects have been salvaged, and care and maintenance of Jewish cemeteries has been assured.

The following is a summary of JRSO's achievements:

Bulk settlements with the German States	DM 48,377,290
Individual settlements with restitutors of confiscated properties	41,825,000
Monetary claims against the former Reich	59,834,012
Reichsvereinigung settlement	3,559,500
Ministerial account settlement	9,153,000
HTO settlement (assets owned by Polish citizens)	1,691,840
Individual settlements regarding confiscated securities	1,940,500
Jewish Communal Property settlements	54,202,144
Settlements regarding claims for losses from currency reform	1,737,346
Total	<u>DM 222,320,632</u>

Out of this total the JRSO granted DM 189,330,349 or 82.5% to its sponsoring agents and for synagogues and religious research projects in Israel. Another DM 13,200,000 went as equity payments to late claimants. Administration of recovered property and payments in consideration of restituted property required an outlay of DM 4,125,000 and payments covering the administration expenses of the German offices and of the JRSO headquarters in New York came to approximately DM 14,000,000 (6.4% of the total receipts) over the 25 year period from 1947 to 1972.

The JRSO is grateful to the U.S. Government which enacted the laws that recognized the JRSO and to the U.S. Military Governor Gen. Lucius D. Clay and U.S. High Commissioner John J. McCloy whose understanding and support were vital to JRSO's operations in Germany.

Deep appreciation is due to the officers and the staff of the Jewish Trust Corporation and its French Branch. The results detailed in this report could not have been achieved without the close cooperation of the managements of the three sister organizations. Special thanks go to those who directed the JRSO

policies, especially in its early stages - Monroe Goldwater, Joseph J. Schwartz, Moses A. Leavitt, Moses Beckelmann, Charles Jordan and Jerome J. Jacobson of the American Joint Distribution Committee, and Maurice M. Boukstein, George Landauer, Max Kreutzberger and Eran Laor of the Jewish Agency for Israel, to Benjamin B. Ferencz and Ernst Katzenstein, Directors General, and to Eli Rock and Saul Kagan, the Corporation secretaries. Sincere expression of appreciation also goes to George Weis, Director, Plans and Operations Board, to Hans Tuch, Regional Office Director in Berlin, to Ernest H. Weismann, Comptroller of the JRSO in New York and to all colleagues of the JRSO without whose devotion to duty, loyalty and professional skill and perspicacity JRSO's achievements would not have been possible.

The officers and directors of the JRSO representing major Jewish organizations can take justified pride in their collective achievement.

August 26, 1946

General J. H. Hilldring
Assistant Secretary of State
Department of State
Washington 25, D. C.

Dear General Hilldring:

In the light of informal conversations with members of your staff and of more precise information regarding the contents of the Offenbach Archival Depot, we wish to modify the proposals contained in the letter to you of the Commission on European Jewish Cultural Reconstruction, dated June 5, 1946, relative to the custody and ultimate disposition of the books and other Jewish religious and cultural objects in the American Zone of Occupation in Germany and Austria.

1. We are forming a membership corporation under the laws of the State of New York, of which we intend to invite representatives of the following organizations to serve as initial members: The American Jewish Conference, The American-Jewish Joint Distribution Committee, The American Jewish Committee, The Synagogue Council of America, The Federation of Jews from Central Europe, The World Jewish Congress and the Hebrew University. From its very inception, therefore, this corporation, hereinafter referred to as "the Corporation," will be genuinely and broadly representative of Jewish refugees from Central Europe, the American Jewish community, and the entire Jewish people, and hence, of all Jewish cultural interests. However, provision should and will be made in its certificate of incorporation and by-laws for the enlargement of its membership from time to time in order to insure that special and particular interests, such, for example, as those of the Jews who remain in Central Europe, will be represented therein. The representative character of the Corporation's membership in turn guarantees that it will possess the moral as well as the legal authority and the human and material resources necessary to enable it to perform the functions which we are about to propose that it shall have.
2. When the Corporation shall have been organized and its initial membership shall have been constituted substantially as above set forth, the Commanding General of the United States Forces for Germany and the Commanding General of the United States Forces for Austria or other appropriate agencies of the United States shall transfer to the Corporation, as trustee for their former Jewish owners and for the Jewish people, all Hebraica and Judaica and all other Jewish religious and cultural objects in the American Zone of Occupation, of whatsoever nature and in whosoever possession, which are included in any of the following categories:

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- 11
- a. Those which were formerly owned by individual German or Austrian Jews, or by German or Austrian Jewish communities, or by German or Austrian Jewish philanthropic or cultural institutions.
 - b. Those which the German armies or other agencies of the German Reich or the Nazi party removed (1) from countries to which the United States is not required to return them by virtue of any existing international arrangements to which the United States is a party or (2) from countries to which the United States is required to return them by virtue of such arrangements if claimed by such countries but which are not claimed by them within a reasonable time.
 - c. Those which cannot be identified as falling within any of the above categories.
 - d. Those which are now owned by or in the possession of German and Austrian state, municipal and other publicly owned or maintained libraries, archives, museums and similar institutions, whenever and however they were acquired by such institutions, except such as the United States is required by existing international arrangements to which it is a party to dispose of otherwise.

(Explanatory Note: It is the intent of this proposal to exclude from the trusteeship those Jewish religious and cultural objects in the American Zone of Occupation which, under existing international arrangements, the United States is required to return to the countries in which they had their situs when confiscated by the Germans, if such countries shall claim them. At the same time, we very strongly feel, for the reasons set forth in our letter of June 5, 1946, and we again urge upon you, that in the case of countries, such as Poland, whose Jewish populations have been greatly diminished, the United States should endeavor to have these arrangements modified so that there need be returned to those countries only such proportion of the objects taken from them as are required in order to meet the religious and cultural needs of their surviving Jewish populations. If and when such arrangements can be made, the excess of such objects should be transferred to the Corporation, as trustee. Moreover, if the Office of Military Government is not required to return Jewish religious and cultural objects to countries from which the Germans removed them, by reason of international arrangements to which the United States is a party but only by reason of directives or other unilateral action of the Government of the United States, such directives or other action should forthwith be cancelled or, at least, modified so that in no instance will the Office of Military Government be required to restore to any country a greater proportion of Jewish religious and cultural objects which were taken from that country, than are necessary to meet the religious and cultural needs of its surviving Jewish population.)

3. When the Corporation shall have been constituted trustee as aforesaid, it shall send a technical mission of limited size into the American Zone of Occupation which shall:

- a. Examine and classify Jewish religious and cultural objects which are now in or may hereafter come into the possession of the United States Forces for Germany and Austria according to the following scheme:
 - (1) Objects which were formerly owned by individual German or Austrian Jews, or by German or Austrian Jewish communities, or by German or Austrian Jewish philanthropic or cultural institutions.
 - (2) Objects which were removed from countries to which the United States is not required by existing international arrangements to return them.
 - (3) Objects which were removed from countries to which the United States is required by existing international arrangements to return them.
 - (4) Objects which cannot be identified or included within any of the first three categories.
- b. Endeavor to find and to assist the Office of Military Government in finding Jewish religious and cultural objects of the above sorts which have not yet come into, or have been improperly taken from, the possession of the United States Forces for Germany and Austria.
- c. Ascertain what Hebrew and Judaica and what other Jewish religious or cultural objects are owned by or in the possession of German and Austrian state, municipal and other publicly owned or maintained libraries, archives, museums and similar institutions in the American Zone of Occupation, whenever and however they were acquired by such institutions.
- d. From time to time report the results of its activities in the performance of the foregoing functions to the Commanding Generals of the United States Forces for Germany and Austria, or to their respective agents.

The Commanding Generals of the United States Forces for Germany and Austria shall on their part:

- a. Admit the Corporation's mission into the American Zone of Occupation, give its members free access to all places in which Jewish religious or cultural objects are kept or stored and, in general, freedom of movement throughout the American Zone of Occupation, and provide them with housing, food, and such clerical and other assistance and such transportation and other facilities as are reasonably necessary to enable them to perform their functions.

- b. Seize and take into their possession Jewish religious and cultural objects included within any of the above categories which are from time to time discovered by the Corporation's mission.
 - c. Seize and take into their possession all Hebrew, Judaica and other Jewish religious and cultural objects which are owned by or in the possession of German and Austrian state, municipal and other publicly owned or maintained libraries, archives, museums and similar institutions.
4. The Corporation, as trustee of the Jewish religious and cultural objects which shall be transferred to it, shall have the following powers, duties and functions:
- a. The Corporation may take possession of, and remove to any place in or outside of Germany, the Jewish religious and cultural objects which are transferred to it as trustee, at such time or times and in such lots as the Corporation shall deem advisable.
 - b. The Corporation shall dispose of such objects in the following manner:
 - (1) Objects which can be adequately identified as having been owned by individual Jews shall be restored to their former owners or to their legal successors if claimed by them upon proof of ownership satisfactory to the Corporation; but any such objects which are ownerless or unclaimed or the claims to which are not satisfactorily established shall be disposed of as provided in sub-paragraph (4) of this paragraph.
 - (2) Objects which can be adequately identified as having been owned by a Jewish community which has survived or been reconstituted, shall be restored to the community, if claimed by it, upon proof of ownership satisfactory to the Corporation, in proportion to the prospective religious and cultural needs of the community and its capacity to retain, care for, and use such objects for their appropriate religious and cultural purposes, as determined by the Corporation. Objects falling within this category which are ownerless or unclaimed or the conditions of whose restitution are not satisfied shall be disposed of as provided in sub-paragraph (4) of this paragraph.
 - (3) Objects which can be adequately identified as having been owned by a Jewish philanthropic or cultural institution which still exists, shall be restored to the institution, if claimed by it, upon proof, satisfactory to the Corporation, of ownership and of the institution's capacity to use such objects for the philanthropic or cultural purposes for which they were intended. Objects falling within this category which are ownerless or unclaimed or the conditions of whose restitution are not satisfied, shall be disposed of as provided in sub-paragraph (4) of this paragraph.

paragraph.

(4) Objects which cannot be adequately identified as included in categories (1), (2), and (3), objects which can be so identified but which are ownerless or unclaimed or the conditions of whose restitution are not satisfied, and objects taken from German and Austrian state, municipal and other publicly owned or maintained institutions shall be distributed among Jewish religious and cultural institutions throughout the world upon such conditions as the Corporation sees fit to impose and in such manner as will in the judgment of the Corporation best serve the religious and cultural needs of the Jewish people and especially of the surviving victims of Nazi persecution, and satisfy the desire of the Jewish people to pay tribute to those victims who did not survive, as, for example, by establishing a library in the Hebrew University in Palestine as a memorial to those martyrs for their faith.

- c. The Corporation shall have such further powers as are necessary, appropriate or convenient for the execution of its trust.
5. In order to assist and facilitate the execution of the Corporation's trust, the Office of Military Government of the United States will:
- a. Take and retain possession of and safeguard the Jewish religious and cultural objects transferred to the Corporation as trustee until, as provided in paragraph 4 hereof, the Corporation shall elect to take possession thereof.
 - b. At the expense of Germany or of the German Government, pack and transport to points within Germany and Austria such of the Jewish religious and cultural objects transferred to the Corporation as trustee as the Corporation shall allot to German or Austrian Jewish communities or institutions, and to the German or Austrian border such of these objects as the Corporation shall elect to remove from Germany or Austria, as the case may be.
 - c. Render such other services to, and provide the Corporation with such other facilities as may be necessary to enable it to execute its trust.

Very respectfully yours,

The Commission on European Jewish Cultural
Reconstruction

by

Jerome Michael
Acting Chairman

120198

August 26, 1946

General J. H. Hilldring
Assistant Secretary of State
Department of State
Washington 25, D. C.

Dear General Hilldring:

We are informed that as the Allied Armies advanced towards and into Germany from the West, the Germans moved to Theresienstadt and other places in Czechoslovakia, for safekeeping, some of the rarest and more valuable Jewish religious and cultural treasures which they had seized and confiscated, regardless of their situs when taken by them. When the Germans capitulated, these objects, none or few of which were Czechoslovakian in origin, were, and we are informed that they still are, in Czechoslovakia. Neither the Government nor the Jews of that country have any legal or moral right to retain these objects. On the contrary, they should be returned to the American Zone of Occupation so that the United States may perform its obligations under existing international agreements with respect to the restitution of such of these objects as are comprehended by those agreements, and may dispose of the remainder of such objects as proposed in our other letter to you of this date.

We, therefore, urgently request that the Government of the United States forthwith enter into negotiations with the Czechoslovakian Government to that end.

Very respectfully yours,

The Commission on European Jewish Cultural
Reconstruction

Jerome Michael
Acting Chairman

*cite original
letter in paper*

120199

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

RG 260
 Entry ANNE HALL
 File MEMORANDUM JCR
 Box 66

4

ADDENDUM I

to Memorandum of Agreement of 15 February 1949
 Subject: "Jewish Cultural Property"

1. Pursuant to the intent of the basic agreement of 15 February 1949 that JCR, Inc. will act as trustee in receiving certain Jewish Cultural Property for the Jewish people and in distributing it to such public or quasi-public religious, cultural or educational institutions as it sees fit to be used in the interest of perpetuating Jewish art and culture; there are transferred hereby to the JCR, Inc., approximately 366 manuscripts, as listed on the attached inventory and custody receipt of 24 July 1947, American Consul General, Jerusalem, Palestine, comprising all cultural properties moved in one single shipment from Offenbach Archival Depot, Germany, to Jerusalem and placed in custody of Dr. I. Joel, Acting Librarian, Hebrew University, on 22 June 1947.

2. In full recognition of the value of these manuscripts and with the knowledge that a number of them are identifiable, JCR, Inc., hereby agrees to undertake to give appropriate notice to owners of identifiable works that the works will be delivered to the rightful owner by JCR, Inc., the rightful owners agreeing to pay cost of shipping and insurance in transit.

3. JCR, Inc. also agrees to furnish to OMGUS, Berlin, Germany, copies of the letters of notice issued to the identified owners and to furnish reports to OMGUS at 90-day intervals as to deliveries which have been made.

4. Manuscripts whose source is unidentifiable included in this shipment, to be determined and agreed by a designated representative of JCR, Inc., and a representative to be designated by the U.S. Military Governor will be transferred to JCR, Inc. on simple memorandum receipt (with the sole proviso that the properties are to be utilized for the maintenance of the cultural heritage of the Jewish people.)

5. The identifiable manuscripts included in this shipment, to be determined and agreed upon by a representative of JCR, Inc. and a representative to be designated by the U.S. Military Governor will be transferred on custody receipt providing that the JCR, Inc. will maintain these works, will seek the rightful owners, and will deliver them to properly identified claimants as stated in paragraph two above, or will deliver any of them to a rightful owner (cost of shipping and insurance to be borne by the owner) on instruction from the U.S. Government.

6. JCR, Inc. agrees to accept full custody of these properties as soon as access thereto can be gained in Jerusalem, and immediately thereafter initiate action to locate the owners of the identifiable works.

RG 260
Entry ANNE HALL
File MINUT CCP
Box 66

Date April 5, 1949
Place Berlin

Richard W. Jenkins
Authorized Representative,
U.S. Military Governor

Joshua Starr
Authorized Representative,
JCR, Inc.

Consented to and Approved on
behalf of JRSC, Inc.

by *Saul Kagan*
Authorized Representative,
JRSC, Inc.

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

COPY

EJC/MJ

5, New Square,
 Lincoln's Inn,
 LONDON, W. C. 2.

7th June, 1949

The Private Secretary to
 The Military Governor,
 Office of Military Government for Germany (OMG)
 APO 742
 Berlin, Germany

Dear Sir,

I greatly regret to have to draw your attention to a matter which, though as such of minor importance, has resulted in creating a most unfortunate impression in Jewish and academic circles in this country as to the attitude of some of the officials of Military Government to the position of victims of Nazi methods of dispossession.

The following is in brief the position. The Archival Depot set up by Military Government at Offenbach, APO 633, holds 78 books, belonging to Rabbi Dr. O. Lehmann, Lecturer at the University of Oxford and 56 which were the property of his late brother Rabbi Dr. Hans Lehmann. All the books are marked with the names of their owners. On the other hand, the said 78 and 56 books respectively represent, of course, only a small fraction of the libraries formerly owned by the two gentlemen who were scholars of considerable repute in their respective fields and necessarily were in possession each of a library of corresponding size. Application for the restitution of the said books to Dr. O. Lehmann, who is the sole heir and successor of his brother, has been made to the Central Claims Office and a correspondence resulted with the Amt fuer Vermoegenkontrolle at Offenbach, from which it appears, that nothing further can be done by Dr. O. Lehmann, until he is able to quote the titles and authors of the said 78 and 56 books in the possession of the Archival Depot. Both the Amt fuer Vermoegenkontrolle and the undersigned have thereupon written to the Archival Depot asking them to communicate to us the respective titles of the 78 and 56 books respectively in order to enable Dr. O. Lehmann to say whether these books are or are not claimed by him, but the Archival Depot has failed to reply to both the claim for the restitution of the said books and the letters by the Amt fuer Vermoegenkontrolle and by myself. The Amt fuer Vermoegenkontrolle has rightly stated that if the

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Box 2 Director

Archival Depot were a German dispossessor, legal remedies would lie against them, but nothing can be done by them in view of the fact that the Depot is an office of Military Government. Complaint has been made to the Military Government Land Hesse, but no reply has been received from there. It would appear that - presumably through the fault of some very subordinate officer at the Archival Depot - an attitude is taken by that office which legally and morally is equally indefensible and the result of which is that a refugee-scholar is being prevented by bureaucratic means of those rights to his own and his late brother's books to which he is clearly entitled under Military Government Law No. 59.

I should be most grateful, if you would kindly investigate the position. I have no doubt that you will agree with the above appreciation of the position and trust that you will give instructions to the Archival Depot to give the information to which Dr. G. Lehmann is legally entitled under section 35 of Mil. Govt. Law 59 and which in view of the declared policy of Military Government should, I submit, long have been given to him.

Thanking you for your assistance which, I believe, I may anticipate in a case of this nature.

I am, dear Sir,

Yours very truly

s/
E. J. COHN
E. J. COHN

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Box 2 Director

Alphabetical

PD: HKD/sw

Berlin, Germany

Mr. E. J. Cohn
5, New Square,
Lincoln's Inn,
London, U. G. 2.

Review item 87 0/55

Dear Mr. Cohn:

Reference is made to your letter dated 7 June 1949 concerning certain books which are the subject of a restitution claim filed pursuant to Military Government Law No. 59 on behalf of Dr. O. Lehmann and his late brother, Dr. Hans 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 petitioner could reasonably be expected to provide under the circumstances.

As indicated above, it is physically impossible for the Archival Dept to provide the claimant with a list of titles and authors. It is therefore suggested that this information be communicated to the Restitution Agency at Offenbach, together with such

Mr. Walker - Subject File

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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.

Sincerely,

HILTON L. GIBBS
Lt. Colonel, GSC
Secretary General

JEWISH CULTURAL RECONSTRUCTION, INC.
1841 Broadway, New York 23, N. Y.

LIST OF FILES

1. ADVISORY COMMITTEE

Correspondence
Memoranda
Minutes

1a ARCHIVES

Archival Material - New York
Archival Material - Wiesbaden

2 BOARD OF DIRECTORS

Correspondence - Baron 1950-52
Baron 1948-49
Baack
Beukstein
Descow
Federbush
Gruenewald
General Correspondence
Haller
Iwin
Michael
Rosenstein
Starr 1948-49

List of Board Members and Advisory Committee
Memoranda and Minutes 1950-51
through 1949

3 BOOKS - DEPOT

Correspondence - Rochman
Inventory
Reports 1951-52
1950
1949
Surplus - Requests - Orders

4 BOOKS - GENERAL

Book Plates
Lists of Libraries
Requests Refused - Individual
Jewish Libraries and Congregations
Non-Jewish Libraries
World Distribution

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LIST OF FILES (2)

5 CEREMONIAL OBJECTS

Customs
Depot Inventory and Reports
Distribution in the U.S.
Jewish Museum Correspondence - Kaiser
Schoenberger
Landsberger Correspondence
List of Museum
Markers
Odell Correspondence
Photos Offenbach Collection in New York
Requests - Etinger
Requests - Congregations
Requests - Torah Scrolls
World Distribution

6 CLAIMANTS - 1949-50 and Others

B'nai Brith
Breuer
Bulka
Eddinger
Ehrentreu
Goldschmidt (Coins)
Halle
Kaufmann
Kolb
Nothmann
Shapiro
Simonson
Vogelstein
Other Claimants - Books
Ceremonial Objects & Torah Scrolls
Individual Non-Jewish Paintings Recovered by JRSO

7 COLLECTIONS

Baltic
Berlin
Breslau
Cohen, Hermann
Frankfurt Jewish Community (Kirchheim)
Frankfurt Ceremonial Objects
German Jewish Institutional
Gugenhausen
Hochschule
Koenigsberg
Religionslehre - Frankfurt
Rothschild Paintings
Schnaittach
Stuermer
Wuensche - Dresden
Votes on Collections

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FILES (3)

8 EUROPE - MISSIONS

Arendt 1952 - Correspondence and Reports
Arendt 1949-50 " " "
Arendt - Travel Documents
Ben-Horin
Haller
Schoenberger
Stau

9 FINANCIAL MATTERS

Bank Correspondence and Deposits
Bills Paid
Budget
Budget Correspondence
Expense Account - Europe - Arendt
Ben-Horin
Haller
Other
Financial Statements - 1951-52
1950
through 1949
Petty Cash Slips
Social Security
State Tax
Tax Exemptions
Withholding Tax

9a IN-SHIPMENTS TO NEW YORK

Books
Ceremonial Objects
Torah Scrolls

10 INSURANCE

Correspondence
US - American Mutual
US - Buchwald
Hermann Stahl

11 LEGAL DOCUMENTS

By-Laws
Certificate of Incorporation
Rabbinic Court
State Department

12 LIBRARIES AND MUSEUMS - U.S. JEWISH

American Jewish Congress
American Jewish Historical Society
Baltimore Hebrew College
B'nai Brith Hillel Foundation
Brandeis University
Buffalo Bureau of Jewish Education

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FILES (4)

College of Jewish Studies, Los Angeles
College of Jewish Studies, Chicago
Congress for Jewish Culture
Dropsie College
Habonim Congregation
Hebrew Convalescent Home
Hebrew Teachers College
Hebrew Theological College
Hebrew Union College - *Books; Ceremonial Objects*
Haraliah
Jewish Community Library
Jewish Education Committee
Jewish Institute of Religion
Jewish Museum
Jewish Sanitarium & Hospital for Chronic Diseases
Jewish Settlement House
Jewish Teachers Seminary
Jewish Theological Seminary
Jewish Welfare Board
Mesifta Rabbi Chaim Berlin
Mirror Yeshiva
Ner Israel
New York Board of Rabbis
Rabbi Schneersohn Library
Rabbinical College of Telshe
Rabbinical Council of America
The Temple
Torah Umesorah
Torah Umesorah - Affiliated Institutions
Training Bureau for Jewish Communal Service
Wall Street Synagogue
Yeshiva of Flatbush
Yeshiva Ge'onei Volexin
Yeshiva Torah Vodaath
Yeshiva University - *Books; Ceremonial Objects*
Yiddish Scientific Institute
Zionist Archives

12a LIBRARIES AND MUSEUMS - U.S. NON-JEWISH

Boston Public Library
Brooklyn Museum
Brooklyn Public Library
City College
Columbia University
Harvard University
Iowa University
John Hopkins University
Joint University Library
Library of Congress
New York Public Library
New York University
University of Pennsylvania
University of Texas
Yale University

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FILES (5)

13 MICROFILMING

Ford Foundation
Material in Germany
Memoranda
University Microfilm

14 MISCELLANEOUS

Forms (Mimeographed)
Form Correspondence
General Information
Information on Collections
Inter-Office Correspondence
Miscellaneous Correspondence
Lists of Material in Basement, in Depot, in Files
Scholarly Organizations
Testimonial Dinner

15 ORGANIZATIONS U. S.

Alliance Israelite - American Friends
American Federation of Jews from Central Europe
American Jewish Committee
American Jewish Conference
Care
Conference on Jewish Relations
Consulate General of Israel
Hebrew University & American Friends
Hias
Immigrant Congregations
Ort
Synagogue Council of America
World Jewish Congress

16 ORGANIZATIONS U. S. - JDC-JRBO

JDC - Correspondence
Financial Matters
Publicity Releases
Jewish Agency for Palestine
JRBO - Agreements
Correspondence - Kagan
Correspondence - Rock
Meetings and Minutes
Memoranda

17 OUTSIDE U. S.

AUSTRIA - CZECHOSLOVAKIA
Austria, Findings
Austria, Publications
Czechoslovakia

FILES (6)

18 ENGLAND

Anglo-Jewish Association
Board of Deputies
Central British Fund
Committee on Restoration - Minutes
Rabinowicz 1951-52
1950
through 1949

Roth
Council for Protection of German Jews
Jewish British Trust Fund
Jewish Committee for Relief Abroad
Jewish Trust Corporation
Miscellaneous
Wiener Library

19 FRANCE

Alliance Israelite Universelle
Archives de Musee d'Art Populaire Juif
Centre de Documentation Juive Contemporaine
Conseil Representatif des Juifs de France
JDC - Jerome Jacobson
Levine, Petersell
Miscellaneous
Judah Shapiro

20 GERMANY - FINDINGS

American Zone
Berlin
British Zone
Eastern Zone
French Zone
Worms

21a GERMAN JEWISH COMMUNITIES AND OFFICIALS

Bavaria - Archives, Munich, ~~Frankfurt~~
Berlin Jewish Community
Berlin Jewish Museum
German Officials
Laender Decrees
Librarians & Museum Directors
Lists and Legal Matters
Miscellaneous German Jewish Communities

21b GERMANY JCR EXCLUSIVE OF LOWENTHAL

Addresses
Frankfurt "Bunker" Operations
In-Shipments Wiesbaden
Investigations Bernstein - Correspondence
Reports
Offenbach Shipments - Books
Ceremonial Objects and Torah Scrolls

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21a GERMANY JRSO

Correspondence - Dallob

Ferencs

Kagan

Katzenstein, Weis

Miscellaneous

Schoenfeldt

Troll (Controller)

Conference on Jewish Material Claims Against Germany

21d GERMANY - MILITARY GOVERNMENT

Agreements

Correspondence

National Conference of Christians and Jews

Receipts - Books (HICOG)

Ceremonial Objects (HICOG)

22 GERMANY - LOWENTHAL

Correspondence - Oct. 1950-Jan. 1951

May - Sept. 1950

Jan. - April 1950

April - Dec. 1949

Expense Account

Reports

23 ISRAEL

Ceremonial Objects (Narkiss)

Council for the Protection of Jews from Germany

Hebrew University - Magnus, Senator

Miscellaneous

Scholem 1950-52

through 1949

Shunami

Wormann

Irgun Olaj Merkas

Jewish Agency

Libraries and Museums - Correspondence

Questionnaire

Ministry of Education

Ministry of Religion

23a LATIN AMERICAN COUNTRIES

Argentina

Bolivia

Brazil

Chile

Columbia

Costa Rica

Cuba

Curacao

Ecuador

Latin America - General

Mexico

Peru

Uruguay

Venezuela

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- 24. OTHER COUNTRIES
 - Australia
 - Belgium
 - Canada
 - Denmark
 - Italy
 - Morocco
 - Netherlands
 - Rhodesia
 - Sweden
 - South Africa
 - Switzerland

- 25. PERSONNEL
 - Applicants
 - Procedures
 - Staff Recommendations

- 26. PUBLICITY AND PERIODICALS
 - Catalogues
 - Clippings
 - Periodicals
 - Press Releases & Correspondence

- 26a. REPORTS
 - Field Reports 1950-51 (Numbered)
 through 1949 (Numbered)
 (Not Numbered)
 - Other Reports, Articles, etc.

- 27. SHIPPING
 - Bush Terminal
 - Globe Shipping 1951-52
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 - Miscellaneous
 - U.S. Lines

- 28. STORAGE
 - Liberty Moving & Storage
 - Rentar Packaging

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30 INDIVIDUAL CLAIMANTS 1951 - CORRESPONDENCE

Israel
JDC Paris
Jewish Agency U. S.
Late Claims - Refused
Lowenthal
Michael & Boscov
Miscellaneous
No Books Found

31 INDIVIDUAL CLAIMANTS 1951 - MISCELLANEOUS

Form Letters
Forms - General
Lists
Reports

32 INDIVIDUAL CLAIMANTS 1951 - PUBLICITY

Announcements
Australia
England
France
South Africa
U. S. - Aufbau, etc.

33 INDIVIDUAL CLAIMANTS 1951

(There is a folder for each claimant arranged ~~numerically~~ numerically)

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NEWSPAPERS ** PERIODICALS ** BOOKS

NEWSPAPERS - REQUESTS

PERIODICALS - LISTS

Periodical Check List

Periodicals - Wiesbaden

PERIODICALS REQUESTS

Various Languages

Hebrew

Yiddish

Russian

German

Absolote

PERIODICALS - SHEET CATALOGUE WITH ORDERS

RARE BOOKS - DISTRIBUTION

RARE BOOKS - LISTS

Wiesbaden

New York

Incunables and Old Prints

Lists No. 1 - 2

Lists No. 3- 9

RARE BOOKS - REQUESTS

Absolote

Lists 1 - 2

Lists 3 - 9

LISTS OF BOOKS RECEIVED BY LIBRARIES IN THE UNITED STATES

LISTS OF BOOKS RECEIVED OUTSIDE THE U.S.

LISTS SAMPLE RABBINICS

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FILES PRIOR TO 1949 — COMMISSION ON EUROPEAN
JEWISH CULTURAL RECONSTRUCTION

Correspondence General 1947-48
1946
1945

~~Correspondence State - Europe 1946-48~~

Correspondence State Department

Educational Institutions in Europe

Hebrew University 1945-46

Military Government in Germany - Documents

Minutes and Questionnaires

Private Library Collections

Private Owners - Lists and Correspondence 1946

Reports - Offenbach, etc.

Restitution Claims

Surveys, Proposals and Plans of Action

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FILES (12)

OTHER MATERIAL IN THE FILES

MICROFILMS

Sturmer Collection
Ceremonial Objects - Offenbach
Ceremonial Objects - Frankfurt

SPECIAL FILES

Lowenthal Files from Wiesbaden
Rochman Files from Beck Depot
Odell Files from Jewish Museum

OFFENBACH HICOG REPORTS PRIOR TO JCR

BANK STATEMENTS

SET OF PHOTOS OF CEREMONIAL OBJECTS FOUND IN OFFENBACH (INCOMPLETE)

PAMPHLETS

Tentative List of Jewish Educational Institutions in Axis-Occupied Countries
Tentative List of Jewish Cultural Treasures in Axis-Occupied Countries
Addenda and Corrigenda to Tentative List of Jewish Cultural Treasures
in Axis-Occupied Countries
Tentative List of Jewish Periodicals in Axis-Occupied Countries
Tentative List of Jewish Publishers of Judaica in Axis-Occupied Countries

CARD CATALOGUE OF RARE BOOKS (Key in Folder 14 - "List of Filing Material")

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Sheet No. 1

JEWISH CULTURAL RECONSTRUCTION, INC.

WORLD DISTRIBUTION OF BOOKS

	ISRAEL	UNITED STATES	CANADA	BELGIUM	FRANCE	GERMANY	GREAT BRITAIN	IRELAND	NETHERLANDS	SWITZERLAND	AFRICA
Rabbinics & Other Religious Literat. in Hebrew	13,852 ^a 3,345	37,529	736	821 ^a	5,721 ^a	3,365 ^a	9,079 ^a	1,813 ^a	339	5,766	3,290 ^a
Secular Literat. in Hebrew & Yiddish	36,683 ^b 4,591	15,577	638	—	968	2,830	—	—	—	37	422
Judaica in Germ. & Other Europ. Lang.	50,158 ^c 1,567	16,287	231	—	—	5,603	7,778	—	358	1,177	2,775 ^d
Yiddish Liter. & Periodicals from USSR	—	4,166	236	—	40	—	—	—	—	190	200
Rare Books Jewish & Non-Jewish	2,925 ^e 10	2,806	121	—	—	16	272	—	—	—	128
Non-Jewish Literat. Chiefly in German	30,225 ^f 4,624	7,311	—	—	—	—	172	—	5	—	—
Periodicals ^g	7,167 ^g	—	—	—	361	—	1,024	—	—	283	89
German ^h	6,222	27,131	—	—	276	—	—	—	—	79	—
Russian ^h	673	7,877	—	—	—	—	—	—	—	51	382
Hebrew ^h	4,352	15,568	—	—	—	—	—	—	—	—	198
Yiddish ^h	7,079 ^h	15,924	—	—	41	—	—	—	—	260	357
Other Europ. Languages ^h	3,367	1,756	100	—	182	—	60	—	—	—	—
Total Period. via N.Y.	21,693	68,592	100	—	699	—	69	—	—	390	937
Miscellane ⁱ	5,605	523	87	—	602	—	—	—	—	—	—
Surplus ^j	—	5,318	—	—	—	—	—	—	—	—	—
TOTAL DISTRIBUT.	146,616	158,111	2,081	821	7,651	11,814	16,093	1,813	696	7,263	5,592
Restitution to Institut. & Individ.	8,977 ^k	5,880	—	—	—	—	—	—	—	—	—
TOTAL INST. & RESTIT.	191,423 ^m	167,062 ⁿ	2,081	821	8,193	11,814	19,082 ^p	1,813	696	7,813 ^q	7,269
Returned TOTAL U.S.	—	6,176	—	—	—	—	—	—	—	—	—
TOTAL U.S.	—	160,886	—	—	—	—	—	—	—	—	—

- a This figure includes some other non-religious literature in Hebrew.
- b Includes literature in Yiddish from USSR.
- c Distribution printing.
- d Includes 3 imprints.
- e Includes 4 imprints.
- f For periodicals shipped from Germany, no categories available.
- g Includes periodicals in Yiddish from USSR.
- h Via New York.
- i This figure is approximate; it includes 19 issues with Yiddish newspapers shipped unopened to Israel via New York.
- j These figures are misleading as to the actual numbers of titles distributed by the N.Y. dept. All periodicals, whether individual issues or bound volumes, were counted as single items. Periodicals shipped from Germany consisted mostly of bound volumes. Periodicals shipped from the U.S. abroad also consisted,

120218

812021

Data furnished from the Department of Special

Baron PARR, Box 231, Folder 18

BROADWAY, NEW YORK 23, N. Y.
1, 1949 - JANUARY 31, 1952

First Figures: via Europe
Second Figures: via New York

USA TOTAL	L Argen- tine	A Ho- livia	I Bra- zil	H Chile	A Costa Rica	M Mexi- co	E Peru	I Pan- ama	C Urug- way	A Vene- zuela	Others	TOTAL
768 148	2,836	284 21	1,267	471	219	—	387	250	385 158	—	—	51,375 42,730
380	423	369	20	20	—	—	20	—	20 148	152	2,000 ^p	13,021 22,277
550 214	1,500	272 382	1,156	728	176	150	268	279	254 207	47	—	78,674 18,957
100	—	—	—	—	—	—	—	—	—	53	—	4,887
19	121	—	—	—	—	—	—	—	—	—	—	2,842 3,457
—	—	—	—	—	—	75	15	—	—	—	—	30,492 11,935
—	173	—	—	—	17	—	114	—	—	—	—	9,268
253 305 258 272	—	—	—	—	—	—	—	—	76 26 56	60 108 31	—	31,397 8,590 20,762 23,560 6,450
1,088	—	—	—	—	—	—	—	—	158	202	—	93,719
—	—	—	—	—	—	—	—	—	—	—	—	6,209 592
—	—	—	—	—	—	—	—	—	—	—	—	5,318
1,328 1,779	4,932 121	506 775	2,463	1,219	442	225	841	529	699 972	456	2,000	215,982 203,892
—	—	—	—	—	—	—	—	—	—	—	44	25,558 772 3,071
3,307	5,053 ^r	1,281	2,463	1,219	442	225	841	529 374	1,670	456	2,044	433,097 6,176 426,921

More than 7,000 of these items were restituted by the Hebrew University Library to Yeshiva in Israel.
This figure is approximate; 16 cases were restituted as closed cases.
Includes part of the remnants of the Library of Breslau Theological Seminary; the Hermann Cohen collection, the Girschkin collection; the remnants of the Wessels collection and the remnants of the Meier Library.
Includes the "Steinberg" collection and the library of the Verein der Israelitischen Religionslehrer in Frankfurt/a.
Includes the remnants of the library of Hochschule fuer die Wissenschaft des Judentums.
Includes part of the remnants of the library of the Breslau Theological Seminary.
Includes part of the Jewish Community Library of Berlin.
Surplus material distributed among members of scholarly organizations. There are 14 cartons

World Distribution of Books

	Rabbi & other relig. lit. in Heb.	Secular lit. in Heb. & Yidd.	Judaic in Germ. & other Euro. Lang.	Yidd. lit. & periodicals from USSR	Rare books Jewish & non-Jewish	Non-Jewish lit. chiefly in Germ.	Periodicals	Misc.	Surplus	Total. dist.	Rest. Institution/ Individual	Total
Isr.	17,157	41,274	51,725		2,936	34,849	7,167	5,605		182,246	8,977	191,423
U.S.	37,529	15,577	16,287	4,166	2,806	7,311	68,592	525	5,318	158,111	8,951	167,062
Can.	736	638	233	136	121			67		2,081		2,031
Belg.	824									824		824
Fran.	5,721	968		40			361	604		8193		8,193
Germ.	3,365	2,830	5,603		16					11,814		11,814
UK	9,079		7,778		272	172	1,064			18,425	657	19,082
Holl	1,813									1,813		1,813
Swe.	339		352			5				696		696
Swi.	5,766	37	1,177	190			283			7,823		7,843
So. Afri.	3,230	422	2,273	200	118		89			7,269		7,269
Ausl.	916	380	804	100	19					3,307		3,307
Bol.	308	369	604							1,281		1,281
Braz.	1,287	20	1,156							2,463		2,463
Chil.	471	20	728							1,219		1,219
Cos. Rica	249		176				17			442		442
Ecu.			150			75				225		225
Mex.	387	20	268			75	114			804		804
Peru	250		279							529		529
Uru.	843	168	501							1,670		1,670
Ven.		152	47	55						456		456
Othr		2,000								2,000	44	2,044
Total	94,105	65,298	91,641	4,887	6,409	52,427	9,268	6,801	5,318	419,873	19,400	426,921

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World Distribution of Books

	Rabbinics & other religious literature in Hebrew	Secular literature in Hebrew & Yiddish	Judaica in German & other Euro. Languages	Yidd. lit. & periodicals from USSR	Rare books Jewish & non-Jewish	Non-Jewish lit. chiefly in German.	Periodicals	Miscellaneous	Surplus	Total distribution	Restitution institution & individual	Total
Israel	17,157	41,274	51,725		2,936	34,849	7,167	5,605		182,246	8,977	191,423
United States	37,529	15,577	16,287	4,166	2,806	7,311	68,592	525	5,318	158,111	8,951	167,062
Canada	736	638	233	136	121			67		2,081		2,031
Belgium	824									824		824
France	5,721	968		40			361	604		8,193		8,193
Germany	3,365	2,830	5,603		16					11,814		11,814
United Kingdom	9,079		7,778		272	172	1,064			18,425	657	19,082
Holland	1,813									1,813		1,813
Sweden	339		352			5				696		696
Switzerland	5,766	37	1,177	190			283			7,823		7,843
So. Africa	3,230	422	2,273	200	118		89			7,269		7,269
Australia	916	380	804	100	19					3,307		3,307
Bolivia	308	369	604							1,281		1,281
Brazil	1,287	20	1,156							2,463		2,463
Chile	471	20	728							1,219		1,219
Costa Rica	249		176				17			442		442
Ecuador			150			75				225		225
Mexico	387	20	268			75	114			804		804
Peru	250		279							529		529
Uruguay	843	168	501							1,670		1,670
Venezuela		152	47	55						456		456
Other		2,000								2,000	44	2,044
Total	94,105	65,298	91,641	4,887	6,409	52,427	9,268	6,801	5,318	419,873	19,400	426,921

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Jewish Cultural Reconstruction
Distribution of Books in the U.S. from July 1, 1949 to Jan. 31, 1952

Name of Institution	No. of Items Received ¹	No. Returned	Net Received	Rare Books Included
A. Priority Libraries				
American Jewish Historical Soc. N.Y.	358		358	
Baltimore Hebrew College, Baltimore	4,554 ²	2	4,552	132
Brandeis University, Waltham, MA	11,288 ³		11,288	28
College of Jewish Studies, Chicago	7,521		7,521	117
Dropsie College, Philadelphia	6,700 ⁴	1,151	5,549	255
Hebrew Teachers College, Boston	7,275 ⁵		7,275	98
Hebrew Theological College, Chicago	5,946	99	5,847	99
Hebrew Union College, Cincinnati	9,820 ⁶	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 ⁷		3,713	
Ner Israel, Baltimore	4,689		4,689	101
Rabbinical College of Telshe, Cleveland	156		156	
Yeshiva University, N.Y.	10,564 ⁸	1,157	9,407	218
Yiddish Scientific Institute, N.Y.	12,360 ⁹	679	11,681	64

¹ Includes periodicals and newspapers, individual issues, sheets, etc.

² Includes one photostat copy of Munich Talmud. Also received half a case with rabbinic fragments.

³ Includes more than 5,000 non-Jewish books.

⁴ Includes 3 incunables.

⁵ Includes collection of Verein die israelitischer Religionslehrer, Frankfurt/M.

⁶ Also received some archival material from Nazi archives and the microfilms of the Worms Community and Municipal Archives.

⁷ Received an additional allocation of 535 books through Torah Umesorah.

⁸ Received Sturmer Collection.

⁹ Received many Yiddish newspapers which were unbound. The figure is therefore misleading as to actual titles. Also received some archival material from the European Hies offices.

Jewish Cultural Reconstruction
Distribution of Books in the U.S. from July 1, 1949 to Jan. 31, 1952

Name of Institution	No. of Items Received	No. Returned	Net Received	Rare Books Included
B. Smaller Libraries				
B'nei Brith Hillel Foundation	1,073	448	625	10
Beth Medrash Elyon, Spring Valley, N.Y.	350 ¹⁰		350	
Beth Medrash Govoha, Lakewood, N.J.	536		536	18
Herzliah, N.Y.	1,014		1,014	9
Jewish Edu. Comm., 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. One Time Allocations				
Hebrew Convalescent Home, N.Y.	182		182	
Hebrew Institute of Long Island	63 ¹¹		63	
Jewish Sanitarium & Hospital for Chronic Diseases, Brooklyn	100		100	
Jewish Settlement Home, 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	
D. Non-Jewish Libraries				
Columbia University	2,183		2,183	211
College of the City of New York	214		214	
Harvard University	2,166	246	1,920	51

¹⁰ Plus 431 volumes through Torah Umesorah.

¹¹ Plus 129 volumes through Torah Umesorah.

Jewish Cultural Reconstruction
Distribution of Books in the U.S. from July 1, 1949 to Jan. 31, 1952

Name of Institution	No. of Items Received	No. Returned	Net Received	Rare Books Included
Iowa University	185		185	5
Johns Hopkins University	45		45	
Joint Religious Section, Nashville, TN	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	1,509		1,509	69
TOTAL	158,111	6,176	151,935	2,806

RG 266 Ardelia Hall

Box 66

C
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P
Y

JEWISH CULTURAL RECONSTRUCTION, INC.

1841 Broadway, New York 23, N. Y.

c/o Central Collecting Point
Landesmuseum,
WIESBADEN

January 21, 1950

Mr. Theodore A. Heinrich
Cultural Affairs Adviser,
OEA, Prop Div, HICOG
APO 633, US Air Force

Dear Mr. Heinrich,

I thank you very much for your kind reception on January 18, 1950, and I want to tell you how much I enjoyed the hour in your office.

I am writing you to-day as we agreed.

1. Two thirds of the books of the German-Jewish institutional collections which are now being sorted in the Depot will either be shipped or be ready for shipment at the end of February. In order to allocate the remainder, we shall need those individually owned books which eventually will be ready for distribution.

Apart from those of the individually owned books which are claimed and which therefore will not be given to us, we propose the following procedure:

In all cases in which one owner possesses six or more books, we shall make every effort to locate the former owner or his heirs. We shall type out the list of all these persons, photo-state them, deposit them in the major Jewish organizations and institutions all over the world and then give this list a vast publicity through newspaper advertising all over the world. We shall not touch this category until a reasonable time has elapsed for claims. However, we may want to remove this category from the Wiesbaden Depot to Paris because we have in a warehouse of the American Joint Distribution Committee in Paris the books of the Baltic collection which, as you know, are being ruled by the same procedure. We probably will want to combine the publicity campaign for the owners of the individually owned books in Wiesbaden with the publicity campaign for the owners of the Baltic collection.

120225

- 2 -

2. I told you that we have reasonable hope to come into the possession of considerable archival material in the near future. These are Jewish archives which have been found in the State and municipal archives in Bavaria, undoubtedly heirless Jewish property which is now being prepared for restitution.

You kindly assured me that the Central Collecting Point will be in a position to receive this material and that, provided we do not need more space than we dispose of at this moment, we shall be permitted to sort this material here. This material will be claimed by the Jewish Restitution Successor Organization before it enters the Collecting Point. It therefore should be understood that Jewish Cultural Reconstruction in agreement with the Jewish Restitution Successor Organization should have the right to remove this material from the Collecting Point as they may deem advisable.

Thanking you very much, I am most sincerely,

Yours,

Hannah Arendt
Executive Secretary

120226

WORLD DISTRIBUTION OF BOOKS

	ISRAEL	NORTH AMERICA		E Bel- gium	U France	R Germany	O Great Britain	Hol- land	P Swe- den	E Switzer- land	AFRICA So. Africa
		United States	Canada								
Rabbinics & Other Religious Literat. in Hebrew	13,852 ^a 3,345	— 37,529	— 736	824 ^a —	5,721 ^a —	3,365 ^a —	9,079 ^a —	1,813 ^a —	339 —	5,766 —	3,230 ^a —
Secular Literat. in Hebrew & Yiddish	36,683 ^b 4,591	— 15,577	— 638	— —	968 —	2,830 —	— —	— —	— —	37 —	— 422
Judaica in Germ. & Other Europ. Lang.	50,158 1,567	— 16,287	— 233	— —	— —	5,603 —	7,778 —	— —	352 —	1,177 —	2,273 —
Yiddish Liter. & Periodicals from USSR	—	— 4,166	— 136	— —	— 40	— —	— —	— —	— —	— 190	— 200
Rare Books Jewish & Non-Jewish	2,926 ^b 10	— 2,806	— 121	— —	— —	16 —	— 272	— —	— —	— —	— 118
Non-Jewish Literat. Chiefly in German	30,225 4,624	— 7,311	— —	— —	— —	— —	172 —	— —	5 —	— —	— —
Periodicals ^f	7,167 ^e	—	—	—	361	—	1,064	—	—	283	89
German ^h	6,222	27,431			276					79	
Russian ^h	673	7,877									
Hebrew ^h	4,352	15,564								51	382
Yiddish ^h	7,079	15,924			41						198
Other Europ. Languages ^h	3,367	1,796	100		182		60			260	357
Total Period. via N.Y.	21,693	68,592	100	—	499	—	60	—	—	390	937
Miscellan:	5,605	— 525	— 67	— —	604 —	— —	— —	— —	— —	— —	— —
Surplus ^g	—	5,318	—	—	—	—	—	—	—	—	—
TOTAL DISTRIBUT.	146,616 35,830	158,111 167,062 ^o	2,081 2,031	824 —	7,654 539	11,814 —	18,093 332	1,813 —	696 —	7,263 580	5,592 1,677
Restitution to Institut. & Individ.	8,977 ^l	5,880 3,071 ^m	—	—	—	—	657 397	—	—	—	—
TOTAL DIST. & RESTIT.	191,423 ⁿ	167,062 ^o	2,031	824	8,193	11,814	19,082 ^p	1,813	696	7,843 ^q	7,269
Returned TOTAL U.S.	—	6,176 160,886	—	—	—	—	—	—	—	—	—

- a This figure includes some other non-religious literature in Hebrew.
- b Includes literature in Yiddish from USSR.
- c Distribution pending.
- d Includes 3 incunables.
- e Includes 4 incunables.
- f For periodicals shipped from Germany, no categories available.
- g Includes periodical in Yiddish from USSR
- h Via New York.
- j This figure is approximate; it includes 19 cases with Yiddish newspapers shipped unopened to Israel via New York.
- k These figures are misleading as to the actual numbers of titles distributed by the N.Y. depot. All periodicals, whether individual issues or bound volumes, were counted as single items. Periodicals shipped from Germany consisted mostly of bound volumes. Periodicals shipped from the U.S. abroad also consisted,

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1811 BROADWAY, NEW YORK 23, N. Y.

First Figure: via Europe
Second Figure: via New York

JULY 1, 1949 - JANUARY 31, 1952

	AUS- TRALIA	A I Argen- tina	A B Bo- livia	T I Bra- zil	N Chile	A Costa Rica	M Ecu- ador	E Mexi- co	R Peru	I C Uru- guay	A Vene- zuela	Others	TOTAL	
	768 148	2,836	284 24	1,287	471	249	--	387	250	385 458	--	--	51,375 42,730	
	380	423	369	20	20	--	--	20	--	20 148	152	2,000 ^c	43,021 22,277	
	560 244	1,500	222 382	1,156	728	176	150	268	279	294 207	-- 47	--	72,674 18,967	
	100	--	--	--	--	--	--	--	--	--	55	--	4,887	
	19	121	--	--	--	--	--	--	--	--	--	--	2,942 3,467	
	--	--	--	--	--	--	75	15	--	--	--	--	30,492 11,935	
	--	173	--	--	--	17	--	114	--	--	--	--	9,268	
	253 305 258 272	--	--	--	--	--	--	--	--	76 26 56	60 108 34	--	34,397 8,550 20,762 23,560 6,450	
	1,088	--	--	--	--	--	--	--	--	158	202	--	93,719	
	--	--	--	--	--	--	--	--	--	--	--	--	6,209 592	
	--	--	--	--	--	--	--	--	--	--	--	--	5,318	
9	1,328	4,932	506	2,463	1,219	442	225	804	529	699	--	2,000	215,981	
0	1,979	121	775	--	--	--	--	--	--	971	456	--	203,892	
												44	15,558 771	
									374				3,071	
9	3,307	5,053 ^F	1,281	2,463	1,219	442	225	804	529	374	1,670	456	2,044	433,097
														6,176
														426,921

More than 7,000 of these items were restituted by the Hebrew University Library to Yeshivoh in Israel.
 This figure is approximate; 16 cases were restituted as closed cases.
 Includes part of the remnants of the library of Breslau Theological Seminary; the Hermann Cohen collection, the Kirchheim collection; the remnants of the Wuensche collection and the remnants of the Mapu Library.
 Includes the "Stuermer" collection and the library of the Verein der israelitischen Religionslehrer in Frankfurt/M.
 Includes the remnants of the library of Hochschule fuer die Wissenschaft des Judentums.
 Includes part of the remnants of the library of the Breslau Theological Seminary.
 Includes part of the Jewish Community Library of Berlin.
 Surplus material distributed among members of scholarly organizations. There are 34 cartons

RG 260
 Entry Ardelea Hall
 File _____
 Box 666

copy/Rwt

7 January 1946

SUBJECT: Jewish Books

TO : Lt. General Lucius Clay,
 Office of Military Government (US)

Dear General Clay:

1. The cable, copy of which is annexed hereto, rejects the proposal for the temporary utilization of some of the Yiddish and Hebrew books and books in other languages relating to Jewish lore collected at Frankfurt and adjacent places. The proposal was that the American Joint Distribution Committee, a large wellknown and responsible philanthropic agency, operating in this Theater by attached to UNRRA, be permitted to borrow 25,000 volumes for use in Jewish Displaced Persons Centers. Reconsideration of the proposal is urgently requested.

2. There is a pressing need for the provision of educational and recreational supplies and facilities for Jewish Persons in Displaced Persons Centers. This need is recognized as acute by UNRRA and by the voluntary agencies which are cooperating in the rehabilitation of DP's. It is for this reason that the Jewish voluntary agencies now in the Theater are attempting to set up a program of educational and cultural activity which includes the establishment of reading rooms and schools for both children and adults. The residents of the centers exhibit great eagerness for such activity. They are starved for reading and study materials. Moreover, in the case of Jewish Displaced Persons centers, it is essential that the religious functionaries have accessible certain basic Rabbinic literature. Reference to such literature is a daily necessity for a Rabbi in meeting the demands of his congregation.

3. At Frankfurt and Offenbach have been assembled several million volumes of such Jewish literature. These collections contain, in addition to items of value, thousands of ordinary books of no historical or artistic merit such as ordinary editions of standard religious works, text books, Hebrew and Yiddish popular reading matter. It is for these non-valuable items that there is great need in the DP Centers.

4. In order to make certain that no valuable item would be taken from the collection through oversight, I have requested and obtained the consent of three eminent experts to make the selection of 25,000 volumes out of the several million located at the collection points.

RG 260
 Entry Ardeica Hall
 File _____
 Box 606

copy/kwt

These men are in the Theater and have indeed substantially completed the selection. They are: Professor Keppel S. Pinson, Professor of History at Queens College, New York, Editor of Jewish Social Studies, Secretary of Commission for European Jewish Cultural Reconstruction, Vice-chairman of Academic Council of Jewish Relations; Rabbi Alexander Rosenberg, Member of Executive Committee of Union of Orthodox Rabbis, founder and ex-president of Rabbinical Council of America, authority in the field of Rabbinic Scholarship; Professor Samuel Sar (who has recently left the Theater), Dean of Yeshiva College, New York, Vice-president of Mizrachi. These men are eminently qualified to make a selection which would in no way prejudice the preservation of the historical, rare and valuable character of the collection nor interfere with its restoration to rightful owners.

5. This committee drew up the following rules and procedures to guide them in the work of selection:

a. That no book be borrowed that is in any way unusual, irreplaceable, very valuable, or very difficult to procure.

b. That no book be withdrawn that has been established as the property of any known institution or individual.

More important, however, for the protection of possible owners of these books is the fact that the proposed withdrawal is by the way of a loan to a financially responsible organization.

6. Attention is invited to the fact that the collections under discussion constitute the loot assembled by the Nazis out of Jewish libraries and communities in the various parts of Europe.

7. It is suggested that to prevent the use of these books, at a time when there are no practicable alternatives, out of deference to possible claims and out of regard to administrative complications is to attach greater significance to the less rather than the more important considerations.

8. For the foregoing reasons I recommend that the proposed loan be authorized and directed.

SIMON H. RIFKIND
 Advisor to the Theater Commander
 on Jewish Affairs

Incl. - Copy of cable, fr. OMC for Ger
 (US), to USPET, Main ref CC-20451
 dtd 15 Dec 45

RG 260
Entry Arbelia Hall
File _____
Box 666

copy/kwt

12 January 1946

Dear Judge Ridkind:

~~General Clay has asked me to acknowledge your letter of 7 January 1946 concerning Jewish books.~~

Governmental instructions, as well as quadripartite commitments, necessitate careful consideration concerning the disposition of property which may be subject to restitution. Your assurance of this consideration has prompted General Clay to feel that within the conditions stated in your letter, the loan to the American Joint Distribution Committee should be effected.

~~Accordingly, we are instructing our Property Control Office in Frankfurt to turn over on loan to the Committee, in accordance with your conditional proposal, the twenty-five thousand volumes which have been screened.~~

Sincerely,

BRYAN L. MILBURN
Brigadier General, G.S.C.
Chief of Staff

The Honorable Simon H. Rifkind
Advisor to the Theater Commander on Jewish Affairs
Headquarters, U.S. Forces, European Theater, APO 757

120231

JEWISH LIFE IN LIBERATED GERMANY

*A Study of the Jewish DP's**

By KOPPEL S. PINSON

*Menschheit erwache! Rette deine kinder,
Das neue, im Dunkeln irrende Geschlecht!*

(Leokadja Justmann, Gestapo prison,
Innsbruck, 1944)

The term DP stands for Displaced Person. It referred originally to those millions of non-Germans who were found by the Allied armies when they liberated German territory. The great majority of these people, with the help of the military and UNRRA, were repatriated and sent back to their countries of origin—to France, Belgium, Holland, Norway, Poland, Czechoslovakia, Hungary and the USSR. But about one million non-Germans, officially classed DP's, remained in Germany, Austria and Italy, and are considered non-repatriable. These people may roughly be divided into three categories: (1) Non-repatriable non-Jews from Poland, the Baltic States and the USSR, who are genuine DP's, in the sense that they were uprooted from their homes and forcibly brought by the Ger-

* The present study is based primarily upon a record of the personal observations and experiences of the author, who spent the period between October 1945 and September 1946 in Germany as Educational Director for Displaced Jews in Germany and Austria for the American Joint Distribution Committee. During this period the author lived in DP camps, traveled over 30,000 miles, visited almost all the more important DP camps in all of Germany, exclusive of the Russian Zone (the Russian authorities claim there are no Displaced Persons in their zone and do not permit outside relief workers to operate in their area), met and talked with representatives of all groups and parties, and followed closely the literature relating to the problems of Displaced Jews in Germany. Documentation of the kind usually expected for scholarly articles is, in this case, not only impossible but may even be dangerous and misleading. The reporting by American Jewish journalists from Germany has thus far been unreliable and untrustworthy on many of the aspects of this problem. Among the relief workers operating in Germany there were very few trained social scientists who also had an adequate background in Jewish studies; and all members of UNRRA teams and the J.D.C. were, particularly in the first year after liberation, too pressed and harassed by the elementary problems of food, clothing and shelter, to be able to devote

ments. But German Jews and Jews from the Eastern European countries remain in Germany waiting for resettlement elsewhere.

Population and Distribution

Jewish Displaced Persons in Germany number now about 200,000.² Only about 10,000 of these are natives of Germany. The great majority of German Jews had either emigrated before 1939 or were exterminated after that. Most of the Jews in Germany today, therefore, are Jews from the East—from Poland, Hungary, Russia, the Baltic Countries, the Carpatho-Russian region (formerly Czechoslovakia), and small numbers from Rumania and Greece. These Jews may in turn be divided into three groups: (a) There are the original inmates of the concentration and labor camps who were liberated by the Allied armies—those who managed to survive the hells of Treblinka, Maidanek, Buchenwald, Dachau, Mauthausen, Bergen-Belsen, Theresienstadt, Stutthof, the Silesian labor camps and similar places. These are known as *kotzetler* or *kotzetniks*, a term coined from *kotzet* (concentration camp). They were the only Jews left in Germany in 1945, except for isolated Jews who had evaded the Nazis or a few "privileged Jews," who had been spared because of marriage to "Aryans." A rough estimate of the number of Jewish DP's at the time of the German capitulation would be about 60,000.³ They consisted almost entirely of men and women between the ages of 18-45. There were practically no children and no older persons. Neither of these latter categories fitted into the slave labor program of the Nazis, and they were sent to extermination in the death chambers and crematoria. (b) The *kotzetler* began to be joined in the fall of 1945 by the *Partisans*. These were the young men and women who had escaped from the ghettos and death transports and who had joined the guerrilla bands operating against the Nazis on the Eastern front and in the Balkans. They had

² Population figures for Displaced Jews are to be treated with a great deal of reserve and caution. Up to the end of 1946 there were no reliable agencies for accurate statistical compilation. Registration figures at the DP centers were at times too high and at times too low. Many Jews were registered at more than one camp; very few ever bothered checking out when they left a camp. UNRRA directors took advantage of higher figures in order to get a little more food rations and thus add to the scanty ration allotted to each individual. Population figures quoted here are given only as rough estimates and taken from sources the author considered to be most reliable and best informed.

³ The figure usually given at the time was 100,000 and that is the origin of the demand for 100,000 certificates to Palestine. That figure was regarded by most competent observers, however, as too high.

had not lost completely a sense of organized community life, who had been able to maintain contacts with cultural institutions—with schools, synagogues, libraries, etc. As a result they contain a larger percentage of intellectuals than any of the other DP groups and are gradually assuming a leading role in the cultural life of the DP camps.

The overwhelming majority of Jews in Germany live in what are technically known as DP Assembly Centers or more commonly as DP camps. The term DP camp is, in reality, only a juristic concept. For otherwise DP camps present a varied picture. Some, like Landsberg, Feldafing, Föhrenwald, Belsen or Eschwege, are former German military barracks and present all the familiar features of barrack life. Others, like Lampertheim and Zeilsheim, are entirely of a different character; here German homes were evacuated and Jewish DP's moved into them. Outwardly the appearance of the camp is that of a typical small town with certain of the streets of one- or two-story houses inhabited by Jews. There are no barracks, no gates, no large buildings. In Stuttgart the Jewish DP camp is but a group of apartment buildings on Reinsburger Strasse, while in Stuttgart-Degerloch it is a former sanitarium situated beautifully on top of a hill. In some instances, hotels or summer resort places were taken over and put at the disposal of Jewish DP's, as in the beautiful DP center at Heidenheim, nestled in the hills, or in the Karwendel Hotel in Mittenwald. Still in other cases hospitals were utilized for this purpose, as in Gauting or in St. Ottilien, the latter a former military hospital and part of a monastery where priests and nuns still occupy the greater part of the buildings and where crosses still continue to adorn the rooms of the Jewish DP's. What makes all these varied types of physical installations DP camps is the fact that they were set up as separate communities under the jurisdiction of the military authorities but administered by an UNRRA team. A DP camp, therefore, may be defined as a community of Displaced Persons governed by an UNRRA team.⁴

Although most Jews live in such DP camps, a considerable number,

⁴The following is a list of the more important Jewish camps (over 500 persons) in Germany: Backnang, Bamberg, Bayreuth, Belsen, Bensheim, Düppel Center (Berlin), Mariendorf Center (Berlin), Biberach a. Riss, Deggendorf, Eschwege, Feldafing, Föhrenwald, Fulda, Fürth, Gauting, Heidenheim, Hessische Lichtenau, Lampertheim, Landsberg, Leipheim, Neu Freimann Siedlung (Munich), Pocking, St. Ottilien, Stuttgart, Ulm, Wasserburg, Zeilsheim, Ziegenhain.

division of Berlin into four sectors creates difficulties for Jewish community organization just as it does for the German population.

In the earlier period after liberation the greatest concentration of Jews was in the U.S. Zone, in Bavaria. The only large Jewish camp in the British Zone was at Belsen, where at one time there were 13,000 Jews. In the French Zone there were relatively few Jews; the only large Jewish DP camp is at the former British prisoner-of-war camp, Jordanbad, in Biberach a. Riss, with about 1,000 Jews. A group of several hundred Jewish DP's also took over the former Jewish buildings in Geilingen, a little town on the Swiss border near Constance in which, before Hitler, the majority of the population had been Jews. The Jews in the French Zone are on the whole cut off from the rest of the Jews in Germany. They are not as numerous as the Jews of Belsen, they are visited very infrequently by Jewish relief workers, communication with the Jews in the U.S. Zone is not easy, and hence they display much less initiative in institutional and cultural activity and organization than do the Jews in the British and U.S. Zones.

In the U.S. Zone the largest concentration of Jews at first was in Bavaria. Here the large camps of Landsberg, Feldafing, Föhrenwald, Pocking, each with about 4,000-5,000 Jews, together with the community of over 6,000 Jews in Munich, made Munich the focal point for Jewish DP's and the birthplace of their central organization, first known as the Central Committee of Liberated Jews of Bavaria and later transformed into the Central Committee of Liberated Jews of Germany. It is presided over by Dr. Zalman Grinberg, a physician, formerly of Kaunas, and at present also the chief physician at St. Otilien.^{5a} In the northern part of the U.S. Zone the only important camps were in Stuttgart, with about 1,000 Jews, Lampertheim, also with about 1,000, and Zeilsheim, with about 4,000 Jews. The last mentioned, because of its proximity to Frankfurt, the headquarters of the American Army, and, in the beginning, also the seat of J.D.C. headquarters (at Hoechst), received a great deal of attention, was the most visited camp and, in many ways, was considered one of the model camps.

With the coming of the Partisans and especially the infiltrates, the population center began to shift northward from Munich. New large

^{5a} Dr. Grinberg has since emigrated to Palestine and he has been succeeded as President of the Central Committee by D. Treger.

their youth there is this constant preoccupation with their experiences under the Nazis,—gruesome recapitulation of concentration camp incidents combined with vows of undying loyalty to these memories and hopes for vengeance. It is especially depressing to see young boys and girls of 8-12 years of age, whose rehabilitation to normal childhood should emphasize obliteration of these memories, participate in and be encouraged to share in such demonstrations of emotional reliving of the past.

With this preoccupation with their immediate past has come a heightened historical sense that is responsible for the almost passionate devotion of the DP's to the collection of historical and material data on ghetto and *kotzet* life and death. Every DP is a private document center and every DP camp has an historical commission. So deep is this passion that often Jews risked their lives in the ghetto or *kotzet* to accumulate records of their oppression and extermination. There is of course the case of the organized effort of the historian and martyr, Dr. Emmanuel Ringelblum, in Warsaw, who amassed a notable collection of documents and other materials, while living illegally outside the ghetto, and who buried these materials in tin boxes underground, firmly convinced that the day of victory over their oppressors would surely come and that these materials could then be utilized.⁶ But even more interesting is the case of a simple Jew, Hirsh Kadish of Kaunas, who set up a Leica camera under his garments with only a small hole open for the lens, connected the shutter to a long cord which he kept in his pocket, and went around the ghetto in Kaunas photographing scenes of Jewish life, hope, despair and death under the very eyes of the Nazi police and military. His collection of 6,000 pictures is of enormous historical value.⁷

The interest of the Jewish DP in Germany revolves almost entirely around himself. The Jewish problem for him is identical with the DP problem and the world problem with the Jewish problem.⁸ It is but natural that after such suffering in the past and living as yet without much hope for the future that the preoccupation of the DP should be

⁶ See the remarkable letter of Dr. Ringelblum and a colleague on "Die Yiddishe kultur arbet in die getos fun Poiln" in *Yivo Bleter*, vol. xxiv (1944) 3-8, and an appreciation of Ringelblum by Raphael Mahler, *loc. cit.*, p. 307-17.

⁷ "Der Held mit der Kamera," in *Feldafinger Magazin* (Dec. 7, 1945) 12.

⁸ When Jewish DP's took over the farm formerly belonging to Julius Streicher, the infamous Jew-baiter of Nürnberg, and converted it into a *hachshara*, they found a sign hanging over the villa which read: *Ohne Lösung der Judenfrage gibt es keine Lösung der Weltfrage*. They allowed the sign to remain in place.

questioning the process of Jewish liquidation. The indifference to religion is to be explained largely by the fact that the orthodox religious elements, consisting of older people, were liquidated in greater numbers, and those surviving were mainly the younger, more worldly and more assimilated elements of the Jewish population. Even among those who belonged to the religious groups, the life in a *kotzet*, or for that matter even in a DP camp today, tended to demoralize religious observance and religious piety. Thus, for example, in one camp the members of the orthodox group one Saturday wanted to impress the author with their desire to set up a synagogue and furnish it. He had to remind them, however, that it was Saturday, and that it would hardly be appropriate to move the stove and other furniture into the synagogue as they announced they were going to do. Small groups of the *kotzetler* did form a militant orthodox group and they strove to introduce the typical symbols of orthodox Jewish life—a synagogue, kosher meat, and a *mikveh* (ritual bath). Many a battle was fought in the camps between this militant minority and other agencies in the camp as to whether scarce lumber, building materials and labor should be diverted from housing or other projects to that of building a *mikveh*. And usually the determined and unbending attitude of orthodoxy had its way. Thus, while there may be formal observances and official symbols there is little true piety. In no Jewish DP camp, for example, is it possible to experience the real feeling of the traditional Sabbath, the kind of spirit that hovered over the small towns of Galicia, Poland and Lithuania on the last day of the week. It is much more akin to the spirit one finds on the upper West Side in New York or on a crowded Jewish street in Brooklyn.

The religious leadership in the DP camps during the first year was almost entirely in the hands of Hungarian and Slovakian Jews. Almost all the rabbis active in the camps were from Hungary and Slovakia. Hungary and Slovakia were the last Jewish areas to be ravaged by the Nazis, and liquidation of Jews then did not begin until 1944. While most of the Polish and Lithuanian rabbis, therefore, had long been exterminated, a larger number in Hungary and Slovakia survived. It is only with the coming now of infiltrates from Russia and Poland that religious groups and leaders from these countries are also beginning to play an active role. Among these are considerable numbers of *Habad hasidim*,

lives to individual acts of sympathy and assistance rendered by German individuals. For the overwhelming majority of Jewish DP's, however, national bitterness against the people who are responsible for the extermination of six million Jews remains the predominant mood. This bitterness very rarely has led to active conflict with Germans; it has to date remained purely an intellectual and emotional attitude rather than an activating philosophy. For most Jewish DP's it means having as little to do with Germans as possible and carrying on whatever relations may be necessary in a purely formal and business-like manner.¹¹ On one point there is universal agreement—that Jews must not in any way contribute to the rehabilitation of the German economy. "We have slaved for the Germans enough," they say, "and we will not contribute to the recovery of the nation that is responsible for the mass slaughter of our people." This attitude is largely responsible for the failure of Jewish DP's to seek gainful employment in Germany. They will work for UNRRA, they will work for the occupying powers, they will work for their own camp, but they steadfastly refuse to seek any integration into German industry or commerce. With this comes also a general aversion to doing menial chores, even for themselves in the camp. "We slaved for the Germans long enough, let them slave for us now," is a statement often heard in justification of this attitude. Only in the *kibbutzim*, where a communal life is organized as preparatory training for life in Palestine, is there a different attitude towards menial chores. Here it is considered part of the necessary training to do such things and it is attached to a definite motivation and goal.

Contact with Nazism has, however, also left certain traces of totalitarian influence even upon these very victims of Nazism. Emphasis upon discipline, a monolithic conception of group life, educational techniques

¹¹ A broader view on this subject is expounded by Ernst Landau in an article, "Wir Juden und die Umwelt," in *Jüdische Rundschau* (August-September 1946). He contrasts the numerous instances of active aid given to Jews by Christians of countries other than Germany with the paucity of such active sympathy from the Germans, whom he accuses of "lack of will to convert into deed the words of their Jesus Christ: 'Help the persecuted.'" The German people, he concludes, must be re-educated and: "To this education we too must contribute our share. That is our human obligation, born out of the lofty ethics of Sacred Scriptures of Judaism."

"Men were never yet brought to the right path by cold rejection and hate. If we want to help in making the future world a peaceful world, then we, in our modest dimensions, must also help in educating the German in such a way that he gives first place not to the collective concept of Germanism but to the individual concept of man."

pate in the reconstruction of a democratic Germany.¹³ The overwhelming majority of Jews in Germany, however, and that includes German as well as East-European Jews, do not entertain the slightest intention or desire to remain in Germany. They go even farther and, speaking of the *Yeziath Europa*, the exodus from Europe, they conceive of this epoch as the liquidation of European Jewry as a whole. The deep influence of their suffering and the actual annihilation of the great compact centers of active Jewish life have led most of them to a complete rejection of the diaspora and to a clear and unmistakable Palestinocentrism.¹⁴ They see antisemitism still around them and they believe it to be all-pervasive throughout the world.¹⁵ In cruder conceptions this is often given expression in a prediction that in a few years there will be gas chambers and extermination camps in the United States.

Dr. Samuel Gringauz, perhaps the most intelligent and able of DP leaders, has elucidated this problem in a more refined way in a brilliant article on "The Future of Jewish Culture."¹⁶ European Jewry, says Dr. Gringauz can no longer be considered the bearer of Jewish culture. "The *Sheerit Hapleta* is not culturally creative." The future belongs to Palestine and America. The Jews, who have been part of European civilization for close to 2,000 years, will cease to be that any longer. This will mean the "decline of Jewish intellectualism. The Jew will become more primitive in his thought, more empirical, more concrete. The abstract Germanic character-trait of Jewish thought will gradually disappear and the Jewish spirit will approximate more closely the concrete empirical Anglo-Saxon mode of thought." With the destruction of East European Jewry, writes Dr. Gringauz, also is lost the folk character of Jewish culture based on the village (*shtetl*) and on Hasidism. "Jewish culture, viewed histori-

¹³ "The ideological aim to participate decisively in the democratic education of the German people and thus to fight for Judaism and peace-loving humanity, may also be a reason for remaining [in Germany], particularly since the anti-fascist position of the Jews is so obvious." (W. G.H. M., "Die problematische Stellung der Juden in Deutschland," in *Der Weg*, organ of the Berlin Jewish Community, March 1, 1946).

¹⁴ At a teachers' conference in Feldafing on August 11, 1946 the slogan for educational work adopted was: "Love for Eretz Israel; contempt for the *Galuth*." (*Unzer weg*, no. 46.)

¹⁵ David Rosenthal writes in the Bergen-Belsen *Unzer Shtime*: "Yes we are alone. Once more among enemies. In Poland we are once again being murdered, in free France even now we are hated and in America and England—who knows what the morrow will bring." (no. 3.)

¹⁶ Gringauz, Samuel, "Die Zukunft der jüdischen Kultur," in *Jüdische Rundschau* (May-June 1946) 22-24.

France. "We will give up for our children," said the Central Committee, "our food and our clothing, so that they need not suffer. We will not entrust them, however, to a government that has made war upon our lives and our rights in closing the gates of Palestine to us. . . . If the Jewish community in England has teachers and food for our children, let them send them to us here and from here the children will be sent directly to Palestine."¹⁷

A great deal of this Zionist sentiment was no doubt the product of organized propaganda and even to some degree subtle terrorization. But the propaganda fell on heedful ears too. In the first place the events of 1939-45 seemed to discredit completely those philosophies of Jewish life prevailing before the war which were not centered around Palestine. The Zionists were the only ones that had a program that seemed to make sense after this catastrophe. The Zionists were organized, active and militant. Prospects for emigration to Palestine in the earlier period seemed more imminent. The gates of the Western democracies remained closed to the Jewish DP's. The question of Palestine and Zionism became so completely identified with the only salvation for these people that emotionally and psychologically as well as in a real physical sense it became dangerous to think outside this complex. Without Palestine there seemed to be no future for them. Anti-Zionism or even a neutral attitude towards Zionism came to mean for them a threat to the most fundamental stakes in their future.

Added to these factors is the influence exercised by the Palestine Jews in immediate contact with the DP's, and, above all, when contrasted with the type of Jewish relief worker they met who came from America or from England. The heroic story of the Palestine Jewish Brigade still remains to be written, but one of the glorious pages in that story will be their work in the first months after liberation among the *Sheerit Hapleta*. There is hardly a camp that does not bear the imprint of a *Hayyal*, a member of the brigade, who would come and go without fanfare, who would remain for weeks and months at a camp, no one quite knowing how he could arrange his military leave to do it, who lived with and worked for the people.

Beginning in December 1945, contingents of relief workers recruited by the Jewish Agency in Palestine began to arrive. Not all of these were

¹⁷ *Unzer Weg*, no. 9.

halutz in Palestine. The way of life in the *kibbutzim* is oriented around a definite *Weltanschauung*; members are subjected to more discipline and activities are carried on in more organized fashion. The motivation is to keep members away from the more shady aspects of DP camp life, such as idleness or black market operations, and morale, therefore, is on the whole higher than in the camp at large. Eagerness for education, both cultural and vocational, is more intense in the *kibbutzim*. There is, however, something of a tendency for members of the *kibbutzim* to consider themselves as the select groups, without feeling a corresponding sense of responsibility to assume leadership in the rest of the camp. There are *kibbutzim* of orthodox young people and *kibbutzim* of the various groupings of the Zionist movement. Some camps like that of Leipheim are organized almost entirely in the form of *kibbutzim*.

Each camp eventually came to have a camp committee, elected by the DP's. The powers and the degree of participation in the administration by these committees usually depended on the individual UNRRA director. There was no official directive which gave these camp committees any real ruling power. UNRRA directors on the whole were quite wary of turning over such powers as that of distribution of supplies to the camp committees, while ready to entrust the cultural work entirely to them. Gradually it became the norm for these camp committees to share responsibilities and administrative duties with the UNRRA team.

The tendency in all DP camps in the beginning was to prevent the development of political parties in the camps. Under the banner of *Ihud* (unity) and as long as they were still at war with the world, the old party divisions that had existed before the war were to be kept out and not resumed again until arrival in Palestine. One united Zionist front, with the common platform of militant demands for the opening of the gates of Palestine and the establishment of a Jewish state, was to maintain disciplined unity. Apart from some Bundists in Feldafing and small groups of Agudath Israel followers, this unity was preserved until the summer of 1946. With the worsening of the Palestine situation and the increased prospect of a longer stay in the camps than had been anticipated, the attempt to maintain this unity broke down. Old party lines began to appear upon the scene—Left Poale Zion, Hashomer Hazair, Mizrahi, Dror, Haoved, General Zionists, Revisionists, etc. Revisionist sentiment is very strong, as is also Left Poale Zionism. In general, how-

rooms were practically bare except for some old newspapers. In some instances German books found on the premises were used to fill the shelves. Books sent by American relief organizations were slow in coming; when they came they were woefully inadequate in quantity and very often showed little or no understanding for the needs of the Jewish DP's. Palestine also sent books for the libraries but the senders showed as little intelligence in the selection of books as did the American relief organizations.¹⁹ Only the Jewish Labor Committee and the Yiddish Scientific Institute displayed a real sense of discrimination and social responsibility in filling the needs of Eastern European Jewish readers. The thirst for Jewish books was tremendous among these people who had not seen a Jewish book for six years. Finally through the intervention of Judge Simon Rifkind, then advisor on Jewish affairs to the Theatre Commander, it was made possible in April, 1946 for the author to draw 20,000 books from the collection of Nazi loot in the Offenbach Archival Depot, and libraries ranging from 500 to 4,000 volumes were installed in all the larger camps. These collections included German Jewish encyclopedias, dictionaries and handbooks, classics of Yiddish and Hebrew literature, general literature in German, English and French and rabbinic literature for the use of the orthodox Jews. Yiddish and Hebrew newspapers (never enough) from the United States and Palestine are supplied by the J.D.C.

As children began to appear in the camps, schools were soon organized for them. Curricula, teachers and teaching materials were non-existent or woefully inadequate. In most camps there were hardly any trained teachers. Those who took over the job of teaching were youthful idealists who, in most cases, were only a little more advanced than their pupils. Curricula were dictated by ideological considerations, by the kind of teaching personnel available and by what teaching materials could be gathered. Until the spring of 1946 most of the instruction done by the teachers was from memory, or at most with only one or two textbooks available for both teacher and pupils. Subjects usually taught are Hebrew, arithmetic, geography of Palestine, Jewish history, history of Zionism, music and gymnastics. In some camps the orthodox Jews have forced the introduction of one or two hours per week of instruction in religion.

¹⁹ This does not refer to the large number of textbooks for the study of Hebrew sent from Palestine.

area, where liberation found Jacob Oleiski, the former Ort director of Kaunas, has there been anything worth mentioning.²² In other places DP mechanics themselves, often aided by hired German mechanics, with materials and bits of machinery rounded up from German installations, have set up rudimentary shops, struggling bravely to create a trade school. Such attempts, apart from Landsberg, are found at Eschwege, Stuttgart, Lampertheim and Zeilsheim. Tailoring, radio mechanics, automobile repair, electrical work and locksmithing are the most frequently found trades. A number of camps have also succeeded in acquiring farms for purposes of agricultural training.

Orthodox Jews have created *yeshivoth* in a number of camps. Not one of them is in the grand tradition of Mir, Slobodka, Telz or Volozhin. There are no outstanding rabbinical scholars in any of the camps. But the content and mode of study of the old *yeshivoth* is continued. Such institutions are found in Belsen, Zeilsheim, Feldafing, Föhrenwald, Leipheim, Landsberg, Pocking and more recently, in Ulm.

Beginning in July 1945 there also developed a Jewish press among the Jews of Germany, and it soon came to be the ambition of every camp to have its own camp newspaper. There were serious technical problems that had to be hurdled. Paper was not too plentiful in Germany, but the DP leaders, in one way or another, were able to get enough paper to issue weekly or bi-weekly news-sheets. Much more serious was the problem of Yiddish type. No such type was at first available in Germany. Jewish DP's met this problem in various ways. The people at Belsen, who issued the first Jewish paper in Germany after liberation, on July 12, 1945, wrote out the entire issue in handwriting and then photographed it and printed it from the photographs. Even typewriters with Hebrew characters were not available. It was only after several months that they were able to use a typewriter instead of writing by hand, and only in the fall of 1946 did they secure a set of Yiddish type from the U. S. and began to issue their paper in regularly printed form. The paper at Stuttgart, *Oif der Frei*, first appearing on December 1, 1945, is perhaps the most beautiful piece of publishing issued by any of the camps. It also was done by hand, but by a master craftsman and printed on elegant glossy paper.

²² The Landsberg leaders carry on a vigorous campaign against idleness and black market speculation and for vocational training. Here are some of the slogans used in the propaganda: "Trading helps the German and only blackens the Jewish name"; "The gates of Palestine are closed for idlers and *Luftmenshn*"; "A trade is the guarantee for your future in Palestine"; "Idleness gives nothing, work makes life sweet."

feld, formerly of Warsaw. Blumenfeld revolted esthetically against the sight of Yiddish in Latin type and decided that he would rather have a decent paper in German than an ugly one in Latin Yiddish. The *Jüdische Rundschau* is, of all German Jewish papers, the most universal in its content, the most elegant and esthetic in format and the most free of the narrowness and fanatical emotionalism of most of the other papers. Blumenfeld preaches the doctrine that Jewish culture does not commence with a *Kotzet* song and that the present young Jewish generation in Germany must acquire familiarity and regain continuity with the great tradition of the Jewish culture of the past. This aim finds expression in reprints from famous Jewish authors, reproductions from Jewish art works and other such educational material.

The pattern of cultural institutions in a DP camp is rounded out by a sport club, which is usually the most popular activity in the camp, a dramatic group and an historical commission. Some of the dramatic groups have attempted to do classic pieces of the dramatic repertoire, such as *The Dybbuk* of Anski, produced by the Feldafing group, Sholem Aleichem's *Der Blutiger Shpas*, performed by the central theatre group of Munich, the *Farkishufter Shneider*, also by Sholem Aleichem, produced by the Belsen group. In most cases, however, the performances are more in the nature of revues dealing with ghetto and *kotzet* life and enabling the spectators to relive their gruesome experiences all over again. Even where a classic story is taken, as in Peretz's *Drei Matones*, it is freely adapted, and "made actual" by resetting it in the stage of ghetto and *kotzet*. The historical commissions, while existing on paper, have thus far lacked the technical competence, the capacity for sustained effort, and the needed encouragement from the outside, to do any really effective work. The Central Historical Commission in Munich issued its first publication, *Fun letzten churban*, under the editorship of I. Kaplan, in August 1946 as a modest beginning of systematic documentation. The presence now in Munich of Dr. Filip Friedman, the organizer of the active historical commission in Lodz, may provide these workers with the necessary guidance, direction and inspiration to do an effective job.

In one camp, St. Ottilien, largely due to the presence of Jacob Hofmeckler, a member of a prominent musical family in Kaunas and former musical director of the Kaunas radio, a Jewish DP orchestra was formed. It is really only a small ensemble of about ten persons. The conductor and some of the men are serious musicians. Unfortunately

HEADQUARTERS
EUROPEAN COMMAND
Office of the Commander in Chief

Legal
Mr. Wilkinson
Mr. Brown
As soon as possible
Please have it done
17 July 1946
viewed before then
be ready today
WMA

MEMORANDUM TO: The Commander in Chief, European Command

SUBJECT: Loan of Books from Offenbach Archival Depot to Jewish Displaced Persons Camps.

1. In January, 1946, upon the request of my predecessor, Judge Rifkind, you authorized a loan to the American Joint Distribution Committee of 25,000 volumes of unidentifiable ownership from the Offenbach Archival Depot. The purpose of this loan was to make available to the Jewish camps textbooks, prayer books and books of general interest that could not then be secured from other sources.

2. I am informed by the American Joint Distribution Committee that of the 25,000 volumes earmarked for this purpose, approximately 20,000 have been released by the Offenbach Depot and have been distributed among the Jewish camps. The balance of 5,000 books, I am further informed, have not been released because the AJDC has been unable to furnish the Restitution Branch, OMGUS, detailed information concerning the distribution of the 20,000 volumes withdrawn from the Depot. The AJDC is seeking to assemble all the information it can concerning the ultimate disposition of these books and is forwarding the results of its investigation to OMGUS. Although the absence of adequate records is to be deplored, nevertheless it was inevitable that many of these books would be lost, carried away, and worn out.

No record at all. 4000 books accounted for

3. At the present time there is a grave shortage of reading material in the camps. The above-mentioned 20,000 volumes were distributed in the first half of 1946 to a relatively small Jewish DP population. Since that time the great mass of Jews arrived from Poland; they could bring no reading matter with them. The destruction of practically all sources of Jewish publication in Europe, as well as the destruction of most of the Jewish books in Europe and the universal shortage of paper, have resulted in an acute lack of Jewish reading matter throughout the world. Consequently, despite the efforts of Jewish organizations, most camps have pitifully inadequate libraries. There is no possibility, under present conditions, that these can be made adequate by the coming winter, when we will be facing grave morale problems.

4. Therefore, it is desired not only that the above-mentioned balance of 5,000 books be released for distribution, but that another 25,000 volumes be made available shortly for the same purpose. I am informed by Miss Lucy Schildkret, Education Officer, AJDC, Frankfurt.

120258

Indubitate

that among the 30,000 volumes of unidentifiable ownership that have been sorted and catalogued, [there are about 25,000 which are similar to the first 25,000 that were selected for the initial loan. These are primarily textbooks, religious books and books of general interest, written in Yiddish and Hebrew. They are of publishers' and book dealers' stocks, and have no special value.

5. In order to insure proper and responsible selection of the books and in order to prevent any possible abuse of such a loan, I propose that a committee of three be designated to screen the books carefully, - Rabbi Solomon Shapiro, Director of Religious Education, AJDC; Chaplain (Major) Ralph Blumenthal of the Office of Chief Chaplain, EUCOM, and ranking Jewish chaplain in EUCOM; and Major Abraham S. Hymen of my office.

6. In order further to safeguard this loan, the AJDC will be requested to maintain the most complete possible records.

7. It is my recommendation that you authorize the further loan, on the above conditions, to the AJDC, of 25,000 books of unidentifiable ownership and of no special value for distribution in the Jewish displaced persons centers.



RABBI PHILIP S. BERNSTEIN
Adviser on Jewish Affairs to the
Commander in Chief, European Command

PSB/mf

120259

R6 260
Box 66
28 February 1947

SUBJECT: Books loaned from Offenbach Archival Depot

TO : American Joint Distribution Committee
care of UNRRA, R.H.L.
APO 757, U.S. Army

Attn: Miss Lucy Schildkret

1. ~~Reference is made to the application for the extension of the original loan of books from the Offenbach Archival Depot (1 June 1946), and to the report on the disposition, care, and listing of the books from the original loan (12 July 1946), a copy of which is attached, both signed by Suptel S. Pincus, Educational Director, I.J.D.C. Further reference is made to the telephone conversations (14 and 25 Feb 47) between Major L. K. Dean of this headquarters and Miss Lucy Schildkret.~~

2. ~~On 29 January 1947, Mr. Bernstein, advisor to the Theater Commander on Jewish affairs, verbally requested consideration of the extension of the original loan. Inasmuch as six months has elapsed since the date of the last report, it is desired that a full and detailed report on existing facts with respect to the books drawn against the original authorization of 25,000 be submitted to this headquarters.~~

3. In particular, it is desired that full data on the following points be given:

a. Exact list of camps to which books have been allocated, and the number of books presently at each camp.

b. Reconciliation, if needed, between lists reported by Mr. Pincus and the present list.

c. Return, with exact dates, to U.S. Zone of books now allocated to camps which are in the British and French Zones, with exact disposition of these books within the U.S. Zone.

d. Specific camp or camps to which the last shipment, namely the 1100 items receipted for in the name of Suptel S. Pincus on 30 Dec 1946, was sent.

e. Assurance that as of the date of reply there exists in the office of the responsible agency 1) a complete list of all books by name and number now at each camp, 2) a complete file of receipts from the UNRRA directors of those camps for the books allocated to them.

120260

REPRODUCED AT THE NATIONAL ARCHIVES

2. Assurances that everything which has been borrowed against the regular receipts in the name of the American Joint Distribution Committee is in the U.S. Zone of Germany and readily available for return to the Offenbach Archival Depot on proper notice.

3. Your cooperation in securing the data and preparing the report as early as possible will be appreciated.

FOR THE DIVISION DIRECTOR:

JOHN D. ALLEN
Colonel GAC
Chief, Restitution Branch

1 Incl a/s

Telephone BERLIN 13194

16

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (U.S.)
 Economics Division
 Restitution Branch
 Monuments Fine Arts and Archives Section
 APO 742

MEMORANDUM

27 February 1947

SUBJECT: Loan of Jewish Books from Offenbach Archival Depot

TO : Col. J.H. Allen, Chief, Rest Br, Econ Div, OMGUS

FROM : Mr. R.F. Howard, Chief, MFAAA Sect, Rest Br,
 Econ Div, OMGUS

References:

- a. Par 5, CG 237, USFET, 14 Dec 1945
- b. Par 3b, 3c (11), JCS 1504, "Agreement as to the Relationship of UNRRA and of the Commanding General, USFET, in the U.S. Zone of Germany", 7 Jan 1946.
- c. Station List No. 13, UNRRA Assembly Centers in U.S. Zone ... UNRRA Headquarters, U.S. Zone, 20 Jan 1947.
- d. Stars and Stripes (Berlin-Bremen ed), 2 Feb 47, p 12, col 1, enf.
- e. Attached correspondence, arranged chronologically (from files).

1. Information bearing on your specific queries, together with certain additional data, is given in the paragraphs below.

2. According to information received from Offenbach Archival Depot (OAD), at the present time 21,201 items (including 654 not yet picked up) are charged against the original authorization (Incl 6) given to Judge Rifkind, Adviser to the Theater Commander on Jewish Affairs, on behalf of the American Joint Distribution

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 x460

RG 260: Army Property Division File: AJDC Loan: Box 722

MEMO, Loan of Jewish Books from Offenbach Archival Depot
 Econ Div, OMCUS, 27 Feb 47

Committee (AJDC). Fifteen separate deliveries have been made. A total number of 2,972 books have been returned, with no notation of the reason, immediately after their withdrawal.

3. A second request, for an additional 25,000 books, was made by Koppel S. Pinson, Educational Director AJDC for Germany, directly to Captain Bancowitz, Director, OAD on 1 June 1946 (Incl 9), and forwarded with favorable indorsements to this headquarters (Incls 10, 11).

4. An inquiry prepared by Mr. Vanderbilt for your signature (Incl 12), dated 3 July, resulted in a report (Incl 13), dated 12 July, by Prof. Pinson, which stated that a) all books were turned over to the UNRRA director in camps, and to a responsible committee in communities, b) books were issued only where satisfactory facilities for use and safekeeping were known to exist, c) lists of the titles of all books sent to each installation were kept at AJDC office, d) no loans were made directly to individuals.

5. The report further listed the camps to which distribution had been made. A check of the current UNRRA Station List shows that some camps mentioned in the report are not on the Station List. It also shows a plurality of installations at some of the cities mentioned. Opposite the city names listed by Pinson a digest of this new information is given below:

<u>Report Info</u>	<u>List Info</u>	<u>Nationality</u>
Aglasterhausen	1 installation	Misc
Anberg	4 installations	"
Bachnang	1 "	Jew
Bamberg	8 "	1 Jew
Belsen	0 "	-
Berlin	3 "	1 Jew
Biberach	0 "	-
Deggendorf	4 "	2 Jew
Eschwege	2 "	2 "
Fehrenwald	0 "	-
Feldafing	2 "	2 Jew
Freimann (Munich)	1 "	Stateless
Fulda	4 "	1 Jew
Fürth	2 "	2 "

MEMO, Loan of Jewish Books from Offenbach Archival Depot
Koon Div, OMCUS, 27 Feb 47

<u>Report Info</u>	<u>List Info</u>	<u>Nationality</u>
Geringshof	0 installations	-
Heidenheim	2	2 Jew
Lampertheim	1	1 "
Landsberg	2	2 "
Leipheim	1	1 "
Mittenwald	5	2 "
Munich (Rabbinat)	12	Misc, Stateless
Pocking	4	3 Jew
St. Ottilien	1	1 "
Stuttgart	7	2 "
Zellheim	1	1 "
Frankfurt	3	Misc
Marburg	2	"
Bad Nauheim	1	1 Jew
Gailingen	0	-

6. Chaplain (Capt.) Friedman in the Office of Rabbi Bernstein, Advisor to Theater Commander on Jewish Affairs, in response to my telephonic inquiry about the disposition of books loaned to camps not in Station List, has supplied me (8 and 13 Feb 47) with the following information: Belsen (Br Zone, still open); Biberach (no information); Fahrenwald (still open, although not on Station List); Geringshof (still open, although not on Station List); Gailingen (no information). I requested Chaplain Friedman to continue his efforts to get the facts on the camps shown above.

On 14 Feb by telephone I requested Miss Lucy Schildkret, Educational Director, AFDC, to search a) for the list named by Pinson, b) for receipts mentioned by Pinson, and c) for data on "closed" camps. On 25 February she supplied the following information by telephone: Belsen (Br Zone) is open; Biberach (Fr Zone) is open; Fahrenwald (US Zone) is open; Gailingen (Fr Zone) is open; Geringshofen (US Zone) is open. She has been unable to locate the lists or the file of receipts mentioned by Pinson so far, but will continue her search since she has found several stray items. She has no information about books that may be at the camps in other Zones. She has agreed to withdraw those books and bring them back to US administrative control, but requested that she be allowed time in which to arrange for other books as replacements through regular AFDC shipments. This was agreed to informally.

MEMO, Loan of Jewish Books from Offenbach Archival Depot
Econ Div, OACGUS, 27 Feb 47

Thus it seems that all camps on Pinson's list are still open, that he apparently shipped books to three camps which are not in the American Zone, and that the records which he reported are not readily discernible by his successor.

7. It would appear that the second request, upon which no final action was taken this summer, should be considered in relation to the following criteria:

- a. Need for the second loan
- b. Availability of books at OAD
- c. Availability of books outside OAD by gift
- d. Past record of AJDC
- e. "Freeze" of all Jewish items
- f. Channels of request and responsibility

8. Ref a. and b. above. The statement of Prof. Pinson on 18 July (Incl 13) is confirmed by the verbal request and statement of Rabbi Bernstein on 29 January 47 that the need is in no way lessened. Mr. Horne, with the assistance of several Jewish DP's provided by Rabbi Bernstein's office, reports that some 650 books of the types previously agreed upon were located in the course of a preliminary search through about 150 boxes of Jewish unidentifiable books. Mr. Horne estimates that the total located will be some six or seven thousand.

9. Ref c. above. Chaplain Friedman, in response to my telephonic inquiry, has informally stated that he believes the answer from AJDC will be substantially this: a) last year it was imperative to supply food, this year it is hoped to add books; some 20,000 multi-lithed text books have already been reproduced in the ETC. b) Needed books were formerly published largely in Poland; the expense of publishing in New York for limited public is too great. Substantially the same information was later given to me by Miss Schildkret.

10. Ref d. above. On 4 February I visited the Düppel Center and Mariendorf Center (Jewish Camps) in Berlin, and discussed the book matter with the UNRRA director, Mr. H.J. Pinshain. He said that the general books already on hand (ca. 1000) were in very great demand. The facilities for control and use in

MEMO, Loan of Jewish Books from Offenbach Archival Depot
Escon Div, OMSUS, 27 Feb 47

the Düppel Center, which had 900 old books for an adult population of 2000, were very good. There was a reading room with a librarian in charge. The average number of visitors per day was 60. During December 683 books were loaned out. The stock of 900 old books contained 500 in Yiddish, 350 in Hebrew, 20 in English, 25 in Polish, and 20 in German. Conditions in Mariendorf, which has an adult population of 3000, were not as elaborate, but were satisfactory. The camp has only 187 general books. There were a total of 1800 readers in December 1946. In both camps I saw groups, mostly old men, reading religious works. These, I was told, had been provided by the Jewish Community of Berlin from a cache located in the Russian Sector. While many of the general books in both camps bore the stamp of AJDC, no one (including Director Fiebstein) knew their ultimate source, and no one had heard of a receipt given to Pinson for them. None of the few books which I selected at random bore the OAD stamp. I was told that the percentage of illiteracy among adults was less than ten percent. School books, which are not in OAD stocks, are urgently needed.

At my request Mr. Horne visited the camp (Zeilsheim) in Frankfurt on 3 February, and reported to me by telephone that the library contained about 1500 books, which were arranged on shelves and in charge of a librarian. The average number of readers was 500. About 25% of the books contained no OAD stamp. Mr. Horne was told that the books were not what the DP's wanted, that no one looked at the religious material. The urgent need was for English-Yiddish grammars, biography, light English reading, some heavier material. The UNRRA director was sick and not available; the information came from the DP's.

In a memorandum of 28 December 1946 (Incl 4) Mr. Vanderbilt condemned the actions of AJDC in selecting books before conclusion of agreement, in selecting books of identifiable origin, and in persisting after objection had been made. It should be noted that Mr. Vanderbilt's source, Goodman, is suspect personally. Mr. Horne reported that his examination at OAD of the boxes receipted for but not picked up showed an actual

**MEMO, Loan of Jewish Books from Offenbach Archival Depot
Kaan Div, COMUS, 27 Feb 47**

count of 654 items as against 654 shown on the receipt. The original count was reported to Mr. Horne as being made by OAD employees.

The books returned during the period of the first loan were returned for reasons unknown. This return is difficult to understand in view of distribution to more than twenty camps.

On 30 December 47, when Capt. Bencowitz was in OAD, and at the request of Mr. Heinrich, Chief, MPASA, on a duty status as Director, Chaplain Friedman signed for 1100 items in the name of Koppel S. Pinson. Pinson is no longer in the APO, and no longer holds the position indicated on the receipt. Five boxes (reported to Mr. Horne as being the five boxes, banded, which contained the more important manuscripts (Incl 14) selected by Prof. Sholem, and stored in the Thorah Room) were the only items shipped. The five boxes in question have not, so far, been located in the OAD. According to Prof. Pinson's report (Incl 13), "lists of the titles of all books sent to each installation are kept in this (AJDC) office". Chaplain Friedman tells me (13 Feb 47) that he has not tried to consult the list for trace of this shipment.

11. Ref e. above. The current "freeze" of all Jewish materials makes it simple to loan unidentified material, but it may also make it desirable to have that material on hand in event of a decision with respect to the entire lot. The situation which has arisen with respect to the much discussed 5 boxes of manuscripts is a good illustration.

12. Ref f. above. USFET GO 337, listed above, par 5 makes the Commanding Generals of the Military Districts responsible for "the administration of displaced persons, including the management of camps, and disciplinary control, supply and movement of such persons". According to JCS 1594, listed above, par 5b, UNRRA is responsible for operational control of AJDC and other voluntary agency personnel and activities in the U.S. Zone; and, according to par 3a (ii), UNRRA is responsible for arranging with the appropriate military authorities for the use of existing civil facilities, equipment, and supplies for UNRRA's, to include the

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MEMO, Loan of Jewish Books from Offenbach Archival Depot
Recn Div, OMGUS, 27 Feb 47

requisitioning and accounting for all supplies and equipment distributed within assembly centers. Stars and Stripes of 2 Feb 47, listed above, states that the new military district commanders will administer the DP program. Thus it appears that a request to OMGUS for books should go from AJDC to UNRRA (the responsible and accountable agency) to USFET which will transmit the request to OMGUS.

13. On the basis of data assembled in paragraphs 2-12 above, and attached correspondence, it is concluded that:

- a. A need for books in Jewish DP camps manifestly exists;
- b. Some books usable to fill that need are procurable from the OAD;
- c. The AJDC is not the proper agency with which to deal because of
 - (1) past record in relation to OAD, and
 - (2) channels of responsibility;
- d. The OAD and its external relationships are under a temporary cloud as a result of the incident involving the five boxes said to contain manuscripts.

14. It is therefore recommended that no further loan of books, to any agency for any purpose, be made at this time; this restitution to include the unused quota of the original loan of 25,000 books to AJDC. It is further recommended that a detailed accounting, more sharply defined than that given on 12 July 1946, be required of AJDC at once.

Telephone 43194

LESTER K. BORN
Major CAC
Archives Officer

RG 260
Additional Box 56
Collection

File Heber
MFA&A

MILITARY GOVERNMENT
LIAISON AND SECURITY OFFICE
STADTKREIS FRANKFURT A/MAIN
APO 633, US Army

WW/dh

(MFA&A)

Frankfurt a/Main, Germany, (M 6869)

5 February 1948

SUBJECT: Monthly Report for January 1948.

TO : Restitution Branch
Economic Division
Office of Military Government for Hesse
APO 633, US Army.
Attn: MFA&A Section.

1. Art Exhibitions.

- a. Frankfurter Kunstkabinett: Ernst Ludwig Kirchner: "Grafik", opened 23 January.
- b. Städel Institute: "Gemälde aus fünf Jahrhunderten."

2. Licensing of Art Dealers.

Two (2) more art dealers, viz.:

- 1. Kretzer, Max, Ffm., Kalbäckergasse 5
- 2. Mulch, Willy, z.Zt. Lengfeld, Bismarkstrasse 4

were granted licenses. Four (4) applications were disapproved.

3. Internal Loot.

The following Jewish-owned art objects which Eittle sold at public auctions were taken into custody from Walter Krug, Frankfurt a/Main, Oberrad, Nonnenpfad 26:

- | | | |
|----|-----------------------|--------------------|
| a. | 1 small table | Brings collection. |
| b. | 1 console table | " " " |
| c. | 2 antique Delft vases | Mayer collection |
| d. | 1 antique vase | " " " |
| e. | 1 Baluster vase | " " " |

The above-named small table and console table have been transferred to the Central Collecting Point, Wiesbaden. In view of the continued lack of response to inquiries concerning art objects stolen by Eittle from the Brings and Kaufmann collections, the undersigned paid a visit to Kaiserslautern

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Authority 270277505
By [Signature]

denazified Mr. Hölzl and placed him in the group of followers.

4. Looted Cultural Objects.

a. French Claim No. 06347.

One (1) pastel painting, "Flowers", in the possession of Herr August Ludwigs, Frankfurt a/Main, has been transferred to the C.C.P., Wiesbaden.

b. French Claim No. 01217.

One (1) painting by Rameau, "Landscape", in the possession of Herr Dr. Peter Walkenhorst, has been transferred to the C.C.P., Wiesbaden.

c. French Claim No. 08088.

The building 22 Stauffenstrasse has been bombed out. The name Lahrs, Stauffenstrasse, is not registered at the Einwohnermeldeamt, Frankfurt.

d. French Claim No. 7839.

Without more exact personal details it is impossible to locate the claimed picture, as more than a dozen Dommermuths are registered at the Einwohnermeldeamt.

e. French Claim No. 7493.

According to a declaration by Mr. Schneider, Frankfurt am Main, Wolfgangstrasse 140, the claimed two paintings have never been acquired from the Dorotheum, Vienna.

f. French Claim No. 7812.

According to a declaration by Mr. Rudi Brünker, Frankfurt am Main, Danneckerstrasse 33, no paintings have ever been in his possession and he was never in Strasbourg at the time of the occupation.

5. Ettle Case.

On 23 June Mrs. Anny Ettle was sentenced by Military Government Intermediate Court to one year's imprisonment for violating a Military Government order forbidding her to enter her former residence in which some Ettle property is stored. The injunction was issued after the house had been put under the jurisdiction of Military Government Property Control Division. By it, Mrs. Ettle was specially forbidden to enter the premises without authorization from Military Government Monuments, Fine Arts & Archives officials or the Military Government Property Control Office.

Walter Weber

WALTER WEBER
MFA&A Section

19 JUL 1948

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Authority *77d 77509*
By *[Signature]*

Outsky 123

16, Wiesbaden, Landesmuseum
Property Division
Wiesbaden Central Collecting Point

April 16, 1951

Herrn Hans Wörnlein
Lederwarenfabrik
Offenbach a. Main
Ludwigstrasse 35-37

Sir,

We are in receipt of your letter of April 12, 1951. The two paintings and the two carpets which you acquired at the auction on May 20 & 21, 1941 from the Kunsthaus Wilhelm Ertle, Frankfurt, originating according to our files from a Jewish owner, Herr Max Brings, Wiesbaden. In accordance with MG Law 59 all property of Jewish owners acquired during that time had to be taken into custody of the appropriate offices and could only be released by order of the German restitution chambers.

In accordance with a letter of the Vermögenskontrolle und Wiedergutmachungs Amt, the two paintings and the two carpets mentioned in your letter were released to the former owner, Max Brings, Wiesbaden. For further inquiries we advise you to contact the Amt für Vermögenskontrolle und Wiedergutmachung, Wiesbaden, Parkstrasse.

Very truly yours,

THOMAS C. HOWE, JR.
Cultural Affairs Adviser

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RG 260
Entry 1
Box 101

DECLASSIFIED
Authority NND 775057
By AVT NARA Date 7/14/99

HANS WÖRNLEIN · OFFENBACH AM MAIN

LEDERWARENFABRIK

LUDWIGSTRASSE 35-37

Anschrift: Hans Wörnlein, Offenbach a. M., Ludwigstraße 35-37

Einschreiben

An

Collekting Point

zu Händen von
Herrn Dr. von Schmidt

W i e s b a d e n

Landesmuseum

Telefon:

Nr. 83486 Amt Offenbach am Main

Postscheckkonto:

Nr. 37369 Amt Frankfurt (Main)

Bankkonto:

Bankhaus Friedrich Hengst & Co.,
Offenbach am Main

Tag 12.4.1951

Sehr geehrter Herr Doktor !

Am 20. und 21. Mai 1941 ersteigerte ich im Kunsthaus Wilh. Ettle, Frankfurt/M. unter Anderem auch:

5072.73 } unter Katalog Nr. 62 1 Bild von Hermann Kauffmann
"Beim Schlafen überrascht"
Bezeichnet, Holz, 20 x 22 cm

unter Katalog Nr. 63 1 Bild von Hermann Kauffmann
"Neckerei"
Bezeichnet, Leinwand, 22 x 20 cm

unter Katalog Nr. 354 1 Brücke "Sennè" 127 x 155 cm

unter Katalog Br. 357 1 Brücke "Jamud Bochara" 120 x 148 cm

Diese Sachen wurden ordnungsgemäß gegen Auktions-Rechnungen, die noch im Original vorhanden sind, ersteigert.

Am 21.10.46 und 25.10.46 kam plötzlich ein Herr Walter Weber vom Military Government, Frankfurt/M. und verlangte diese Sachen als zu Unrecht erworbener jüdischer Besitz. Die Sachen wurden ihm gegen Quit- tung mitgegeben.

Mir war nicht bekannt, daß dies jüdischer Besitz sein sollte und erhob deshalb Einspruch gegen diese Beschlagnahme Anfang November 1946 durch meinen Rechtsanwalt Dr. Kanka, Offenbach/M.

Wie ich nun erfahren habe, sind die Sachen tatsächlich zu Unrecht be- schlagnahmt worden und bitte ich Sie höflichst, sehr geehrter Herr Dr. von Schmidt, mir gütigst mitteilen zu wollen, wie die Sache nun steht. Muß ich Rückerstattungsanträge stellen? gibt es zu diesem Zwecke von-

120272

Ardella Hall
Collection Box 101
RG 260
Emb
Box 101

DECLASSIFIED
Authority NND 775057
By AVT NARA Date 7/14/99

REPRODUCED AT THE NATIONAL ARCHIVE

WEEKLY

MPAA

ending 2400 hours 7 April 1946

9 April 1946

A former Frankfurt art dealer and his wife (Wilhelm and Anni ETTLE) who reaped a sizeable fortune and great favors under the Nazi regime were tried by an intermediate court of Military Government for acts committed against established Military Government laws. Both parties were convicted, he being sentenced to seven (7) years imprisonment, and she five (5) years, and seventy percent (70 %) of their common property confiscated.

CLYDE K. HARRIS
1st Lt. CB
MPAA Spec. Officer

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Authority NND 775257
By TS NARA Date 7/20/99
RG 260
Entry 136
Box

- Q. Has the property been returned ?
 A. No, it is still being used.
 Q. Who used the leather, gloves, stockings, etc ?
 A. I do not know.
 Q. Who was in charge of this mowing detail, the GI's or the Germans or wh
 A. A German, and 2 or 3 soldiers that were there with them .
 Q. You did not see them remove this ?
 A. They might have. I cannot say.
 Q. What about the suitcases that were removed by a polish man ?
 A. That belongs to a woman by the name of Piets.
 Q. What was the purposes of taking these dresses and also the men's
 clothing ?
 A. I do not know. I did not take any part in that business. They were
 not all recovered, but a large share was.
 Q. There were 8 large and 2 small Persian rugs, where are they now ?
 A. At MG Giessen.
 Q. Do you know who took them ?
 A. I did not learn how many rugs were taken. We went through the apartmen
 and took chairs.
 Q. Why was not an inventory made ?
 A. I do not know.
 Q. You know there is a letter from ETOUSA stating anything that is taken,
 there must be an inventory taken. That is also mentioned in the Fine
 Arts and Monuments Manual ?
 A. I do not recall that.
 Q. Was any receipt given to Mrs. Grafe ?
 A. At that time they were away. I never did see Mrs. Grafe. Mr. Grafe was
 put on business. The apartment was closed and not in use.
 Q. When was this seizure ?
 A. After the marching in of the Americans.
 Q. You do not know what happened to the clothes ?
 A. Only that some of it was found by me in MG in the hands of the persons
 of the detachment working for MG. We had a refugee Pole working there
 and when Mrs. Grafe came into our office she recognized some of the
 clothing and went to the Major and told him about it and he said that
 this clothing must be given back.

Questions by Capt. Buchman.

- Q. Was this seizure of this property done through local Bürgermeister ?
 A. No.
 Q. No request was signed by the Bürgermeister in whose territory this
 property lies for the use of this furniture ?
 A. No.
 Q. How did you secure this information that this apartment had this
 furniture in it ?
 A. The Supt of Arnsburg came to us first and showed me the apartment.
 Q. Didn't you receive a letter forwarded by this Dr. Grafe that he men-
 tioned that he had worked for the art museum and this property belong
 to the museum ?
 A. I received information that there were works of art from Frankfurt
 but it was never in a letter.
 Q. Did somebody else come and tell you about this ?
 A. Miss Teipel said she was told by the employees there.

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Box 172
 Entry 1
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 BY MKS BARRA Date 7-20-99

Q. Do you recognize the name Jaschke ?
A. Yes.
Q. What is he ?
A. He is in charge of the Maternity Hospital at Cloister Arnsberg.
Q. Did you ever receive any letters from him ?
A. No.
Q. You know about the large library in the castle ?
A. I did not know which one.
Q. You recall the library at the Schloss ? (HUNGEN)
A. Yes.
Q. Do you recall that you had a room fixed up there ?
A. Yes.
Q. You had a key to that room ?
A. No.
Q. You never had any keys to fit any of the doors in the Schloss ?
A. No.
Q. Do you know Rudolph Breuting ?
A. No.
Q. Was he not one of the employees out there ?
A. No, I do not recall the names.
Q. Do you recognize this list ?
A. That was a list Frau Grape made up. We have the original at Hieszen.
Q. You did not submit this list to the CIC.
A. I believe that was made up after the CIC went out.
Q. At any time did you take any books out of the library at the Schloss ?
A. No.
Q. Do you know if anybody took any books out of there ?
A. Yes, I do. There is a deaf man and his wife whose name is Zschack.
Q. He and his wife were employed by the same group. He was writing a book and he asked if he could remove a manuscript and some reference book that did not belong to him.
Q. When was this ?
A. Just prior to our going out to begin work.
Q. Prior to 31 July 1945 ?
A. Yes.
Q. That was after you had removed the pictures from the place at Laubach ?
A. Yes.
Q. What month was that ?
A. Between the 6 and 12 September.
Q. How were they able to remove this stuff from the castle ?
A. Because I let them have them.
Q. With what authority did you give it to them ?
A. They showed me where they were and I gave it to them.
Q. You did not ask them for a receipt ?
A. No.
Q. Did you clear this with anyone who was in charge of the castle ?
A. Yes. Lt. Miner was his name. I got the keys from him.
Q. That was before you started to work in the castle to set up this stuff ?
A. Yes.
Q. You said you were surprised to find them in the group ?
A. Yes.

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Box 172
Entry 260
RG
DECLASSIFIED
775 057
MKS
7-20-99

- Q. Was that due to the fact that they had been hired by Frau Grape, the former employee of the institution ?
- A. No, my amazement was due to the fact that they were old people.
- Q. Were those books and manuscripts all that was removed from the castle?
- A. Yes.
- Q. No furniture was removed ?
- A. Yes, in the upstairs room they stored some preserves. They took that 2 x 4 bin out with them also.
- Q. Were any other things taken ?
- A. That was all I know of.
- Q. No furniture ?
- A. That is all I can remember .
- Q. Did you examine the manuscript ?
- Yes. I talked this over in Giessen and had an interpreter look it over and asked him what it was. If it had been Nazi, it could not be taken away.
- Q. What was it ?
- A. It was a historical genealogy.
- Q. And you allowed that manuscript to go out without a receipt ?
- A. Yes.
- Q. How many manuscripts were there ?
- A. I could not tell you.
- Q. You said that they had difficulty of carrying it out.
- A. It was a large one. I had the interpreter lock them over and they came the following morning to get it.
- Q. On what basis was this interpreter qualified ?
- A. I do not know.
- Q. Had you ever heard of a G-2 in the Army ?
- A. Yes.
- Q. It was a G-2 target. It was discovered later in May and reported. It has been submitted to the 7th Army. You are sure that no large number of books except this manuscript were removed ?
- A. As far as I know, no. Other people had keys to the building. But these were never in my personal possession.

Questions by Lt. Ball

- Q. The last time we talked about trips to Luxembourg. Did you say you did not go to Luxembourg within the last 3 months ?
- A. I have been to Luxembourg on my way to Paris, once.
- Q. You never made a trip to Luxembourg ?
- A. ~~xxxxxx~~ No,
- Q. You never took any packages to mail in Luxembourg ?
- A. No.
- Q. Do you know any civilians or military personnel in Luxembourg ?
- A. I do not.
- Q. Did the Major ever tell you he was going to Luxembourg ?
- A. No.
- Q. How did you go to Paris via Luxembourg ?
- A. Yes, in a military vehicle of our detachment.
- Q. You went on the way via Luxembourg to Paris ?
- A. Yes.
- Q. Who did you go with ?
- A. With the Special Agent Smith.

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Entry	775 057
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260	MKS

- Q. How long had you been gone on the trip to Paris ?
 A. 5 days.
 Q. Did you have any business to transact down there ?
 A. No. The last time was about 2 weeks before my departure.
 Q. What route did you follow ?
 A. Through Coblenz.
 Q. You actually did go to Luxembourg ?
 A. I have been through Luxembourg 4 or 5 times on the way to Paris.
 Q. Was that the usual manner of transportation ?
 A. Yes.
 Q. You never went by train ?
 A. No.
 Q. Immediately after you returned from one to Paris you went directly to the Ettles ?
 A. I do not remember.
 Q. What time did you return from Paris ?
 A. In the late afternoon.
 Q. What was the hurry ?
 A. I do not remember.
 Q. Did you transact any business in Paris for the Ettles ?
 A. No, not for anybody.
 Q. Both times you were in Paris, did you send anything home ?
 A. No.
 Q. On these trips to Paris did you always use a civilian car ?
 A. Yes.
 Q. How were you able to procure fuel for that trip ?
 A. By just going into the gas station and showing my papers.
 Q. You were sent on TDY to Paris ?
 A. Pass - I had papers written by the detachments saying that I was on official business.
 Q. But you were on pass ?
 A. Yes.
 Q. Yet you had papers with you saying that you were on official business ?
 A. I am not going to answer that question.

Subscribed and sworn to before me
 this 19 October 1945.

Ira M Ball
 IRA M BALL
 1st Lt. MAC
 Special Branch

William F Marshall

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Box	172
Entry	—
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Capt. Beckmann's copy

Office of Military Government
for Regierungsbereich Land Hessen
Detachment E-3
Co B 2d Mil Govt Regt, APO 758, US Army

Darmstadt, 15 Oct 1948

SUBJECT: Examination of Cpl William F. Marshall, ASN 11/499/2,
held at Det E-3, Darmstadt, on 11 Oct 1948

Questions by Lt. Ira M. Hall, Det E-3, Special Br. C.

Present: Capt. Julius Buchman, Frankfurt M.G., Mon. &
Fine Arts O.

Lt. Clyde Harris, Det E-3, Monuments & Fine Arts O.

- Q. Where is your home ?
- A. 30 miles outside of Boston, Mass.
- Q. Do you have a street address ?
- A. Abbott Street.
- Q. Are you married ?
- A. No.
- Q. Where are you living ?
- A. With my mother.
- Q. Before you came into the Army where did you work ?
- A. For the United Shoe Machine Corporation.
- Q. How long have you worked for them ?
- A. Close to 8 years.
- Q. When were you inducted into the Army ?
- A. I enlisted March 28th 1942.
- Q. How old are you ?
- A. 36, last March.
- Q. Have you been in Military Government all the time in Europe ?
- A. Yes.
- Q. Were you in Shrivenham ?
- A. Yes.
- Q. Were you always with the team that is at Giessen ?
- A. That was D2B1 which had been made that team back in Rochefort.
- Q. During that time what jobs did you do in this team ?
- A. Until we got to Germany I was a French interpreter.
- Q. You do not speak German ?
- A. No.
- Q. What was your chief job ?
- A. It has been the Weekly Summary. At Giessen I was in the capacity of Fine Arts and Monuments.
- Q. What was your official title ?
- A. I was chief receptionist in charge of 2 women for the first 2 months. I went upstairs to take care of the summary, and held the job of Fine Arts and monuments part time.

11

Ex. 1.

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Box 172
Entry
RG 260

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- Q. How long have you been doing this job of Fine Arts and Monuments work ?
- A. Since I was taken off the door.
- Q. Since the middle of May prior to that time who had been the Fine Arts and Monuments Officer ?
- A. No one. There was no one for it.
- Q. Did you have any civilian background for Fine Arts and Monuments ?
- A. No, only that I collected things like that.
- Q. You were just working for a living ?
- A. Yes, I am living with my parents and I get money from them. Whatever I earned was my own.
- Q. Did you ever go to college ?
- A. Yes, at Worcester Academy, Norwich University and the University of Alabama.
- Q. When you attended those schools were you interested in arts and monuments ?
- A. Only after I got out of school.
- Q. You did not run any art shop ?
- A. No, I did not. If I had surplus of anything I sold it. I have no license myself to own a shop.
- Q. What was your dad's shop ?
- A. He worked for the United Shoe Machine Company for 30 years.
- Q. Did you ever know a man by the name of Peano ?
- A. No.
- Q. Was your father in the Executive capacity ?
- A. Yes, he was in charge of heeling and metallic department.
- Q. There did come a time after you arrived at Gleason when you could devote some time to Fine Arts and Monuments ?
- A. Yes.
- Q. I am going to ask you some very pointed questions now. If you do not wish to answer you do not have to. I want to warn you that anything you say may and can be used against you. It is your constitutional right to refuse to answer any questions which incriminate or tend to incriminate you. Do you understand that ?
- A. Yes.
- Q. Do you want to answer my questions ?
- A. I am ready, Sir.
- Q. When was the first time you went to the mill where the Ette art collection was ?
- A. I went there after I heard that art objects from the Staedel Museum of Frankfurt had been taken there.
- Q. When was this ?
- A. That was after I left my job at the door at the office. I had heard that these things had been moved to this place. It could be a 2 week period elapsing between my trip there.
- Q. Where did you get that information ?
- A. From Miss Teipel.
- Q. How long had she been with the Detachment ?
- A. Since the latter part of March.
- Q. The first time you went up to this place you were alone ?
- A. One of our men interpreters was with me. It could have been Werner. Our Public Health Officer brought in the information that these objects were there. A week after that I went out there. I went out there with my interpreter. When I got there, I told them I was interested in the fine arts and asked if he had any. He said that there were a few. He told me that he had worked in an art museum in

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Box 172
Entry 260
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Frankfurt. He showed me bills, catalogs and pictures that were in those two rooms.

- Q. At that time you were interested in the stuff from the Frankfurt Museum and nothing else ?
- A. Yes.
- Q. Did you come back again to the mill ?
- A. Yes, a number of times I can't say exactly.
- Q. At any time was Major Ehrenclou with you ?
- A. Yes, the very next time I went back there.
- Q. When did you go to the mill ?
- A. On our spare time.
- Q. Who was with you then ?
- A. My interpreter.
- Q. Does Maj. Ehrenclou speak German ?
- A. No.
- Q. When you went out the next time with the Major did you see anything in addition to what you saw before ?
- A. Nothing new, but the same in greater detail.
- Q. Did they show you any drawings, wood carvings, etchings ?
- A. I do not remember.
- Q. Was the Major interested in anything particularly ?
- A. No.
- Q. Does he have anything to do with art ? Is he a collector ?
- A. No.
- Q. What is his job ?
- A. Publisher.
- Q. Where is his home ?
- A. In California.
- Q. Do you recall the next time you went back there ?
- A. No, I do not recall.
- Q. You have been out there socially several times ?
- A. Yes, we had several conversations.
- Q. How many times did you see these people since the first time ?
- A. Approximately 10 or 12 times.
- Q. This was in a period from June to September ?
- A. Yes, approximately.
- Q. There came a time when you and the Major were out there when you were shown more of the collection ?
- A. Yes, I was taken out of the house into the barn and saw everything they had piled there. I remember one large painting. I met the man that owned this one large painting. I was told it was left there before the bombing but cannot say for sure.
- Q. About when do you think you saw everything that was there ?
- A. Right before my departure.
- Q. When was the first time you had been taken out into the barn and shown the main body of collections ?
- A. I cannot tell you exactly the time. It was around the time when a driver with a truck from our detachment went out there to get some things that he had stored in the bath house at Bad Orb.

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- Q. Was that early in June ?
- A. I do not know. I had received news that the bath house had been broken into. Thoman said that there were valuable paintings at Bad Orb.
- Q. They requested that you assist them in bringing this collection back to them ?
- A. Yes.
- Q. Were you along on the trip ?
- A. Yes, I went on one trip to Bad Orb.
- Q. There were two trips. What did you bring back ?
- A. We brought back boxes and put them into the barn.
- Q. Did you see what was in the boxes ?
- A. The box contained paintings. Several were broken open. In that same store house was furniture, a cupboard, chairs, a lot of cupboards taken apart. We made another trip to Isny to pick up some supplies for a Public Health nurse.
- Q. How big a truck was this ?
- A. A 3/4 truck.
- Q. Do you know when this trip was made ?
- A. A month and a half ago., about August. It was before that. It must have been in July sometimes. The Public Health Nurse that needed some supplies was discussing the trip with the Major. Ettle told us what there was to see up there. There was to be approximately 4 boxes of pictures there.
- Q. He asked you if he could go along ?
- A. Yes.
- Q. The Major said he wanted to go to see the country ?
- A. Yes, he said that, Sir.
- Q. You, the Major and Ettle went on this trip ?
- A. Yes. It was going to take us 2 days.
- Q. Is Isny beyond the place where you had to get these supplies ?
- A. Yes, it took us 2 days to come and return.
- Q. Was that on a weekend ?
- A. Yes.
- Q. Did the Major and you do the driving?
- A. Yes. We brought these pictures back there. They were stored there with the others.
- Q. During these trips to the Ettle's you always took an interpreter with you ?
- A. No, it must have been 3 or 4 times I did not take an interpreter with me.
- Q. Who usually went ?
- A. Miss Teipel or Mr. Bangert.
- Q. Did Mr. Bangert know the people there ?
- A. I do not know for sure.
- Q. You do not know if they knew each other or not ?
- A. I have been to Frankfurt with Bangert and visited their home.
- Q. Is Mr. Bangert's father a prominent man in Frankfurt ?
- A. I do not know for sure. He was a director at I.G. Farben.
- Q. Mr. Bangert always did accompany you most of the time ?
- A. I mostly used him. If I needed an interpreter, I took one out of the office.
- Q. In helping them move the stuff did they give you a present ?
- A. Yes, it was a painting. I did not appreciate it particularly. About a week before it was given to me in a frame and I said I could not send it home. So the next time I went down he had taken it off the frame

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and it is now on my desk at Gleason.

- Q. Is it ready for shipment.
A. No.
Q. Was the Major given a picture ?
A. I believe so.
Q. Did he say that they had given him a picture ?
A. Yes.
Q. Have you ever seen it ?
A. Yes.
Q. Did you take any particular notice of it ?
A. Mine was an interior with 3 figures.
Q. Do you know who painted yours or the Major's ?
A. No.
Q. You do not feel that they are very valuable ?
A. No.
Q. Is the Major's canvas or wood?
A. I do not know.
Q. What size would you say the paintings were approximately?
A. 18 in x 24 in.
Q. They were given to you after these two trips ?
A. Yes, quite after a while.
Q. You used to go out there for dinner ?
A. Only one time.
Q. Have you ever seen any wine there ?
A. Yes, I am responsible for one cask. We had 3 casks and I managed to get one for them.
Q. You used to run out there in the evening to see them ?
A. Yes, but it was never a hangout.
Q. You did see to it that you went out at least once a week ?
A. No, only 10 or 12 times altogether.
Q. How many times was the Major out there with you ?
A. All but three or four times.
Q. Did he use to go out there when you were not there ?
A. He may have been out 2 or 3 times without me.
Q. In addition to these was there any other gifts ?
A. I bought rafts of things, porcelain boxes, etc. I could not tell you the number.
Q. About how much have you spent out there ?
A. I do not know that. I have spent some of my savings besides what I have earned while in the army.
Q. Would you say 4 000 to 5 000 Marks ?
A. Yes, in Frankfurt I have bought things from people that I know.
Q. From what you have seen was there anything nice ?
A. Yes.
Q. The things that you picked out there were for your own self ?
A. Yes.
Q. In other words you would say you spent 4 000 to 5 000 Marks on these things ?
A. Yes. I have received bills for each item that I have bought.

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- Q. Do you feel that they gave you a fair price on these things ?
A. I thought that they were kind of high.
Q. Most of this was sent home except the picture ?
A. Yes.
Q. Did the Major buy anything ?
A. He bought on my advise.
Q. How much would you say the Major spent ?
A. Probably as much as I did.
Q. He bought more expensive stuff, didn't he ?
A. Yes.
Q. Who made the bargains for the Major ?
A. Sometimes myself and other time our interpreter.
Q. During the time you were in Arts and Monuments, from the poop that came in you did do what you thought necessary ?
A. I did not have time all the time. It is a full time job.
Q. You ran across this collection in May or June. Why didn't you report the existance of this at that time to this headquarters ?
A. Because I did not regard it as being as such. I had 12 sheets of poop coming in regarding things that came in.
Q. Did you report the collection after you read this poop ?
A. No, that was very recent. My job was not a full time job, but was connected with my other duties.
Q. In so far as this collection was concerned you know it was there in May or June ?
A. My chasing around has been to look after books etc. , as far as this collection was concerned I didn't think that it was that important.
Q. You remember receiving some poop saying that things valued over \$ 10 000 should be reported immediately ?
A. I do not remember.
Q. You have received written documents from Army Group and this headquarters ?
A. This poop has come to the Major and not to me.
Q. Did you ever go over this poop with the Major and mark for distribution where it was supposed to go ?
A. I never did but I believe that was the way it was done.
Q. You have a message center ?
A. We have a chief clerk and he makes the distribution.
Q. On any question that you did not know, did you take it up with the Major ?
A. No, I did not.
Q. On what basis did you report to the Army the discovery of 300 cases of Berlin Stadtbibliothek books found close to Arnsberg before ?
A. In the poop to Army with the Summary. I had opened several boxes to check what was in them ?
Q. These people who worked for you - did they fill out Fragebogen ?
A. The CIC checked them.
Q. Did the Ettele's fill out Fragebogen ?
A. Yes they did, that was approximately 2 or 3 weeks ago. Approximately around the 24th of September 1945.
Q. Is it true that the CIC investigated them in a few minutes ?
A. Yes. The CIC had been there before.
Q. Do you know anything about these people?
A. I had heard that they were socially prominent people in Frankfurt, I know they were prominent for the last 20 years.

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- Q. Whom did you get this information from ?
A. They came into the office. Dr. Repp had told me that he was a prominent man. That he had worked in the museum in Frankfurt.
Q. Did you know what this man's background was ?
A. I did not.
Q. Did you know he was in the party ?
A. Yes.
Q. And despite that knowledge you took advantage of his hospitality ?
A. The fact that he was picked up from the party and removed for helping the Jews didn't seem to make the Party connections important.
Q. Do you know that we have a Special Branch just for investigating cases like this ?
A. Yes.
Q. And your Special Branch did not know about this man ?
A. Do you know about the letter that was written for this man ? He said he would like to do some work and get back on his feet.
Q. Do you know that he had acted as appraiser of Jewish art works ?
A. No.
Q. When he sold these things to you, was it there any question in your mind that he had to have a license to do such a thing ?
A. I do not know. I know that there were people from Frankfurt who came to buy things there also.
Q. On what basis did you put government transportation at the disposal of these people to bring these things back from Bad Orb and Isny ?
A. I had approval from Transportation Officer and the CG.
Q. Before anything could be removed you should have permission from the Fine Arts and Monuments from Det E-3 to move these ?
A. I always got the Major's permission before I went ahead to do it.
Q. Under whose authority did you proceed to employ your staff that was collecting these books out Hungen ?
A. I came down here and talked to Major Irvin and told him what was going on and got his permission to do this.
Q. Did Major Irvin know that these collections were under guard by the Military troupe in that area ?
A. I do not know.
Q. Did you obtain a Fragebogen from Frau Grape ?
A. No, I did not. The CIC agent came there and talked to all of them.
Q. Who was the special agent involved in screening this woman ?
A. It was a fat fellow. I cannot tell you his name.
Q. Was a formal request made to screen these people before you employed them ?
A. Yes.
Q. How did the CIC act ?
A. I saw Lt. Haurahan who is in charge of the detachment at Giessen and told him that we wanted to have some work done, and before any were employed to see if he would go over them and check them.
Q. Did you have a written report on that ?
A. I do not know.
Q. You had no communication with PSO who screened the people you were going to employ ?
A. The CIC was doing this.

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- Q. You were going to employ them ?
A. They were being employed by the Landrat.
Q. Wasn't Special Branch set up in late July ?
A. I cannot tell you that.
Q. You never had Frau Grape fill out a Fragebogen, just what the CIC said verbally. They do not have a record of screening them.
A. I do not know about that. She had the keys to everything there.
Q. When you paid the Ettle's for this stuff did you use occupation currency ?
A. Yes.
Q. Did Major Shrenou use occupation money too ?
A. I do not know.
Q. Was the stuff you sent home sent by parcel post ?
A. Yes.
Q. Was it all mailed from the German Zone ?
A. Yes.
Q. None was mailed from Luxembourg ?
A. No, I do not know. The package might have been mailed by our driver but as far as I know they were mailed in the German Zone.
Q. About this coin collection. Who owned that ?
A. A bailiff who worked for the Princess Selma-Lion.
Q. How valuable is it ?
A. I do not know.
Q. Did Bangert come up to Giesen for a job, and his home was in Frankfurt ?
A. Yes.
Q. You never met him until he came to work in Giesen ?
A. No. He came to the door and asked for work.
Q. Is Miss Teipel interested in collections too ?
A. No.
Q. And you say the material you purchased was original in design ?
A. With my French background I am interested in French things.
Q. You would say it was mostly 18th century ?
A. Yes.
Q. Did you tell me that you had talked to a Major in your Detachment about opening up a shop in Palm Springs ?
A. Yes. The Major said that he thought I should go out to California with my flare, that Palm Springs would be a good place. I do not care to return to work for the United Shoe Machine Co and I was thinking of getting a job with a friend of mine who is about to open a shop. A Mr. Frank Barnes of Boston.
Q. Did you ever discuss the possibility of importing things from the Ettle's ?
A. Of not importing this particular stuff, but if I ever wanted anything they told me they would look around for me.
Q. They have been instrumental in looking up things for you ?
A. Yes.
Q. Was Bangert ever along with you when you bought any of this stuff ?
A. ~~xxxx~~ No. Miss Teipel was along with us sometimes.
K.

Subscribed and sworn to before me this 16 October 1945 at Darmstadt, Germany.

William F. Marshall
1st Lt. Ball
Special Branch C.

120286

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Entry 775057
MKS BARA Dec 7-10-99

OFFICE OF MILITARY GOVERNMENT FOR HESSE
PROPERTY DIVISION
MFA&A Branch
Central Collecting Point
APO 633 US Army

Wiesbaden, Germany
31 May 1949

Received from MFA&A Stuttgart OMGWB the following items:

- 21 paintings
- 2 drawings
- 6 rugs

Central Collecting Point

OMG Hesse

MFA & A Sect

Central Collecting Pt

Landesmuseum

v. Schmidt auf Altenstadt

J. Schmidt auf Altenstadt

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Entry 1
Box 97

Authority NND 775057
By IE NARA Date 7-9
DECLASSIFIED

I have never left any doubt in Mr. Ettles mind as to my desire of not wishing to acquire property of Jewish origin. Mr. Ettle repeatedly assured me to the above fact. He will even today confirm this.

I was therefore under the firm conviction that among the pictures I had acquired through Ettle there were none of Jewish origin. When several weeks ago I was requested for the picture listed as No. 1 (Kowalski "Bauernhochzeit") under the restitution law I was most surprised and angry at the way Ettle had acted. I made him bitter reproaches after which he informed me that he had not acquired this picture from the previous owner, who was a Jew, but from this Jew's agent, Dr. Hofecker from Frankfurt/Main, who had offered this picture to Ettle.

These pictures are still in the room of my villa in which, upon request of the Amt für Vermögenskontrolle, they were stored. I herewith give my solemn assurance that I will not give these pictures into other hands and that they will remain in my possession until the question of their restitution has been clarified. Should this personal guarantee of mine not suffice I request you to name a custodian and -if possible- the same custodian who was in charge of my property previously.

Concerning the picture by Kowalski "Ungarische Hochzeit" my lawyer, Herr Dr. Wiedmann, Stuttgart, is actually corresponding with the previous owner concerning this picture.

Sincerely yours

s/ W. Schenk

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Authority	NND 775057
By	IE
NARA Date	79
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