

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry UDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

433 So. Rampart Blvd  
Los Angeles 5, Calif.

August 20, 1945

LEGAL ADVISER  
ack 8/28/45  
AUG 25 1945  
O'Neill  
DEPARTMENT OF STATE

The Secretary of State  
Washington, D.C.

Dear Sir:

Expelled by the Nazis from our former Austrian native country my family and me have been happy, to get the permit, to enter this country 5 3/4 years ago. In the meantime after school visiting all of us became american citizens and at this occasion I learned, that each citizen has the right, to petition the government, so I decided, to write a letter to you, dear mister Secretary of state, and ask for your help, well knowing, to find your protection, if possible.

My firm was one of the outstanding in Central Europe for 40 years, I was honorary arbitrator for agricultural products as well as a member of the executive expert comitee of the Viennese Product Exchange, which is the second largest in Europe. (I have official certificates.) I lost my fortune consisting of many big mortgages, houses, shares, and illegal paid taxes, (I have all proofs at hand) according to my given statement to the Federal Reserve Bank.

My son worked for 4 years as a physician at different hospitals in our country and has voluntary registered as the first Refugee as an U.S. Government Medical Officer for 20 months, only to quit this job just before the end of the war. My son in law, with whom we lived together almost the whole time, has two stores and is employing as proportionally big taxpayer almost 20 workers. I help him sometime til I got sick.

Now I am 68 years old and need expensive physical treatments and refuse, to take money from my children, because I never took money and preferred, to give money during my whole life, and I know very well, that our country will take care always of our citizen and in the same way as after the first world war. That's the reason, why I took the liberty, to write this letter.

Dear mister Secretary of state will you please help me old sick man and take into kindly consideration, if it would possible, to reach some aggeement with any bank to get monthly payments for my wife and me as quickly as possible on foundation of my future claims, to which purpose I would pawn my above hinted statement. Thanking you for any information, dear mister Secretary of state, or assistance you may be able to render, I am

Sincerely yours,

*Felix Maier*

Felix Maier

RECEIVED  
DIVISION OF  
CENTRAL RECORDS

1945 AUG 23

RECORDS BRANCH  
General Section  
Classified .....  
Recorded .....  
C. Recd .....  
Reviewed .....

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1191  
Box Griessmayer  
420

August 30, 1945

In reply refer to  
Le 462.11 EW Maier,  
Felix/8-2045

My dear Mr. Maier:

The receipt is acknowledged of your letter of August 20, 1945 concerning property stated to be owned by you in Austria.

The Department suggests to American nationals who had or have had property in enemy territory or in territory occupied by the enemy that they submit to it statements regarding such property along the lines indicated in the enclosed memorandum. The filing of such statements is not to be regarded as the filing of formal diplomatic claims, but such information may be useful in determining what action may properly be taken in connection with the matter.

This Department is not in a position to make arrangements with any bank to extend you financial assistance on the basis of a possible claim which you may have against the enemy.

Sincerely yours,

For the Secretary of State:

Green R. Hackworth  
Legal Adviser

Enclosure:  
Memorandum,  
March 20, 1942.

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

AC 80 345

DC/R Central Files

Felix/8-2045

A true copy of the original

Le: AD Neill: fje  
8-28-45  
*[Handwritten signatures]*

462.11 EW

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 163.1141  
Griessmayer  
Box 420

RECEIVED  
DIVISION OF  
CENTRAL SERVICES

✓

*File*

433 So. Rampart Blvd  
Los Angeles 5, Calif.

*DC/A*

November 6, 1945.

The Secretary of State  
Department of State  
Washington 25, D.C.

LEGAL ADVISER  
*ack 11/15/45*  
NOV 15 1945  
*O'Neill*  
DEPARTMENT OF STATE

Attention: Mr. Green H. Hackworth - Legal Adviser for  
the Acting Secretary of State  
Lc. 462.11 E.W. Maier, Felix/10-1045

Dear Sir:

I acknowledge receipt of your letter of November 1 st. 1945  
and I would like, to inform you, that I and my wife were  
naturalized on... July 13, 1945  
and that the number of our citizen paper is  
6184445, 6184442

DC/A Central Files

462.11 E.W. MAIER,  
FELIX/11-645

Respectfully yours

*Felix Maier*

Felix Maier

General Section  
Classified m.m.b.  
Declassified Q  
Revised

NOV 21 1945

FILED

*462.11 E.W. Maier  
Felix/11-645  
OS/VU*

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Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263,1191  
Griessmayer  
Box 420

In reply refer to  
Le 462.11 E.W. Maier,  
Felix/11-645

NOV 19 1945

My dear Mr. Maier:

The receipt is acknowledged of your letter of November 6, 1945 in further regard to property in Austria which you state was confiscated by the German authorities.

It appears from your letter that you and your wife became American citizens on July 13, 1945, a date subsequent to the events which have given rise to your complaint. Under international law and practice, claims may not in general be advanced by one country against another except in behalf of claimants who are nationals of the country presenting the claim. It is not the practice of the Department to consider making diplomatic reclamation on behalf of an American claimant unless the claim was in its inception and continuously thereafter American owned. The Department is not now in a position to state whether the situation may be modified in connection with peace negotiations or otherwise.

I may add that, according to the Department's information, authorities exercising control in Austria have not as yet set up machinery to enable former owners to recover property which has been seized or sequestered. It is assumed that due publicity will be given to such matters as may be adopted in that regard.

Sincerely yours,

For the Secretary of State:

Green H. Hackworth  
Legal Adviser

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

Le:AO'N 11-175e 11/15/45



D/R Central Files

200 462 11 E.W. Maier  
Felix/11-645

NOV  
CR  
P.M.

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1191  
Griessmayer  
Box 420

Department of State  
WASHINGTON D.C.

433 So. Rampart Blvd  
Los Angeles 5, Calif.

October 7, 1946.

RECEIVED  
DEPARTMENT OF STATE

PM 4 50

RECORDS BRANCH

Dear Sir:

*ans 10/13/46  
GRIESSMAYER  
FELIX MAIER  
10/13/46*

Referring to your letter of August 30, 1945 Le 462.11

EW Maier, Felix/8-2045

There has been collected and deposited for me RM. 70,000.-  
at "REPUBLIK OESTERREICH BUNDESMINISTERIUM für VERMÖGENS  
SICHERUNG and WIRTSCHAFTSPLANUNG, VIENNA, HOFBURG" according  
to letter I have received August 5, 1946 and at  
"GEBAUDEVERWALTUNG SODOMA MATEJKA VIENNA, VI. according to  
letter August 7, 1946

I would like, to know, how to get about getting this money to  
AMERICA and exchanging it for American Dollars.

We have been told, that our government needs a lot of Austria  
money for our occupational forces and that has been seized  
a great deal of Austrian property, therefore we will hope and  
wish for your possible assistance.

We are prepared, to accept further your custody about our 50%  
house at VIENNA besides this available money, to make possible  
any transfer of monthly subsistence and my wife and I would  
be happy, when you could make possible any solution in this  
mentioned way.

We are convinced, that our government will take care like  
after the first world war of the interest of us American  
citizens.

We lost, as you know, our whole property and hope, to get back  
a great part, but this needs time and at our age time is  
running too fast.

We repeat, dear Sir, our request for your immediate help,  
because we have no income, refuse, to take charity or old  
age assistance and we need very badly expensive medical  
treatment.

Let us know, dear Sir, what necessary steps must be done,  
to remit the mentioned already collected and deposited  
money for disposition at the  
above "BUNDESMINISTERIUM" and the "GEBAUDEVERWALTUNG"  
to you, that you could pay to us every month a certain  
amount or any amount as soon as possible.

All our lost fortune according our statement at the  
FEDERAL RESERVE BANK attained 400,000 Dollars including  
only R.M. 220,000.- paid illegal taxes with official proofes  
at our hands and to your disposition if required.

Dear Sir, will you please take care of our matter and please  
help us young old American citizens.

Sincerely Yours

*Felix Maier & Elsa Maier*  
Felix Maier & Elsa Maier

OCT 23 1946

462.111 EW MAIER, FELIX/10-746

CS/A

*462.111 EW Maier*

①  
②

*Law*

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

OCT 21 1946

In reply refer to  
Le:462.11 EW Maier,  
Felix/10-746

My dear Mr. and Mrs. Maier:

The receipt is acknowledged of your letter of October 7, 1946, regarding the money and other property in Austria in which you are interested. There are enclosed memoranda relating to bank deposits and the protection of property located in enemy countries. If you will furnish sworn statements, in quadruplicate, containing the information suggested in the memoranda, the Department may be in a position to request its representative in Austria to ascertain and report the present status of the properties in which you are interested and to accord them such protection as may be possible in the circumstances.

With respect to your desire to transfer the money you have in Austria to the United States, you are informed that the transfer of funds out of Austria is not possible at the present time.

Sincerely yours,

For the Secretary of State:

Joseph E. Matre  
Assistant to the  
Legal Adviser

Enclosures:  
Memoranda, "Bank  
Deposits".

Mr. and Mrs. Felix Maier,  
439 South Rampart Boulevard,  
Los Angeles 5, California.

Le:JEMatre:vt  
10/18/46

OCT 21 1946 P.M.

A true copy of the original  
sent

DCR Central File  
10-14-46  
EW 462.11 EW Maier  
Felix/10-746

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

~~155 FN~~

In reply refer to  
FN 363.1143 Maier,  
Felix/1-1748

MAR 8 1948

My dear Mr. Maier:

Reference is made to your communication dated January 17, 1948, concerning certain funds which you state are due you by the International Freight Forwarders in Vienna, Austria.

As you are already aware, the Office of Alien Property has made arrangements under which persons in the United States having claims against foreign individuals, corporations and governments whose property in the United States was vested prior to January 1, 1947, may file claims against such property. Persons desiring information as to whether assets of their foreign debtors have been vested should communicate directly with the Office of Alien Property, Department of Justice, Washington 25, D.C. or with any United States Attorney's office in the United States. A copy of your communication has been forwarded to the Department of Justice for consideration and reply.

If your claim is against a private institution in Austria which has no vested assets in this country, you should be informed that it will be necessary for you to take action on your own initiative before the appropriate authorities in Austria and to employ the usual methods available to foreign creditors for the adjustment of private obligations owing by Austrian institutions.

Sincerely yours,

DCR - CLAIMS UNIT  
FAIC

For the Secretary of State:

William J. Stibray  
Assistant Chief  
Division of Financial Affairs

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

FN:ISStarr:gwe 2/25/48

RECEIVED  
MAR 10 1948

FN 363.1143 Maier, Felix/1-1748  
DC/R Central Files

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

~~755~~ FN

DIVISION OF FINANCIAL AFFAIRS

Reply + transmitted 2/15/48

JAN 28 1948

FN: Starr give

DEPARTMENT OF STATE

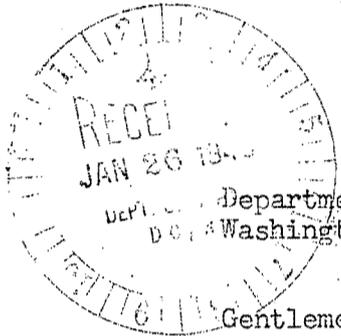
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433 South Rampart Blvd.  
Los Angeles 5, Calif.  
January 17, 1948

DC/R

363.1143 MAIER, FELIX/1-1748

DC/R General



Department of State  
Washington, D. C.

Gentlemen:

The "Intercontinentale" (International Freight Forwarders at Vienna 1, Deutschmeisterl.4) owes me \$30,000 in United States dollars, resulting from a transportation agreement made before I left Vienna, Austria eight years ago.

As an American Citizen, it is necessary for me to register this claim with the Alien Property Custodian, Washington, D. C.

I should, therefore, very much appreciate your advising me whether the "Intercontinentale" has credit at the following organizations

All Transport, Inc. Freight Forwarders,  
4-6 State Street, New York, New York

National City Bank of New York  
Wall Street, New York City, New York

Bush Terminal Company  
Ft. of 43rd Street, Brooklyn, New York

as I have been informed that these organizations have had business dealings with the "Intercontinentale" for many years after I left my former native country, Austria.

Thanking you for your courtesy and kind attention and looking forward to a prompt reply, I am

Yours very truly,

*Felix Maier*  
Felix Maier



MAR 11 1948  
FILED

*Am*

363.1143 MAIER, FELIX  
CS/A / 1-1748

DC - CLAIMS UNIT  
*JB* *see*  
Dist.

*mc*

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141  
Griessmayer  
Box 420

~~15~~ FN

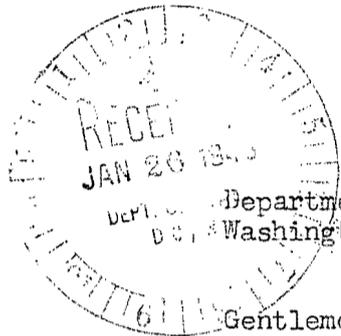
DIVISION OF FINANCIAL AFFAIRS  
*Reply + transmittal 2/15/48*  
JAN 28 1948  
*FN. Stoss. give*  
DEPARTMENT OF STATE  
*File*

433 South Rampart Blvd.  
Los Angeles 5, Calif.  
January 17, 1948

DC/A

363-1143 MAIER, FELIX/1-1748

NOV 20 1948



Department of State  
Washington, D. C.

Gentlemen:

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4-6 State Street, New York, New York

National City Bank of New York  
Wall Street, New York City, New York

Bush Terminal Company  
Ft. of 43rd Street, Brooklyn, New York

as I have been informed that these organizations have had business dealings with the "Intercontinentale" for many years after I left my former native country, Austria.

Thanking you for your courtesy and kind attention and looking forward to a prompt reply, I am

Yours very truly,

*Felix Maier*  
Felix Maier

MAR 11 1948  
FILED

CS/A

1-1748

CLAIMS UNIT  
*JB*  
Dist.

*mc*

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1191  
Griessmayer  
Box 420

NOV 1 1945

In reply refer to  
Lc 462.11 E. W. Maier,  
Felix/10-1045

My dear Mr. Maier:

The receipt is acknowledged of your letter  
of October 10, 1945 with enclosure concerning  
property in Austria stated to be owned by you and  
your wife.

Before giving the matter further consideration  
the Department should be informed of the date of  
naturalization of yourself and your wife.

Sincerely yours,

For the Secretary of State:

Green H. Hackworth  
Legal Adviser

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

NOV 1 1945

Lc:AO:MS:11:1:10  
10/24/45

*Emr*

SEARCHED  
SERIALIZED  
INDEXED  
FILED

DC/R General Files

462.11 E W Maier, Felix/10-1045

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263-1141  
Box Griessmayer  
420

Claim for Reparations - Continued

	Balance Brought Forward	\$253,695.66
	County Gr. Enzersdorf Grundbuch, Leopoldsdorf, Mortgage No. E.Z. 29,43,44, Grundbuch Oberstebenbrun " No. E.Z. 424,435, Principal and Interest.	\$59,348.00
11.	County Hall of Records Lasse No. E.Z. 52.53, Grundbuch Marchegg.	14,608.43
12.	County Hall of Records Harmannsdorf (Kornneuburg) Owners Johann and Elizabeth Gols.	13,366.53
13.	Life Insurance Policy with the Anker Insurance Company (Vienna), my photograph attached to policy. (Felix Maier Insured)	3,248.10
	Total.	\$344,266.72
14.	Paid in so-called taxes for complete, illegal, criminal escape, before being permitted to start forced emigration and for passports.	62,368.00
	Grand Total	\$406,634.72

Affiants further state that they are able to support the above and foregoing claim with documentary evidence.

Further affiants saith not.

Felix Maier  
Felix Maier

Elsa Maier  
Elsa Maier

Subscribed and sworn to before me this 10<sup>th</sup> day of October, 1945.

[Signature]  
Notary Public in and for the  
County of Los Angeles, State of  
California

My commission expires \_\_\_\_\_ My Commission Expires March 22, 1948

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
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Griessmayer  
Box 420

CLAIM FOR REPARATIONS

STATE OF CALIFORNIA }  
COUNTY OF LOS ANGELES } ss.

FELIX MAIER and ELSA MAIER, husband and wife being first duly sworn, each for himself and for herself, do depose and say that the following statements are true to the best of their information and belief:

That they reside at No. 433 South Rampart Boulevard, Los Angeles, California.

That they are both citizens of the United States, and Felix Maier, for himself, states that his citizenship number is No. 6184445; Elsa Maier states for herself that her citizenship number is No. 6184442.

Affiants further state that they formerly resided in the Country of Austria, being citizens thereof; that because of the German occupation of Austria their property was confiscated and they were forced to flee from that country coming directly to the United States.

Affiants further state that at the time of their departure from Austria they were in possession of the following described assets, evidenced by Treasury Department Foreign Funds Control, Form TFR-500: Census of Property in Foreign Countries, filed with the Federal Reserve Bank, as of May 31, 1943:

1. Currency and Coin not repudiated, kept at home, confiscated by illegal patrols. . . . . \$48,120.00
2. Deposit with the "Creditanstalt Banking Institute Vienna II, Taborstrasse, bank statement as of December 31, 1937. . . . . 32,080.00
3. Austrian War Loan with the same Bank (Trefferanleihe) . . . . . 6,683.00
4. Shares by Austrian and Czechoslovakian Industrial Incorporateds, with the same Bank . . . . . 11,762.00
5. Notes from customers, not redeemed because of Hitler's occupation of Austria. . . . . 20,050.00
6. Unpaid bills of customers resulting from business transactions before Hitler . . . . . 60,150.00
7. Jewelry, valuable antique carpets, furniture, pictures, etc. . . . . 36,090.00
8. One-half Interest in Apartment House in Vienna, II. Bocklinstrasse Nr. 26 - E. Z. 5335. . . . . 26,406.00  
(Other half owned by heirs of my brother Dr. Leonhard Maier of Elmhurst, New York)
9. Apartment House at Pyrawarth E. Z. 1971. . . . . 12,354.66
10. Mortgages on farms, recorded in the County records as follows:

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Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263,1141  
Griessmayer  
Box 420

*O'Neill*  
LEGAL ADVISED  
*ans 10/24*  
OCT 18 1945  
OCT 23 1945  
DEPARTMENT OF STATE  
DEPARTMENT OF STATE

*File*

Felix Maier & Elsa Maier *100*  
433 So. Rampart Blvd.  
Los Angeles-5-Calif.

October 10, 1945

*46211 E.W. Maier*  
*July 18-20 45*  
*E*

The Secretary of State  
Department of State  
Washington 25, D.C.

Attention: Mr. Green H. Hackworth - Legal Adviser for  
the Acting Secretary of State

Dear Sir:

Through friends I have been informed that reparations  
claims against the enemy may now be filed with your  
office, to be given future consideration. I under-  
stand that the machinery has not as yet been set up  
for the settlement of these claims, but I do desire  
to place myself of record at this time and in order to  
do so am enclosing herewith a sworn statement in dup-  
licate, signed by my wife and myself, showing our  
property and assets in Austria immediately prior to the  
seizure of that country by the Nazis. I am in a posi-  
tion to substantiate this claim with documentary evi-  
dence which I shall be pleased to furnish your office  
upon request. I, of course, desire full restitution  
of my property status to that occupied by me before  
my enforced emigration to this country, if that is  
possible.

Thank you for your consideration of my claim and your  
acknowledgment of receipt of this letter.

Respectfully yours,  
*Felix Maier*  
*Elsa Maier*

*46211 E.W. Maier*  
*F. Maier*

RECEIVED  
DIVISION OF  
CLAIMS SERVICE  
1945 OCT 19 AM  
RECORDS BRANCH  
CC/R

DO/R Central 6133M

FELIX/10-1045

*1045*  
NOV 2 - 1945  
CS/VJ

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
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Box 420

- 2 -

a "Bill to amend the Trading with the Enemy Act, as amended, to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases", was favorably reported on July 17, 1947, from the Committee on Interstate and Foreign Commerce. The Bill was passed by the House of Representatives on January 26, 1948, and is now pending before the Senate.

In view of the various restitution laws which have gone into force in Austria and additional ones which in the future will in all probability be adopted, it would seem desirable, as suggested in the Department's letter of May 14, 1947, that you engage the services of a competent attorney in Austria to handle your various claims.

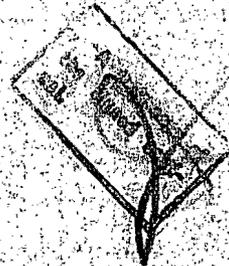
Sincerely yours,

For the Secretary of State:

Joseph B. Matre  
Assistant to the Legal Adviser

CR  
MAR 19 1948 P.M.  
MAR 22 1948

L/C:JBMatre:mas  
3/18/48



342838

DECLASSIFIED  
 Authority 949660  
 By EK NARA Date 7/31

RG 59  
 Entry CDF 1960-63  
 File 263.1191  
Griessmayer  
 Box 420

MAR 22 1948

In reply refer to  
 L/C 462.11 EW Maier,  
 Felix/3-1148

My dear Mr. Maier:

The receipt is acknowledged of your letter of March 11, 1948, in further reference to your claims for compensation for property losses allegedly sustained in Austria.

It appears from the Department's records that you were admitted to citizenship on July 13, 1945, and that you were not an American citizen at the time the property losses were sustained. Under the recognized principles of international law and practice, one nation cannot successfully present a claim for international reclamation against another nation unless the claimant was a national of the nation presenting the claim at the time the claim arose. The reason for the rule is that a nation is injured through the injury to its national and only the injured nation can demand reparations. If a claim should be presented, the respondent government would invoke the rule. While naturalization transfers allegiance, it does not transfer international obligations existing at the time of naturalization. The Department is unable to state whether this situation may be modified in the Austrian peace treaty.

As you have been previously advised, the Department is not as yet in a position to indicate what procedures will be adopted by this Government to deal with claims growing out of property losses in Austria resulting from the war, or what classes of claims will be entitled to share in any funds which may become available for their settlement under the terms of the Austrian peace treaty or war damage compensation legislation or American war damage compensation legislation. Wide publicity will be given to the procedures when they are adopted.

During the first session of the Eightieth Congress, H.R. 4044,

Mr. Felix Maier,  
 433 South Rampart Boulevard,  
 Los Angeles 5, California,

DCR - CLAIMS UNIT  
 Andl  
 Rev.  
 Cat.  
 Dist.  
**FAK**

DCR Central Files

FW 462.11 EW Maier, Felix/3-1148

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
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Griessmayer  
Box 420

STANDARD PROCESS SERVICE

COPY

433 South Rampart Blvd.  
Los Angeles 5, Calif.  
November 11, 1947The Honorable William F. Knowland  
United States Senator  
Washington D.C.

My dear Sir:

When I left my former native country, Austria, eight years ago, I lost my entire fortune of almost \$500,00 United States dollars to the Nazis. Since I became an American Citizen, I have tried, but, in vain, to get money in exchange for the money which has been collected for me according to a letter dated August 5, 1947, No. 82 110-7b/46, RM. 56.040.06 received by the Republik Oesterreich, Bundesministerium fur Vermögenssicherung und Wirtschaftsplanung Wien, Hofburg, Amalienstrasse 1, and deposited therein. I registered my lost fortune with the Federal Reserve Bank, our State Department and also with the Alien Property Custodian. However, I have been unable to receive any money in exchange. So, I therefore decided to write to you, dear Mr. Senator, as your voter and enlist your aid in this matter. I do hope that you can assist me.

As you, no doubt, know, our Government is paying Thirty million dollars in United States currency to the Austrian Government for our Military Forces monthly. I have written to your Military Government at Vienna concerning ~~this~~ the exchange of my Austrian currency, which is deposited in Vienna, to United States currency but this has been refused by them.

It will not be difficult to prove that at my age which is 70 I am not capable of earning a living for me and my wife. We would like only a small part of our former fortune returned so that we will not have to accept charity from our family nor to accept Old Age Assistance and which will enable us to pay our own expenses.

Perhaps restitutions such as in our case will be regulated later on, but, in the meanwhile, we are in dire need and also require medical care.

Both my wife and I should certainly appreciate anything you can do for us. Thanking you for your courtesy and kind attention and looking forward to an early reply, I am

Yours very respectfully,

/s/ Felix Maier

342840

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1141  
Griessmayer  
Box 420

# United States Senate

November 17, 1947

Respectfully referred to  
Austrian Desk  
Department of State  
Washington, D. C.

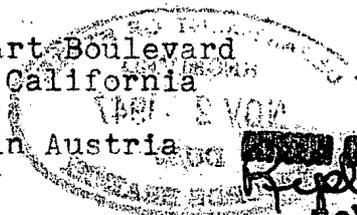
*Rec'd by CE &  
Ref'd to FN -  
Ref copy special meeting  
11/20/47*

with thanks for such favorable consideration as  
the communication herewith submitted warrants,  
and for a report thereon, to accompany return  
of inclosure.

By direction of  
*W*  
William F. Knowland

Felix Maier  
433 South Rampart Boulevard  
Los Angeles 5, California

Re: Currency in Austria



DEPARTMENT OF FINANCIAL AFFAIRS  
*Reply 10/24/47*  
NOV 20 1947  
F. S. Starr: eo  
DEPARTMENT OF STATE  
*file*

*FA  
D/R*

DC/R Central  
462-111 EW MAIER,  
FELIX/11-1747

*RTB*  
S. S. FILED  
462-111 EW - MAIER,  
FELIX/11

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

OCT 31 1947

In reply refer to  
Le/C 462.11 EW Maier,  
Felix/10-1647

PM 462.11 EW Maier Release 10-16-47  
DC/R General Files

My dear Mr. Maier:

The receipt is acknowledged of your letter of October 16, 1947 concerning claims against Austria.

The Department is not as yet in a position to indicate what procedures will be adopted by this Government to deal with claims against Austria resulting from the war or what classes of claims will be entitled to share in any funds which may become available for the settlement of such claims. Wide publicity will be given to the procedures when they are adopted.

During the first session of the Eightieth Congress, H. R. 4044, a "Bill to amend the Trading with the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases", was favorably reported on July 17, 1947, from the Committee on Interstate and Foreign Commerce. It is assumed that this bill will receive further consideration at the next session of the Congress.

Sincerely yours,

For the Secretary of State:

JCT 31 1947 P.M.

Joseph B. Matre  
Assistant to the Legal Adviser

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

Le/C:JEMatre:mas  
10/30/47

A true copy of the signed copy

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

81A

DEC 17

In reply refer to  
FN 462.11 EW Maier,  
Felix/11-1747

*dated December 17, 1947*

My dear Senator Knowland:

I have received your communication, enclosing a letter from Mr. Felix Maier concerning his property interests in Austria.

Mr. Maier states that he desires to transfer to the United States certain funds which have been collected and deposited on his behalf in Austria. The transfer to the United States of funds on deposit in Austria is permitted only in accordance with the present comprehensive Austrian foreign exchange control restrictions. While Mr. Maier may instruct the institution holding his funds to request the permission of the Austrian National Bank to transfer the funds involved to the United States, the Department would not be warranted in holding out hope that the Austrian authorities will permit such transfers in the near future in view of Austria's severe shortage of dollar exchange relative to that country's need for imports of essential foodstuffs and other commodities. The treatment that will be accorded any proposed transaction at a particular time, however, can only be ascertained by requesting the institution to endeavor to effect the transfer in question.

It is noted that the Department of State has received several communications from Mr. Maier with respect to his property holdings in Austria of which he was deprived during the Nazi regime. A copy of the Department's letter of October 31, 1947, relative to this matter is enclosed for your information.

In accordance with your request, Mr. Maier's letter is returned to you herewith, a copy having been made for the Department's files.

Sincerely yours,

*London*  
For the Acting Secretary of State

Florence Kirkin  
Special Assistant

Enclosures:

1. From Mr. Felix Maier, November 11, 1947.
2. From Department of State, October 31, 1947.

The Honorable  
William F. Knowland,  
United States Senate.

Stamp: DCR CLAIMS UNIT  
Stamp: AND REPLY TO  
Stamp: 11/26/47  
Stamp: FN:188 Starr:ss 11/26/47  
Handwritten initials: *ES*

462.11 EW MAIER, FELIX/11-1747  
DC/R Central Files

*462.11 EW Maier, Felix/11-1747*

DEC 9 1947

DECLASSIFIED

Authority 949660

By EK NARA Date 7/31

RG 59

Entry CDF 1960-63

File 263-1141  
Griessmayer

Box 420

-2-

I should certainly appreciate anything you can do for us. Thanking you for your courtesy and kind attention and looking forward to a prompt reply, I am

Sincerely yours,



Felix Maier

Felix and Elsa Maier  
433 South Rampart Blvd  
Los Angeles 5, Calif.  
October 16, 1947

Mr. Robert E. Lovett  
Acting Secretary of State  
Washington, D. C.

Dear Mr. Lovett:

In recent newspapers, I have read that you are the man in charge of all assets of former enemy countries and also in charge of aid to European countries. I also read in the papers that billions of United States dollars are going to be paid to help these countries. In my opinion, charity starts at home.

I know that these European countries are suffering from the consequences of the War, but, there are also thousands of Nazi victims here in the United States, former Austrians like myself, who lost everything when Hitler occupied Austria, and came to this country without a penny. Most of them were too old to get a job here and are now living on charity. On the other hand, there are big Nazi assets under the Alien Property Custodian in Washington, D. C. These assets certainly contain, directly or indirectly, parts of those fortunes lost by us. We recently filed our claims in Washington as well as with the Austrian Government in Austria but there is no chance of our getting any money for a long time to come.

I have also read that these enemy assets are going to be used to help European countries and I believe that is rather unfair as we, who certainly have a priority on these assets, are in dire need of help here. I can't believe that politics should be more important than justice. Until now, I could not find a man to represent us Nazi victims, but, since I believe that I am addressing this letter to the right man, I am appealing to you.

Our claim, which was filed through Washington and also the Austrian Government, show proofs of the amounts which we lost. As our need is very urgent, I would suggest that we get at least a small part of our claims for living expenses, medical treatment, etc., because all the money would not be good to us if it still should take a long time to be liquidated.

462.11 EW MAIER, FELIX  
LEGAL ADVISOR  
OCT 28 1947  
PBM file

DEPARTMENT OF STATE

462.11 EW MAIER, FELIX  
DC/R Central Files  
110-1647

CS/A 10-16-47  
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40-57 FC 63  
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RG 59  
Entry 1960-63  
File 263-1191  
Box 400  
DECLASSIFIED  
Authority 949600  
By ER MARA Date 7/21  
REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1141  
Griessmayer  
Box 420

*VE*

433 South Rampart Blvd.  
Los Angeles 5, California  
March 20, 1947

*DK*

Office of the Attorney General of the United States  
Washington, D. C.

LEGAL ADVISER  
MAY - 5 1947  
DEPARTMENT OF STATE

DCR  
Griessmayer  
Mayer

Gentlemen:

1. Kindly inform me of the legal steps to be taken by former Austrian citizens who are now American citizens and who are entitled to restitution of property and values confiscated in Austria under the Nazi Regime.
2. Are there any steps contemplated to effect restitution of such values and property through direct intervention by your department?
3. Is re-registration of property claims with your department necessary in cases already registered with the Federal Reserve Bank and the Property Control Sub Section in Vienna, Austria, as per direction given by the State Department and by our Military Government in Austria some time ago?

If a re-registration with your office is desired, will you kindly submit all necessary forms and all pertinent information.

Thanking you in advance for your courtesy and kind attention and looking forward to an early reply, I am

Yours very truly,

/s/ Felix Maier

Felix Maier

LE 46211EW name/10-146

DCB - CLAIMS UNIT

Anal. *[Signature]*

ev. *[Signature]*

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Dist. *[Signature]*

MAY 19 1947

*46211EW*  
*3-20-47*  
*CS N*  
*Mayer*

462.11 EW MAIER, FELIX/3-2047

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Grlessmayer  
Box 420

MAY 14 1947

In reply refer to  
Lc/C 462.11 EW Maier,  
Felix/3-2047

My dear Mr. Maier:

The Department has received by reference from the Office of Alien Property your letter of March 20, 1947 concerning the restitution of property in Austria.

There is enclosed a press release of April 4, 1947 relating to the Austrian Restitution Laws from which you will observe that it is considered desirable to engage the services of a competent attorney in Austria to handle the claims and that neither the Department of State nor the American Legation in Vienna is in a position to be of assistance with respect to the filing of claims.

There is also enclosed as of possible interest to you a general information sheet concerning American property in Austria.

Sincerely yours,

For the Secretary of State:

Joseph B. Matre  
Assistant to the  
Legal Advisor

Enclosures:

1. Press release, April 4, 1947.
2. General information sheet.

MAY 14 1947 P.M.

Mr. Felix Maier,  
433 South Rampart Boulevard,  
Los Angeles 5, California.

Lc/O:JEMatresca  
5/13/47



DO/R Central Files

FW 462.11 EW-MAIER, FELIX/3-2047

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/61RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420JAC:lg  
149-35-0Mr. Felix Maier  
635 South Rampart Blvd.  
Los Angeles 8, California

APR 28 1947

Dear Mr. Maier:

Reference is made to your letter of March 20, 1947, in which you ask information as to the steps to be taken to recover property located in Austria which was confiscated during the Nazi regime.

This Office has issued no regulations requiring the registration or reporting of property located abroad.

It is not clear whether the confiscation of your property gave rise to a claim against the German Government, or any other persons or enterprises, of the type which the Office of Alien Property is authorized to pay. Under the provisions of the Trading with the Enemy Act, as amended, this Office entertains debt claims (i.e., claims asserting a debt or other obligation of the former owner of vested property) only against persons or enterprises whose property it has vested or over which it has otherwise acquired jurisdiction.

This Office has vested property which may be held to have been the property of the German Government which under existing legislation may be available to its creditors. Accordingly, I am enclosing a set of Form APC-10, with instructions including the text of sections 20 and 34 of the Trading with the Enemy Act, for your use in the event you conclude that you have a debt claim against the German Government. The forwarding of this form is not to be construed as an admission of the classification or validity of any particular claim.

If you will furnish this Office with the names and addresses of any other persons or enterprises that you conclude are indebted to you by reason of the confiscation referred to in your letter, I shall inform you whether this Office has acquired any additional property against which a debt claim may be asserted.

Your attention is directed to an order issued by this Office which fixes June 1, 1947, as the date after which the filing of debt claims shall be barred in respect of debtors any of whose property was vested in or transferred to this Office before January 1, 1947.

Since your letter appears also to relate to matters within the jurisdiction of the Department of State, a copy of your letter is being referred to that Department for consideration and further reply.

Sincerely yours,

(signed) John Ward Cutler

342848

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31  
RG 59  
Entry CDF 1960-63  
File 263-1141 Griessemaier  
Box 420

PLEASE REFER TO FILE NUMBER  
JAC:lg  
146-35-0

OFFICE OF ALIEN PROPERTY  
DEPARTMENT OF JUSTICE  
WASHINGTON 25, D. C.

*[Handwritten signatures]*  
APR 28 1947

The Department of State  
Washington 25, D. C.

Attention: Legal Adviser

Gentlemen:

*cc. to 2. New Maier  
Federal file 746*  
Enclosed is a copy of a letter dated March 20, 1947, from Felix Maier, 433 South Rampart Blvd., Los Angeles 5, California, and a copy of my reply thereto.

Since the letter relates to matters which may be within the jurisdiction of the Department of State, it is being referred to you for consideration and direct reply.

Sincerely yours,

*John Ward Cutler*  
John Ward Cutler  
Acting General Counsel

Enclosures

RECEIVED  
DEPARTMENT OF STATE

1947 APR 30 PM 3 26

RECORDS BRANCH

MAY 19 1947

DCE - CLAIMS UNIT  
Anal. *Jal*  
Rev.  
Ct.  
Date

SL-2

*cc. to 2. New Maier, Federal file 746*  
*3-20-47*

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263.1141  
Box Griessmayer  
420

In reply refer to  
L/C 263.1141 Maier,  
Felix/9-752.

SEP 23 1952

My dear Mr. Maier:

The receipt is acknowledged of your letter of September 7, 1952, in further reference to your claim for compensation for property losses allegedly sustained in Austria.

There has been no change in the status of such claims since the Department's letter of March 22, 1948, was mailed to you. There is enclosed a brief summary of the report of the War Claims Commission concerning claims arising out of World War II from which it will be observed that American nationality at the time of loss must be established. No action has as yet been taken by the Congress upon the recommendation of the Commission. The Department understands that the Commission will submit a supplemental report to the next regular session of the Congress.

There is also enclosed a general information sheet concerning American property interests in Austria.

The enclosure to your letter is herewith returned as requested.

Sincerely yours,

For the Secretary of State:

Joseph B. Matre  
Assistant to the Legal Advisor

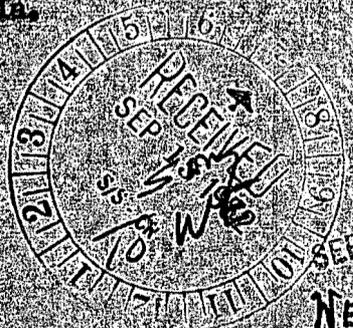
Enclosures:

1. Brief summary of report of War Claims Commission.
2. General information sheet concerning American property interests in Austria.
3. Letter of August 26, 1952, from the Office of Alien Property returned.

Mr. Felix Maier,  
3422 West Ninth Street,  
Los Angeles 6, California.

wfg  
L:L/C:NBGriffingeg  
9-15-52.

DC/R
Anal <u>70</u>
Rev. <u>[Signature]</u>
Car. <u>[Signature]</u>



ORIGINAL  
263.1141 MAIER, FELIX/9-752  
Must Be Returned

263.1141 MAIER,  
FELIX/9-752  
CS/H  
NE [Signature]

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263-1141  
Grossmayer  
Box 420

Miss Moore - CR

I agree with you that this is a distressing case and I wish something could be done to help these poor people. I am afraid, however, that in view of the nature or location of their assets in Austria there isn't much, if anything, that can be done to assist them. Nevertheless, I intend to try and I have therefore detached from the old file one of the two copies of the Maiers' claim for reparations and I am sending it to Vienna with the request that the Embassy investigate the possibility of helping these people.

  
John F. Kennedy WE

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1141  
Box Griessmayer  
420

The Secretary of State  
Department of State  
Washington 25, D.C.

Attention: Mr. Green H. Hackworth  
Legal Adviser for the 1952  
acting Secretary of State

3422 W. 9th Str.  
Los Angeles 6, Calif.

September 7, 52.

**LEGAL ADVISER**

SEP 10 1952

DEPARTMENT OF STATE

SEP 11 1952

263 1141 MAIER

Dear Sir:

In accordance with the enclosed letter of August 26, 1952 from the Department of Justice Off. of Alien Property I am advised, to communicate with you and ask for your help due to my following case.

Since almost 7 years american citizen after being forced, to leave my former native country Austria and after losing my fortune upon illegal taxes and confiscations in Austria through the German Nazi regime.

All proofs in my possession and declarations from the Austrian Government demonstrate, that all my robbed fortune went to the Nazi-Regime in Westgermany.

Between our country and the latter exists at the present time peace and friendship. As a matter of fact as an american citizen and a former Austrian citizen I could sue the Westgerman Government for restitution here in U.S. because the Germans own here property, I hoped, to get some restitution from the Alien Prop. Custodian, the picture of those chances looks very bad. The fact of a gigantic raid can't be denied and our laws must find means, to protect the victims.

If I would have the necessary money, I would hire an attorney right away, but I am 75 of age and depend on my childrens support.

Dear Sir, consider this horrible case, advice me, what to do and help me just for a small part of my damage, because my wife after a stroke and me are in dire need, need medical help and can't wait much longer.

I would appreciate very much indeed your kind advices and return of the enclosed letter and remain

Yours very respectfully

*Felix Maier*

Felix Maier

Enclosed letter!

102507

462 New Maier, Felix

Per Barney

18-2045  
10-2045  
11-645  
10-246  
10-2047  
10-1647

OCT 7 1952

FILED

CS/W

263-1141 MAIER, FELIX/9-752

263-1141 MAIER, FELIX/9-752

CS/W

DECLASSIFIED

Authority 949660By EK NARA Date 7/31

RG

59

Entry

CDF 1960-63

File

263,1141  
Griessmayer

Box

420

Y

In reply please refer  
to File Number

DEPARTMENT OF JUSTICE  
Office of Alien Property  
Washington 25, D. C.

LU:ABD:ler  
Claim No. 9657

August 26, 1952

Mr. Felix Maier  
3422 W. 9th Street  
Los Angeles 6, California

Dear Mr. Maier:

Your letters of August 8, and August 14, 1952, to the Attorney General and to the auditing firm of Arthur Young & Company, concerning your debt claim against the German Government have been referred to this Office for reply. Your claim, in the sum of \$378,203.80, plus interest, is based upon various illegal taxes and confiscations in Austria.

As you know, while section 34 of the Trading with the Enemy Act, as amended (50 U.S.C. App. 34), authorizes the Office of Alien Property to pay out of the vested property in the United States debts which were "due and owing" by the former owner of the vested property at the time of vesting of the property, the statute provides that only the property of the specific debtor against whom a person is claiming shall be made available for the payment of his claim. The cash proceeds in the account of the German Government available for the payment of debt claims amount to only about \$1,500,000.00, while the more than 3,500 outstanding debt claims against the German Government total at least \$670,000,000.00. Where the aggregate of the debt claims filed exceeds the proceeds of the vested property of the debtor, section 34(f) of the Trading with the Enemy Act provides for the making of pro rata payments. All claims against insolvent accounts, such as the German Government, must be processed at the same time because the pro rata payments cannot be determined until the merits of each claim are decided.

Because of the continuous shortage of personnel in this Office and the number and amount of the claims asserted against the German Government as compared with the relatively small amount of cash available in its account, it has not been possible to commence the active processing of the German Government claims. Moreover, it appears that the ultimate pro rata payments that can be made by this Office on non-priority German Government claims found to be valid under section 34 will, in any event, be very small. Furthermore, there is considerable doubt whether your claim, being based upon confiscatory acts of the German Government, involves "debts" within the meaning of section 34 of the Trading with the Enemy Act, as amended.

Under these circumstances you may wish to communicate with the Legal Adviser of the Department of State concerning the possibility of receiving compensation from the present German Government.

Very truly yours,

Rowland F. Kirks, Assistant Attorney General  
Director, Office of Alien Property

By /s/ Leon Ulman  
Acting Chief, Claims Branch

342853

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1191  
Box Griessmayer  
420

**462.11 EW MAIER, FELIX/3-1148**

433 South Rampart Blvd  
Los Angeles 5, Calif.  
March 11, 1948.

Mr. Benedict M. English, Esquire,  
Assistant Legal Adviser,  
Department of State, Room 703,  
Walker Johnson Building,  
Washington, D.C.

Dear Mr. English:

I was referred to your office by Mr. Isenberg in a reply to my inquire of March 1st 1948. Mr. Isenberg informed me, that at the present time the State Department is giving consideration to some claims against the former German Reich.

I left Austria before the war and lost all my fortune there. I filed the claims for \$ 150,000.- plus interest and one claim more Nr. 9657 JS:jWW:db1 Vesting Nr. 5706 et al. with the Office of Alien Property Department of Justice Washington D.C. almost 8 months ago, but did not get any reply yet.

Recently I read in the News Papers, that more than 200 Mill. U.S. Dollars have been seized of former German assets and are going, to be distributed among damaged parties.

When I read this item, I wrote to Mr. Isenberg for information, whether I could also expect some money out of the funds.

Mr. Isenberg told me, that my claim would not be satisfied out of this amount, because there was not a law, permitting this payment. But, this matter is just in consideration by you.

For that reason I would appreciate very much your kind reference, whether I have a chance, to get at least a part of that money, which I lost.

Thanking you in advance for your courtesy and kind cooperation, I am

Very sincerely, Yours

*Felix Maier*

Felix Maier

462.11 EW  
LEGAL ADVISER  
FELIX/10-746  
3-2047  
10-7647  
1-1748  
MAR 17 1948  
JBM

DEPARTMENT OF STATE

Central Files

RECEIVED  
DEPARTMENT OF STATE  
MAR 15 1948

FILED CS/V

462.11 EW - MAIER,  
FELIX/3-1148

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1191  
Griessmayer  
Box 420

In reply refer to L/GMR  
263.1191 Maier, Felix/12-3155

January 25, 1956

Dear Mr. Maier:

The Department of State has received your letter of December 31, 1955 with regard to Article 23 of the Austrian State Treaty.

The text of what is now Article 23 of the State Treaty was inserted in the draft treaty at an early date in negotiations. In substance it is identical with a similar provision inserted in the Italian Peace Treaty (Article 77), and the peace treaties with Bulgaria (Article 26), Hungary (Article 30), and Rumania (Article 28). It would appear from the background of the articles in question that "property" in the sense used in Article 23 was not intended to include claims for losses sustained, but rather referred to identifiable property in Germany of the Austrian Government or of Austrian nationals.

In connection with your claim, however, you may be interested in the fact that the Austrian Parliament very recently enacted legislation establishing a special fund to provide limited payments to former Austrian citizens or residents who were victims of Nazi persecution in Austria. Such payments will be made to persons residing presently outside Austria as a measure to alleviate hardships arising from financial need, age, ill health, or other similar circumstances. Persons wishing to obtain information regarding this fund and the procedure for filing claims may communicate with the

Committee for Jewish Claims on Austria  
Suite 800  
270 Madison Avenue  
New York 16, New York

As of

DS/A  
50  
Rev  
Get

Mr. Felix Maier,  
2025 North Catalina Avenue,  
Los Angeles, California.

*F.M. 263.1191 Maier, Felix/12-3155*

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1141  
Griessmayer  
Box 420



2025 North Catalina Avenue  
Los Angeles, Calif.  
December 31, 1955

**ACTION**  
is assigned to

*L/G*

JAN 11 1956

263,1141 Maier, Felix / 9-752  
/ 10-652

State Department  
Washington, D. C.

Gentlemen:

Reg. # 319572

I should very much appreciate your interpretation of Article 23 of the Austrian State Treaty dealing with restitution of illegally collected property values to victims of racial or religious persecution by the former Nazi regime.

My particular interest in this matter is explained by the fact that I am one of the many Nazi victims of the above category. In 1938, when I was still a citizen of Austria and legal resident of Vienna, Austria, the Nazis obtained the sum of 700,000 RM (reichsmark) by resorting to outright confiscation and illegal taxation. All documents proving my claim are in my possession.

My correspondence with the proper authorities in Vienna and Bonn has led me to believe that the Austrian, as well as the West German Governments, do not want to put into action Article 23 of the Austrian State Treaty.

Would you, therefore, kindly look into this matter and if possible give me your interpretation of Article 23 of the Austrian State Treaty, and, in particular, how it applies to my case.

Also, kindly let me know what legal action I can take in this matter if the attitude of the Austrian and West German Governments with regard to Article 23 of the Austrian State Treaty remains negative.

I have been a naturalized American Citizen since 1945. I am 19 years old which may in part explain my desire to have this matter clarified in the near future.

Yours very truly,

*Felix Maier*

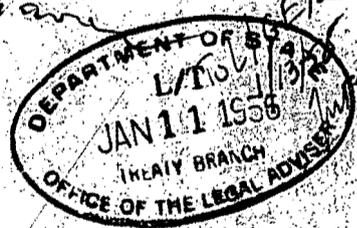
Felix Maier

**LEGAL ADVISER**

To Mr. Maier  
JAN 10 1956  
4/GER: DW: mja 1/19/56  
DEPARTMENT OF STATE

295905

DC/R  
Att: 4L  
Re: 1  
*ha*



DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141 Griesmayer  
Box 420

~~EUR~~

February 10, 1960

R.M.A.

In reply refer to  
L/EUR 263.1141 Maier,  
Felix/1-160

Dear Mr. Maier:

The Department of State has received your letter dated January 1, 1960, concerning your interest in obtaining information regarding your claim against Germany based on certain losses sustained during the Nazi period.

If you will provide information as to where in Germany you filed your claim, the name of the German office, the number of the claim if this is known, and the name and address of your attorney, the Department will endeavor to obtain information regarding the present status of the claim. As you may know, in view of the fact that you were not an American citizen at the time the claim arose, the Department is not able to make representations to German authorities on behalf of the claim. Accordingly, the only action which is possible is a general inquiry of the type referred to.

It is noted from previous correspondence that you also asserted a claim against Austria based on losses during the Nazi period. There is enclosed a press release providing information regarding the filing of claims under Article 26 of the Austrian State Treaty. A copy of the settlement agreed upon is also enclosed for your information. If you have not yet filed a claim and believe that your losses come under the agreement, it is to your interest to file your claim with the Austrian authorities at an early date.

The information sheet regarding monetary restitution claims against Germany is returned herewith.

Sincerely yours,

RDM

Richard D. Kearney  
Assistant Legal Adviser

EM/R  
Encl. 2  
Rev.  
Cat.

Enclosures:

1. Press Release No. 387, June 3, 1959.
2. UIAS 4253
3. Information sheet

Mr. Felix Maier,  
2025 North Catalina Street,  
Los Angeles 27, California.

L:L/EUR:DAWehmer:jcm 2/9/60

WE

S/S-CR  
FEB 9 1960 P.M.

GEA

263.1141 - Monetary Restitution

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED

Authority 949610  
By EK NARA Date 7/01

RG 59  
Entry CDF 1960-63  
File 263.1141  
Box Glessmaier  
420

*L/EUR*

**JEAN WUNDERLICH**  
ATTORNEY AT LAW  
889 ROWAN BUILDING  
LOS ANGELES 18, CALIF.  
MADISON 5-1881

February 24, 1960

Department of State  
Washington, D. C.

Attention Mr. Richard D. Kearney,  
Assistant Legal Adviser

Your File L/EUR 263.1141 Maier  
Felix/1-160

Gentlemen:

Mr. Felix Maier has asked me to answer your kind response of February 10, 1960.

The numbers of the proceedings are:

G/ 9339/ M and G/ 9340 /M

The are pending before the

Wiedergutmachungsämtern, Berlin, Berlin S.W. 61  
Alte Jacobstr. 148-155.

The attorney representing me is Dr. Greve,  
Hannover, Rathenauplatz 3, (Eingang Sophienstrabe)

Mr. Maier, at the time of the confiscations, was a resident of the United States and had already declared his intention to become a citizen.

His case is one in which there is complete documentary proof of confiscation of valuable tangible property and of the transfer of the proceeds of the forced sale to the German Reich, Western Territory.

If you can expedite, or make remonstrances with the German offices handling this as was apparently done in similar flagrant cases known to me, Mr. Maier will be very grateful.

Very truly yours,

*Jean Wunderlich*  
(Mr.) Jean Wunderlich

FILED  
JUN 2 1960

*263.1141-Maier, Felix*  
*2-2460*

RM/R  
at *21*

JW:RJ

*Just sent to U.S. SEC. for info. Its digest by L/EUR Mr. Wickmeyer 3/4/60 "3/4"*

342858

This Document must be Returned to the RM/R Central Files

263.1141-MAIER, FELIX

REPRODUCED AT THE NATIONAL ARCHIVES

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

L/EUR

JEAN WUNDERLICH  
ATTORNEY AT LAW  
888 ROWAN BUILDING  
LOS ANGELES 18, CALIF.  
MADISON 5-1661

February 24, 1960

Department of State  
Washington, D. C.

Attention Mr. Richard D. Kearney,  
Assitant Legal Adviser

Your File L/EUR 263.1141 Maier  
Felix/1-160

Gentlemen:

Mr. Felix Maier has asked me to answer your kind response of February 10, 1960.

The numbers of the proceedings are:

G/ 9339/ M and G/ 9340 /M

The are pending before the

Wiedergutmachungsämtern, Berlin, Berlin S.W. 61  
Alte Jacobstr. 148-155.

The attorney representing me is Dr. Greve,  
Hannover, Rathenauplatz 3, (Eingang Sophienstrabe)

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His case is one in which there is complete documentary proof of confiscation of valuable tangible property and of the transfer of the proceeds of the forced sale to the German Reich, Western Territory.

If you can expedite, or make remonstrances with the German offices handling this as was apparently done in similar flagrant cases known to me, Mr. Maier will be very grateful.

Very truly yours,

*Jean Wunderlich*  
(Mr.) Jean Wunderlich

FILED  
JUN 3 1960

263.1141-Maier, FELIX  
12-2460 OS/W  
Felix 2-2460

RM/R  
al 21  
*[Signature]*

JW:RJ

Just sent to  
USOEC Berlin  
Its drafted by L/EUR  
Mr. W. Schreyer 3/4/60  
"Jili"

342859

This Document must be Returned  
to the RM/R Central Files

LAW OFFICES  
GILBERT, THOMPSON & KELLY  
458 SOUTH SPRING STREET - SUITE 939  
LOS ANGELES 13

VIA AIR MAIL

LOS ANGELES  
FEB 24  
6 30 PM  
22 1960  
CALIF.

Department of State  
Washington, D. C.

Atten. Mr. Richard D. Kearney,  
Assistant Legal Adviser.

REPRODUCED AT THE NATIONAL ARCHIVES

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Authority 9496100  
By EK NARA Date 7/61

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File 263,1191  
Box 420  
C-155/mayer

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry UDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

*263.1141 Maier,  
Felix/12-3155 L*

*(W)*

ACTION  
is assigned to  
L/EUR

From Felix Maier  
2025 N. Catalina Str.  
Los Angeles 27, Calif.

To the hon-  
Departement of State  
Washington D.C.

Attention:  
to the legal adviser  
in westgerman affairs

January the 1 st 1960.

Gentlemen!

I received the enclosed letter from the Departement of State 3 years ago, which I should appreciate your returning to me.  
I filed my claim to a lawyer residing in Westgermany because of this letter. This letter involves Naziregimes confiscations outside West Germany, concerning money and property, which the Naziregime sent to Westgermany. *about 600,000 R.M.*  
All proofs has been send to the above mentioned lawyer.  
I am going to be 83 years in the near future and have been a citizen since 1945 prior Austrian.  
You can understand a man of my age without any fund since all my property was confiscated. I am dependent on my children for support and I need very badly medical care declining charity.  
I should appreciate your advice and information what I could do in order to get fund remuneration for my confiscated property.  
Your kind and prompt attention to this matter would be deeply appresiated. Thank you!

Yours very respectfully  
*Felix Maier*  
Felix Maier

Enclosed a letter!

*Former monetary restitutions claims  
att  
W*

*Reply drafted by*  
LEGAL ADVISER  
*4/EOR - Mr. Welmeyer*  
FEB 8 1960  
*2/9/60*  
DEPARTMENT OF STATE

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263,1141  
Box Griessmayer  
420

DEPARTMENT OF STATE INSTRUCTION

562

~~SECRET~~

562

UNCLASSIFIED  
(Security Classification)

FOR RM/R USE ONLY

no.: A-28, March 7, 1960

263,1141

SUBJECT: Inquiry Concerning Compensation Claim--Felix Maier.

TO: The United States Mission, BERLIN

The Department has received a letter from Mr. Felix Maier, 2025 North Catalina Street, Los Angeles 27, California, requesting assistance in obtaining information regarding the status of his claim for compensation under the Federal Compensation Law.

Mr. Maier's claim is pending before the Wiedergutmachungsamt in Berlin, Berlin S.W. 61 Atle Jacobstr. 148-155. The numbers of the proceedings are G/ 9339/ M and G/ 9340/ M. The attorney representing Mr. Maier is Dr. Greve, Hannover, Rathenauplatz 3, (Eingang Sophienstrabe)

The American attorney representing Mr. Maier has advised the Department that this case is one in which there is complete documentary proof of confiscation of valuable tangible property and of the transfer of the proceeds of the forced sale to Germany.

Mr. Maier is now 83 years old. It appears that he is dependent on his children for support and in need of medical care. Under the circumstances the Department believes that it would be desirable to bring this particular case to the attention of the German authorities as one having considerable humanitarian aspects with a request that the case be given such priority as may be possible.

HER TER

UNCLASSIFIED  
(Security Classification)

EM/R  
Amel. 62  
Rev. ✓  
Cat. ✓

DRAFTED BY:  
L:L/EUR:DAWehmeyer:jcm 3/4/60

APPROVED BY: Richard D. Kearney  
Richard D. Kearney

CLEARANCES:  
GEA - Mr. Allen (Phone)  
DW

S/S-CR  
MAR 7 1960 P.M.

342862

262.1141-MAIER, FELIX/3-760 CS/CS 62.1141-Wehmeyer  
Felix 3-760

RECEIVED  
THE UNITED STATES MISSION  
BERLIN

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

~~L~~  
RMK  
Felix

May 6, 1960

In reply refer to  
L/EUR 263.1141 Maier,  
Felix/4-2960

Dear Mr. Wunderlich:

I refer to the Department's letter of March 7, 1960, concerning the claim of Mr. Felix Maier now pending in Berlin, Germany.

In response to an instruction from the Department requesting that information concerning the case be obtained, the United States Mission at Berlin has now transmitted a copy of a letter dated April 12, 1960, received from the German authorities dealing with restitution cases. A copy of the letter is enclosed for your information. You will note that the German authorities indicate that Mr. Maier failed to sign the application forms he submitted.

The report the Department received from the United States Mission did not indicate what steps were recommended in view of the apparent defect in Mr. Maier's application. If he retained a copy of the application form he submitted, it would probably be well to have him sign the copy or make out a new copy dated in accordance with the date of his original application. If you will submit such a corrected application to us together with a letter from you as Mr. Maier's representative giving some plausible explanation for his failing to sign the copy he submitted, such as his advanced age, we will instruct United States officials in Berlin to use their good offices to have the German officials accept the signed documents you submit so that the application will be in proper form and receive due consideration.

Sincerely yours,

RDK.

Richard D. Kearney  
Assistant Legal Adviser

263.1141-MAIER, FELIX  
15-660-505/MDR

263.1141-MAIER  
Felix/5-6/60  
Dew

Enclosure:

From Wiedergutmachungsämter  
Berlin, April 12, 1960.

Mr. Jean Wunderlich,  
Attorney at Law,  
939 Rowan Building,  
Los Angeles 13, California.

L:L/EUR:DAWehmeyer:JCM 5/6/60

S/S-CR  
1960 PW

GEA - Mr. Allen (Substantive)  
Dew

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By EK NARA D3:9 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

~~Handwritten signature~~  
RM/R

May 25, 1960

In reply refer to  
L/EUR 263.1141/Maier,  
Felix/5-960

This Document must be Returned  
to the RM/R Central Files

Dear Mr. Wunderlich:

There is enclosed a copy as well as a translation of a letter dated May 3, 1960, with enclosures which the United States Mission at Berlin received from the German Restitution Offices concerning the claim of Mr. Felix Maier.

As you will note, Mr. Maier apparently has a period of three months within which to appeal a decision rendered by the Restitution Court in connection with his case.

I trust that the enclosed documents will be of assistance to you in connection with the handling of Mr. Maier's claim.

Sincerely yours,

*R D K*

Richard D. Kearney  
Assistant Legal Adviser

*S*  
/5-960  
CS/HHH

262.1141 MAIER, FELIX  
262.1141 Maier, Felix  
5-960

Enclosures:

From Restitution Offices,  
May 3, 1960,  
with enclosures and  
translations.

S/S CR  
MAY 25 1960 P.M.

RM/R  
Anal 73  
Rev  
Cat Hand

Mr. Jean Wunderlich,  
Attorney at Law,  
939 Rowan Building,  
Los Angeles 13, California.

*Law*  
L:L/EUR:DAWehmeyer:jcm 5/24/60

GEA - Mr. Allen *hgg*

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

PREVIOUS

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ACTION  
is assigned to  
[Signature]

# OPERATIONS MEMORANDUM

TO: THE DEPARTMENT OF STATE  
FROM: U.S. Mission BERLIN TEB  
SUBJECT: AMERICAN PROPERTY: Compensation Claim of Felix Maier  
REF: The Department's A-28, March 7, 1960  
Berlin's OM, April 29, 1960

Date: May 9, 1960.

R MIL

263.1141 - Maier, Felix / 3-7-60

For the Department's information there is enclosed a copy as well as a translation of a letter dated May 3, 1960 with enclosures received from the Restitution Offices in Berlin. According to the information contained therein, it has been left to Mr. Maier's discretion to appeal within three months against the decision made by the Restitution Court.

Enclosures:

- Copy of Letter from Restitution Offices dated May 3, 1960;
- Copy of Letter to Dr. Greve, attorney, dated May 3, 1960;
- Copy of Decision dated May 3, 1960;
- Translations of above.

This Document is to be returned to the File Control File

262.1141 MAIER,  
FELIX/5-960 OS/E

*drafted*  
*let sent to Mr Wunderlich*  
LEGAL ADVISER  
*by HEUR - Mr. Wehmeier*  
MAY 19 1960  
*5/24/60*  
DEPARTMENT OF STATE

*"File" jim*

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JUN - 8 1960

*262.1141 - Maier, Felix*  
*7/5-960*

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Authority NND939554  
By CP NARA Date 7/31/00

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Entry CENTRAL DEPARTMENT FL  
CONSULAR 1963  
File Protective Services  
Box 3214

*PS - PROTECTIVE SERVICES*

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Authority: NND 939554  
By: EP NARA Date: 7/31/00

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File Protective Services  
Box 3214

יידישער וועלט-קאנגרעס

הקונגרס היהודי העולמי

# WORLD JEWISH CONGRESS

CONGRES JUIF MONDIAL • CONGRESO JUDIO MUNDIAL

15 EAST 84th STREET  
NEW YORK 28, N. Y.

CABLES: WORLDGRESS, NEW YORK  
TELEPHONE: TRAFALGAR 9-4500

July 29, 1963

BUENOS AIRES  
Corrientes 1979

GENEVA  
Case Postale  
Montbrillant

JERUSALEM  
1 Ben Yehuda Street

LONDON W 1  
55 New Cavendish St.

MEXICO CITY  
Baja California 284

MONTEVIDEO  
Avenida Uruguay 1378

MONTREAL  
493 Sherbrooke St., W.

PARIS VIII  
78 Av. des Ch. Elysees

RIO DE JANEIRO  
Caixa Postal 2344  
- Z c - 0 0

ROME  
Piazza di Spagna 3

SANTIAGO  
Avda. Miguel Claro 196  
Providencia

STOCKHOLM  
Grov Magnigatan 11

SYDNEY  
243 Elizabeth Street

TEL AVIV  
P. O. Box 1473

Department of State  
Office of the Legal Adviser  
Washington, D. C.

*ans'd 8/7/63*  
*L: L/C: EGM*  
*file*

Dear Sirs:

I enclose two copies of the English translation of the Swiss Decree and its Implementary Regulation concerning unclaimed properties of Stateless Persons and Foreigners.

Should you need additional copies, please advise.

Sincerely yours,  
*N. Robinson*  
NEHEMIAH ROBINSON

NR:IA  
encs.

*one copy returned in 4/c 8/7/63 EGM*

Microfilmed by RM/A

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Authority NND 939554  
By GW NARA Date 7/31/00

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Protective Services

Box

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UNCLAIMED PROPERTIES  
OF STATELESS PERSONS  
AND FOREIGNERS IN  
SWITZERLAND

(Decree and Regulation)

INSTITUTE OF JEWISH AFFAIRS  
WORLD JEWISH CONGRESS  
15 East 84th Street  
New York 28, N. Y.

1963

PS & SWITZ

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Authority

NND939554

By

CP

NARA Date

7/3/00

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Entry

Central Decisions FL  
Consular 1963

File

Protective Services

Box

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1. Federal Decision Concerning Properties in  
Switzerland of Foreigners or Stateless Persons  
Persecuted on Racial, Religious or Political  
Grounds

(December 20, 1962)

The Federal Assembly of the Swiss Confederation, having considered a message of the Federal Council of May 4, 1962<sup>1)</sup>, decides, on the basis of Art. 64 and 64b of the Federal Constitution, as follows:

Art. 1

(1) Material assets of whatever nature in Switzerland, whose last known owners are foreigners or stateless persons, about whom reliable information has been missing since May 9, 1945, and of whom it is known or presumed that they became victims of racial, religious or political persecution, are to be registered, within six months of the effective date of this decision, with an office to be designated by the Federal Council (Registration Office); hereby are to be stated all changes, which have taken place since the owner's disappearance or his absence without information.

(2) Safes, in which material assets, subject to registration, or documents apt to identify them may be found, are to be opened.

Art. 2

Material assets in the meaning of Art. 1 are in particular:

(a) Accounts in Swiss or foreign currency, accounts receivable (claims), bank notes and other legal tender, gold and other precious metals, valuables, stocks and bonds, goods and stocks thereof, vehicles, collections, even though these material assets are in open or closed depots or safes;

(b) Participation of whatever nature, real estate, patent rights, trade marks, copyrights, concessions, annuities, pensions, insurance claims due; insurance claims which will become due later are to be registered within six months of the date due.

(c) All kinds of rights or interests in such material assets or resulting from agreements thereon, as for instance, usufructs and other servitudes, liens, rights of preemption and redemption, options.

Art. 3

1. The following have to register:

(a) natural and legal persons, commercial associations and associations or persons, who administer or possess such assets, safeguard or supervise them;

1) Federal Gazette I, 933.

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Authority

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NARA Date 7/3/00

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Protective Services

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(b) authorities having knowledge of such assets;

(c) debtors of accounts receivable (claims) due to persons enumerated in Art. 1.

2. In registering the material assets, the registrant has to report all facts known to him, which could serve to establish the identity, residence or sojourn and the fate of the owner and his successors in right or representative.

## Art. 4

1. If doubts arise concerning the obligation to register, the case is to be submitted to the Registration Office for decision.

2. The run of the statute of limitations on a claim is also considered to have been hindered or stopped, when the creditor could not file it in time, due to an act of God, in particular, because of racial, religious or political persecution.

## Art. 5

1. The Registration Office prepares a list of the registered material assets and applies to the Surrogate Authority of the place, where the most important asset is located, for the appointment of an Administrator of the Estate. The Surrogate Authority may designate as such a General Administrator appointed by the Federal Council.

2. The Administrator investigates, in cooperation with the Registration Office, what has already been done to establish the residence or fate of the owner of the assets and his successors in right or representative and, if needed, takes or orders new measures, in particular announcements. The latter are, however, not to be made if there are reasons to assume that they may cause inconveniences to the person sought. Under no circumstances may the announcements contain information of whatever nature about the registered or otherwise established material assets.

## Art. 6

Everyone is obliged to provide the Registration Office, the Surrogate Authority and the Administrator with information required to clarify the material circumstances of the missing or absent owner.

## Art. 7

1. Obligation to register with the Registration Office and to provide information overrules any obligation of secrecy, in particular, on the part of banks, insurance companies, trust companies, lawyers, notaries, law consultants.

2. The Registration Office, the Administrator and the Surrogate Authority may divulge information about the circumstances of the missing owner only to his successors in right or their legal representatives. Private persons

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By EP NARA D218 7/31/00

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Protective Services

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may, for particular reasons, obtain summary information about the existence of material assets, if these private persons make credible their right to successorship

## Art. 8

1. If within two years from the appointment of the Administrator neither the original owner nor his successors in right are found, the proceedings to declare him missing are to be instituted without delay, regardless of whatever further measures in the meaning of Art. 5 might be taken, these proceedings to refer to the property in Switzerland only. A request to this effect is to be made by the Surrogate Authority, which appointed the Administrator, or by persons who derive rights from the death of the missing or absent owner, with the judge of the locality where the Administration was established.

2. If the owner was domiciled in Switzerland, the demand for a declaration of being missing is to be lodged with the judge of his (her) last Swiss residence.

3. The proceedings of declaring the owner missing are not to be carried through if there are reasons to assume that it may create inconveniences to the persons sought.

## Art. 9

If the death of the owner is certain or he was declared missing or dead by a competent authority, the inheritance proceedings are to be opened in the locality where the administration for his property was established. The proceedings are limited to the property in Switzerland.

## Art. 10

If potential heirs are only able to make credible their right to successorship because the documents required for definite proof were destroyed or lost as a result of the war or terror acts, or because reliable proof cannot be secured on account of existing political circumstances, the inheritance may be delivered only on the basis of a decision of the Surrogate Authority to which the Administrator is subject or if it is ordered by a Canton having two surrogate supervisory instances, upon decision of the supervisory authority of the first instance. The decision may be appealed to the higher surrogate authorities.

## Art. 11

1. Actions on the basis of this Decision free the registrant of his obligations (toward third persons).

2. The Federation is liable to the registrant and the person of higher priority, who without his fault appears after the action had been taken for damages caused by these actions. The tenth of the Fund referred to in Art. 12 (1) is at first to be applied thereto.

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DECLASSIFIED  
Authority NND939554  
By CP NARA Date 7/3/00

RG 59  
Entry Central Decisions FL  
File Protective Services  
Box 3214

Art. 12

1. If the owner of a registered property left no legal private heirs and also made no testamentary provisions, his succession escheats to a Fund to be established by the Federal Council. The use of this Fund is to be regulated by a simple Federal decision which is to take into account the origin of the funds to be paid therein. One tenth of the Fund serves to satisfy belatedly filed applications for restitution.

2. If the owner, declared dead or missing, or his successor in right or legal representative appears within 5 years since the property was assigned to the Fund the amount paid into the Fund is to be refunded to the entitled person without interest, regardless of the validity of this Federal Decision. Art. 10 is to be applied correspondingly.

Art. 13

1. He who does not or does not fully comply with the registration obligation in accordance with this Decision,

he who makes false statements,

he who hinders or attempts to hinder the measures taken to implement this Decision by refusing to provide information or by providing false or incomplete information, or otherwise,

is liable to a fine up to 10,000 Francs or arrest.

2. Attempt and complicity are subject to penalty. Prosecution is superannuated in 5 years.

3. If the infringements occur in the business enterprise of a legal person, a "collective" or "Kommandit"- Association or a one-man firm, the penal provisions apply to the persons, who acted or should have acted for them, but under the joint coresponsibility of the legal person, the association or the owner of the one-man firm for the fine and costs, except if the responsible administration proves that it applied all necessary caution to have the aforementioned persons comply with the relevant provisions.

4. Penal prosecution on the basis of the special provisions of the Swiss Penal Code remains reserved.

Art. 14

The Canton is the competent authority for the prosecution and trial of infringements against this Decision.

Art. 15

Except where state treaties provide otherwise, the internal Swiss Law is applicable to the implementation of this Decision.

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By

NARA Date

7/31/00

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Central Decisions FL  
Consular 1963

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Protective Services

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- 5 -

## Art. 16

1. The Federal Council issues the necessary complementary regulations.
2. This Decision is to be published in accordance with Art. 3 of the Federal Law of June 17, 1874, concerning plebiscites on federal laws and decisions.
3. The Federal Council decides on the date of the coming into effect of this law; its length of validity is limited, subject to Art. 12, par. 2, to ten years.

So decided by the National Council

BERN, December 20, 1962

President: André Guinand

Secretary: Ch. Oser

So decided by the Council of Estates

BERN, December 20, 1962

President: F. Fauquex

Secretary: E. Weber

The Swiss Federal Council decides:

The above Federal Decision is to be published in accordance with Art. 89, par. 2 of the Federal Constitution and Art. 3 of the Federal Law of June 17, 1874, concerning plebiscites on federal laws and decisions.

BERN, December 20, 1962

For the Swiss Federal Council

The Federal Chancellor

Ch. Oser

Date of Publication: January 10, 1963.

Expiration of the plebiscite time: April 10, 1963.

342873

DECLASSIFIED

Authority

NND939554

By

CW

NARA Date

7/3/00

RG

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Entry

Central Decision FL  
Consular 1963

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Protective Services

Box

3214

2. Implementary Regulation to the  
Federal Decision Concerning Properties in Switzerland  
of Foreigners or Stateless Persons Persecuted on  
Racial, Religious or Political Grounds

(June 10, 1963)

The Swiss Federal Council, basing itself on Art. 16, Par. 1 of the Federal Decision of December 20, 1962, concerning properties in Switzerland of foreigners or stateless persons persecuted on racial, religious or political grounds (subsequently called Federal Decision), decides as follows:

Par. 1

The Justice Division of the Department of Justice and Police is to serve as the Registration Office provided for in the Federal Decision ("Registration Office for Properties of Disappeared Foreigners").

Par. 2

The Registration Office is authorized, for the sake of clarifying facts important for the implementation of the Federal Decision, to undertake the audit or order the auditing of books and checking (the accounts), in particular of firms or persons who do not or do not sufficiently comply with the obligation to provide information, or against whom well-founded suspicion of infringement upon the provisions of the Federal Decision exists.

The Office may also, if needed, order the opening of a safe deposit box or a closed depot. To order the opening by force, the consent of the Chief of the Federal Department of Justice and Police is needed.

The Registration Office will check the contents of the safe deposit box or depot opened on its orders, compile a list thereof, secure it by seal or otherwise and order the registration of the property assets found, subject to registration, by the persons referred to in Art. 3 of the Federal Decision.

The opening of the safe deposit boxes and closed depots and the inventory of their contents have to be made in the presence of the lessee and, as the case be, also of the Administrator.

Par. 3

Until an Administrator of the Estate is appointed, no disposal of the property assets subject to registration may be ordered, except with the consent of the Registration Office.

Par. 4

The additional measures provided for in Art. 5, Par. 2 of the Federal Decision are to be taken or ordered to be taken only after the previous

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custodian or administrator of the property assets subject to registration have been granted an occasion to present their views on the need for, and desirability of, the measures contemplated.

Par. 5

The General Administrator to be designated by the Federal Council and to be put at the disposition of the surrogate authorities possesses the legal status of an Administrator of the Estate in the meaning of the Civil Code. He is subject to the supervision of the surrogate authority, which assigns the particular case to him.

Par. 6

The Administration of the Estate established after the registration remains, as a rule, even if further assets belonging to the same possession appear thereafter.

For particular reasons, namely if the local conditions or the nature of the particular property asset so justify, the Administration may be transferred to another surrogate authority, on the application or with the consent of the Registration Office.

e,

Par. 7

If it appears from the inventory of the property assets subject to registration prepared by the Registration Office that further measures (appointment of an Administrator, Declaration of Missing, etc.) do not pay because of the smallness of the possession as it became known, the proceedings of the case are to be temporarily stopped. The registrants are to be so informed and ordered to deliver the property assets to the Finance Administration of the Federal Department of Finance and Customs.

If within the period of validity of this Federal Decision so many further assets of the same owner are registered that the continuation of the proceedings becomes justified, the Registration Office will so order. The property assets already delivered to the Federal Finance Administration are, in such a case, to be put at the disposition of the Administrator of the total possession.

If, during the period of validity of this Federal Decision no further property of the same owner is registered, and no eligible person therefor appears, the property assets delivered to the Federal Finance Administration, in accordance with Par. 1, are to be transferred to the Fund provided for in Art. 12 of the Federal Decision.

Par. 8

The Fund provided for in Art. 12 of the Federal Decision is to be administered as special fund in accordance with the provisions of the Federal

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Law of June 28, 1928, concerning the investment of federal moneys and special funds.

Par. 9

The Registration Office collects a fee to cover its expenses, which is to be paid by the Administrator or the receiver of the property assets (owner, successor in right, representative of the eligible person, Fund).

The Justice and Police Department is authorized to compile a fee tariff.

Par. 10

Infringements upon this Regulation are to be dealt with on the basis of the penal provisions of the Federal Decree.

Par. 11

This Regulation becomes effective, together with the Federal Decree, on September 1, 1963.

BERN,  
June 10, 1963

For the Swiss Federal Council  
The Vice-President  
L. Von Moos

The Federal Chancellor  
Ch. Oser

(Collection of federal laws No. 22 of June 20, 1963, pp. 433-435)

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ORIGIN/ACTION  
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DEPARTMENT OF STATE

# AIRGRAM

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TO : DEPARTMENT OF STATE 1963 JUL 21 PM 2 10

HANDLING INDICATOR

*Jm*

RM/AN  
ANALYSIS & DISTRIBUTION  
BRANCH

**EUR INDEX**  
*JRT*

DATE: July 19, 1963

*for m  
m a  
July 25*

FROM : Amembassy BERN  
SUBJECT : Heirless Assets in Switzerland  
REF : Embassy's A-294 of October 5, 1962

The Federal Council has recently published regulations implementing the Act of December 20, 1962, concerning assets of foreigners missing since 1945 who are believed to have been the victims of racial, religious or political persecution. The regulations as well as the law enter into force on September 1, 1963. Attached are copies of the Act and the Regulations. The Act appears in Feuille Fédéral No. 1, (Jan. 10, 1963), p. 23.

The regulations require all banks and other custodians of property to report to the Federal Department of Justice and Police by March 1, 1964, their holdings of assets covered under the Act. The regulations also empower the Department to inspect the books of individuals or firms which are believed to be evading the provisions of the Act, and, if necessary, to arrange for the opening of safe deposit boxes.

As soon as the Department begins to receive reports from the banks and other custodians, efforts will be made to locate the original owner or assignees of the property. If such persons are found, the assets will be distributed to them. On the other hand, if it is established that the owner has died, the assets may be distributed to the heirs. The death of the owner may be established by officials on the basis of satisfactory evidence presented to them or by a court under a "missing persons" statute.

If the owner left no heirs or made no testamentary disposition of his property, the assets will be turned over to an organization to be established by the Federal Council. In administering the assets, the organization will "take into account the origin of the monies distributed

*JRT*

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FORM 4-62 DS-323

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In  Out

Drafted by:

WKMackey:jed *WKM*

Contents and Classification Approved by:

WPBlumberg

Clearances:

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 By CP NARA Date 7/31/00

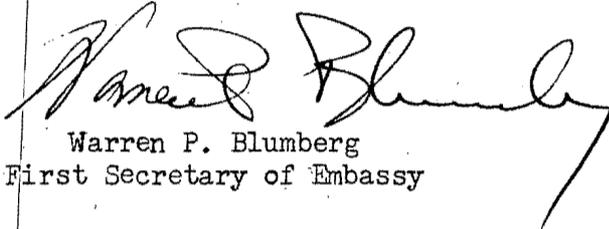
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to it." Furthermore, provision is made to retain 10% of the funds to meet possible future claims against any assets erroneously disposed of. In view of the difficulty in locating persons who may have a claim to the assets under this statute, a considerable amount of time will undoubtedly elapse before all unclaimed assets are distributed.

For the Chargé d'Affaires, a.i.

  
 Warren P. Blumberg  
 First Secretary of Embassy

Enclosure: *att 1*  
 Bundesbeschluss (Vom 20. Dezember 1962)

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(21)

March 15, 1963

Dear Senator Javits:

I refer to your letter to the Secretary of March 4, 1963, in which you requested that the United States use its good offices to bring to the attention of the German Government the urgency of remedial amendments to the Federal Compensation Law (BGG) of 1959, as amended in 1956.

In commenting on your suggestion, I wish to assure you that the Department has, as a matter of long-standing practice, attempted on appropriate occasions to assist in working out with the Germans any reasonable efforts directed at the improvement of German compensation and restitution legislation. On this basis, officials of our Embassy at Bonn have on several recent occasions discussed with officials of the German Finance Ministry the desirability of early action on the long contemplated Final Compensation Law. These officials in turn have left no doubt concerning the commitments of the German Government's intentions to amend both the BGG and the Federal Restitution Law. At the same time, however, they have indicated that other substantial demands on the German budget and economy -- e.g. the rapidly rising defense expenditures -- will of necessity impose limits on the extent to which the scope of the existing compensation and restitution legislation can be augmented. With respect to former Nazi victims who entered the Federal Republic subsequent to the 1951 cut-off date in the existing BGG, there is information that a global sum of DM 500 million (\$125 million) is contemplated for compensation payments to hardship cases on the basis of guidelines which are to be established.

PS 8-4 GER

In view of these developments, I hope you will agree that the Department would be best advised to reserve, at least for the present, the further exercise of its good offices.

Sincerely yours,

Frederick G. Burton  
Assistant Secretary

Referred by RM/R

The Honorable  
Jacob K. Javits,  
United States Senate.

BUR:GER:ASTalder:cm  
4-15-63

GER - Mr. Creel

L/BUR - Mr. Maurer (draft)

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# United States Senate

COMMITTEE ON  
LABOR AND PUBLIC WELFARE

STEWART E. MCCLURE, CHIEF CLERK  
JOHN S. FORSYTHE, GENERAL COUNSEL

March 4, 1963

*RM/R file  
Amend bill  
FOR GER  
A Stalder  
3-12-63*

Honorable Dean Rusk  
Secretary  
Department of State  
Washington 25, D.C.

Dear Mr. Secretary:

My attention has been called to a situation affecting thousands of former victims of Nazi persecution for whom remedial action is presently under consideration.

I am advised that the Federal German Republic for some time has been considering amendments to existing compensation legislation in order to include former Nazi victims previously resident in Hungary, Poland and Rumania. In recent years these people have been permitted to emigrate from their Communist countries.

Work on amendments to make them eligible for compensation has been delayed for several years with resultant hardship for the former Nazi victims.

I would therefore request that the United States use its good offices to bring the urgency of this remedial legislation to the attention of the government of the Federal Republic so that action on the amendments may be taken without delay.

Your comments will be appreciated.

With best wishes,

Sincerely,

*[Signature]*  
Jacob K. Javits, U.S.S.

MAR 28 1963

FILED

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Letter and enclosures, if any,  
microfilmed by RMIB

JKJ:alg

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*Rec'd 11 March in GER*

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 By: CP NARA Date: 7/31/00

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DEPARTMENT OF STATE

# AIRGRAM

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A-2100 UNCLASSIFIED PRIORITY

NO. NO. HANDLING INDICATOR

TO : DEPARTMENT OF STATE 1963 APR 1 AM 7 56

FROM : Amembassy BONN DATE: March 29, 1963

SUBJECT : Amendment of Federal Restitution Law

REF : EMBTEL 2533, March 27  
 DEPTTEL 2272, March 26

ANALYSIS & DISTRIBUTION BRANCH

**EUR INDEX**

MAR. 29. 1963

The Embassy received on March 28 from the Foreign Office a draft of the Law for the Amendment of the Federal Restitution Law ("BRUEG") and the connected Explanatory Statement ("Begrueudung"). The draft, dated March 12, 1963, is a "Referenten-Entwurf", i.e., a draft prepared by the officer in charge of the Federal Ministry of Finance and not yet finally approved by the Minister of Finance or any other Minister.

Upon examining this draft, the Embassy believes that the time-consuming preparation of a translation of these nine pages of highly complicated language would not be helpful to the Department or the organizations interested in this legislation. Most of the numerous proposed amendments are technical or minor. The three or four amendments that are of immediate and direct interest to the United States Government are written in such a manner that even the German text can be understood only by means of consultation of the BRUEG, the Explanatory Statement and other texts. The Embassy trusts that the attached Article-by-Article summary will be more helpful to the Department than a translation. The Claims Conference and other organizations will no doubt examine all parts of the German text, and so will the Embassy.

Further attached is a translation of those parts of the Explanatory Statement that may be of interest to the Department.

The Foreign Office has invited the three Embassies to meet with it on April 3 for a briefing on, and discussion of, the subject. It has asked that until such meeting has been held the Embassies refrain from sending their comments to their Governments. The Embassy feels that it

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Drafted by: POL:L:HFwaldstein:rw

Clearances: POL:L:JvElbe (incubator)

Contents and Classification Approved by:

GER- Mr. Stalder 3/15/63 File Noted

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By EP NARA Date 7/31/00

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From Amembassy BONN  
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should respect this wish. Immediately after this meeting, the Embassy will prepare its analysis of the German proposals and its comments. Every effort will be made to airpouch this report by the close of business of April 5, or earlier if possible.

For the Ambassador:

*Paul Christ for RM*  
Robert N. Magill  
First Secretary of Embassy

Enclosures: *att*

1. Summary of draft law.
2. Excerpt from Explanatory Statement.

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NARA Date

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Summary of

the Second Draft (Referenten-Entwurf) of a Law  
for the Amendment of the Federal Restitution Law  
(draft of March 12, 1963)

Article I amends the Federal Restitution Law in the following respects (all Article references are to Articles of the Federal Restitution Law unless otherwise indicated):

1. A new Article 5 a extends the jurisdiction of the West Berlin restitution authorities with regard to identifiable property confiscated in East Berlin, in such manner as to include those cases where the persons whose property was taken or their legal successors had, during any time between January 30, 1933, and May 5, 1945, their residence in a country with which the Federal Republic maintains diplomatic relations.

2. A new Article 6 a provides that a restitution claim may be denied by the court if the claimant "uses improper means or intentionally or grossly negligently makes, causes or permits incorrect or misleading statements concerning the claim".

3. A new Article 7 a facilitates the proof of succession to a claim by intestate or testamentary succession (certificate of inheritance under German law).

4. Technical amendment of Article 11 No. 6.

5. Beneficial minor amendment of Article 21, paragraph 1, second sentence.

6. Clarifying amendment of Article 25, paragraph 3.

7. Clarifying amendment of Article 30, paragraph 3.

8. Minor amendment of Article 30, paragraph 4.

9. New Article 30 a providing for minor procedural improvement.

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10. Article 31, paragraph 1, is amended so as to delete the ceiling of 1.5 billion DM.

11. Article 32 is entirely rewritten so as to provide in substance the following:

On each award against the Reich under the Federal Restitution Law there shall be payable immediately the first DM 40,000 in full and 50 percent of any balance over such DM 40,000.

A further 25 percent of any such balance over DM 40,000 shall be payable as follows:

up to 80,000 DM beginning January 1, 1964;  
 up to 240,000 DM beginning January 1, 1965;  
 any balance beginning January 1, 1966.

12. Article 33 is deleted as unnecessary.

13. Article 34 is rewritten so as to provide for the payment of interest on any amount payable under Article 32 and not paid on December 31, 1966. The interest runs from January 1, 1967 and is at the rate of 1 percent for each quarter of a year.

14, 15, and 16. Technical amendments of Article 39 and Article 42.

17. A new Article 43 a authorizes the courts, upon application of the Oberfinanzdirektion, to cancel or modify final awards previously made if it is found that the claimant has committed an act of the kind described in the new Article 6 a (see amendment 2 above).

18. A new Article 44 a is inserted relating to claims concerning the confiscation of household effects in the formerly occupied territories of Western Europe or the confiscation of jewelry in any formerly occupied territory, as far as such claims fall within Article 5. It provides that if such a claim was not timely filed or withdrawn or rejected for lack of proof that the property was brought into the area described in Article 5, an application for hardship payment may be made, if new general information has become known which would have permitted a claim under Article 5.

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Such application may be made by the former owner, his widow, or his children. The application is to be made within one year after the effective date of the present Law. A fund of DM 400 million is established for such hardship payments. The Federal Government will issue an ordinance specifying in detail the conditions and the amounts of hardship payments to be made. The ordinance may establish maximum amounts and lump sum amounts. Higher compensation may be provided for household effects than for jewelry. Nobody will have a legal right to receive a hardship payment.

Article II provides that new claims authorized by this Law must be filed within a year from the effective date of the Law. The Article also contains technical provisions.

Articles III and IV are technical.

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Enclosure 2 of  
A-2100, March 29, 1963  
From Amembassy BONN  
To DEPARTMENT OF STATEExcerpt fromExplanatory Statement ("Begrueung") to the Draft of a  
Law for the Amendment of the Federal Restitution Law

.....

... 600,000 claims fall under the BRUEG. Approximately 350,000 claims had been finally processed by December 31, 1962, and payments upon these had been made as provided in the BRUEG. ...These 350,000 claims are embodied in approximately 100,000 awards. Each award thus includes an average of 3.5 claims. ...

Payments made until December 31, 1962, total about 1.6 billion DM. The total amount of the claims falling within the BRUEG may be estimated at about 3.2 billion DM. Of this total, approximately 2.2 billion DM are payable under Article 32, paragraphs 2 and 3, BRUEG.

Under Article 32, paragraph 2, all claims in an amount not exceeding DM 20,000 are payable in full. About 80 percent of the awards so far made are for amounts not exceeding DM 20,000. Therefore, about 80,000 claimants have already been fully paid.

Under Article 32, paragraph 3, all holders of awards receive 50 percent of the amount assessed. In addition, the Federal Government has issued on June 7, 1961, a directive concerning prepayments to holders of awards. The directive provides that natural persons who have attained age 65 will be paid one half of the balance of the award but not more than DM 100,000. By December 31, 1962, approximately DM 120 million had been paid under this directive.

...The wishes expressed by the persecutee organizations...concern primarily two questions.

First, they desire full payment of the claims falling within the BRUEG. When issuing the directive of June 7, 1961, the Federal Government

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recognized that the final payments under the ultimate amendment of the BRUEG cannot be less than the prepayments authorized by the directive. The present draft takes this into account, but provides for payments exceeding substantially those authorized by the directive. In particular, it provides for full payment of the first DM 40,000 of each award, and for payment of 75 percent of any exceeding amount. On the other hand, full payment of the awards cannot be proposed in this draft in view of the strained financial situation of the Federal Republic of Germany.

The persecutee organizations also desire a reopening of the filing periods...in cases in which the identifiable property had been confiscated outside West Germany or Berlin. According to Article 5 of the BRUEG..., a restitution claim exists in such cases only if it can be shown that the property after such confiscation was brought into the Federal territory or Berlin. Many persecutees did not file such claims or did withdraw such claims because they believed that such showing could not be made. However, after the expiration of the filing period, documents were found (by the Federal Government) showing that certain categories of properties were brought into the Federal territory or Berlin either to their full extent or to an ascertainable percentage.

The draft does not provide for a general reopening of the filing period for confiscations outside West Germany and Berlin. However, it would seem unfair to deny compensation where it can be shown that categories of properties have been brought in whole or in part into this area and where the persecutees for valid reasons did not file timely. The draft therefore proposes to establish for these cases a hardship fund in the amount of 400 million DM, to make hardship payments for the confiscation of household effects in the occupied Western European territories and for the confiscation of jewelry in any occupied territories. For these two categories of properties, the assumption that a certain percentage was brought to West Germany or Berlin is justified.

Payments to be made by the Federal Republic under the present form of the BRUEG may be estimated at 2.2 billion DM. The prepayments made and to be made under the directive of June 7, 1961, are estimated at 350 million DM. Total payments under the present draft (including the two amounts just mentioned) are estimated at 3.35 billion DM. Of this amount about 350 million DM are attributable to the additional payments under Article 32, 400 million to the hardship fund under Article 48, and about 50 million DM to the authorized new claims under Article 5 a for confiscations in East Berlin.

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INCOMING TELEGRAM

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Rec'd: March 27, 1963  
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FROM: Bonn

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TO: Secretary of State

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NO: 2533, March 27

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DEPTEL 2272

*PS 8-4 GER*

Embassy will receive tomorrow from Foreign Office draft final Restitution Law (Brueg) (7 pages) and Justification (Begrueudung) (17 pages). Embassy will despatch during week of April 2 translation of Draft Law and summary of Justification together with Embassy comments.

Foreign Office states it is preparing reply to Embassy note of January 16 and that it will invite Embassies of three powers to a meeting in order to receive their views on Draft Law.

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*Bonn 25 33*  
*PS 8-4 GER*

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ACTION ASSIGNED TO: <i>EW</i>	ACTION TAKEN: <i>Noted</i>
NAME OF OFFICER & OFFICE SYMBOL: <i>CGN - Jansen</i>	DATE OF ACTION: <i>28 Mar 63</i>
DIRECTIONS TO RM/R: <i>file</i>	

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By: CP NARA Date: 7/3/10

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Info

ACTION: Amembassy BONN PRIORITY 2272

*Embassy* 262...0041/1-1863  
Department's A-1519, January 18, 1963.

Department has been apprised by Benjamin Ferencz, B'nai B'rith attorney, that March 12 draft Final Restitution Law (BRUEG) and justification (Begrundung) now reportedly under final review within German Government, will provide for only 75 percent payment of B'nai B'rith and other charitable organization awards. Ferencz has requested appointment to discuss this matter with Department prior his departure for Bonn on April 16.

In connection our scheduling this appointment, Embassy is requested to indicate ASAP 1) whether copy of March 12 draft is available for submission to Department (if possible in translation) along with Embassy comments and 2) if so, when Washington can expect report.

Embassy should also be aware of forthcoming Bonn visit of Claims Conference President Nahum Goldmann and Jacob Blaustein (separate message coming) to discuss with Chancellor, Schroeder and Dahlgruen draft Final Compensation Law which Finance Minister has reportedly promised will be ready in early April.

Department will appreciate full and prompt reporting of legislative developments this general area in view anticipated intense interest on part various US organizations. END

Decontrolled following June 1, 1964.

RUSIN

Drafted by: AS:lder:eaw 3-26-63

Telegraphic transmission and classification approved by: GER - Robert C. Greel

Clearances: L/EUR - Mr. Maurer

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DEPARTMENT OF STATE

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**EMB INDEX**

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ANALYSIS & DISTRIBUTION  
BRANCH  
APR 1 1963

FROM : Amembassy BONN

DATE: April 1, 1963

SUBJECT : Amendment of Federal Restitution Law

REF : EMB A-2100, March 29, 1963

PS 8-4 GER  
EUR HR- E-L-SCS TR CLW OAP JUS FCSC

Transmitted herewith is the text of a Note Verbale received from the Foreign Office on the subject matter.

Also transmitted are two copies of the German text of the draft law. An Article-by-Article summary in the English language was transmitted with the referenced airgram. The Foreign Office intends to prepare English and French translations either of the present draft or of the final draft.

For the Ambassador:

*R N Magill*  
Robert N. Magill  
First Secretary of Embassy

Enclosures:

1. FonOff Note Verbale of March 29, 1963.
2. Two copies of German text of draft law.

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FORM 4-62 DS-323

Drafted by:

POL:L:HF Waldstein:rw

Contents and Classification Approved by:

Clearances:

Ger - Mr. O'Mahony Noted 4/4/63 File

*Am*

342891

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Authority

NND 939554

By

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Enclosure 1  
A-2121, April 1, 1963  
From Amembassy BONN  
To DEPARTMENT OF STATE

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Translation

FOREIGN OFFICE  
V 2 (501)-84.21/7

Note Verbale

The Foreign Office has the honor to transmit to the Embassy of the United States of America the attached draft (Referenten-Entwurf) of a Third Law for the Amendment of the Federal Restitution Law of July 19, 1957 (BGB1. I, p. 734) with an Explanatory Statement (Begründung) and in this respect points out the following:

In view of Article 4 of Chapter Three of the Settlement Convention, the draft of the Federal Restitution Law of July 19, 1957 was discussed in 1956 with representatives of the Governments of the United States of America, France and the United Kingdom before it was submitted to the legislative bodies. These discussions resulted in the Note Verbale of the Foreign Office of June 21, 1956 and identical reply Notes of the Embassies of the United States of America, France and the United Kingdom of July 2, 1956.

The Foreign Office has the honor to propose to discuss also the enclosed draft with representatives of the Governments of the United States of America, France and the United Kingdom before it is submitted to the legislative bodies. Such discussion shall facilitate the determination that the contents of the said draft take into account the obligation undertaken by the Federal Republic of Germany in Chapter Three of the Settlement Convention.

In this connection it is observed that the amended Federal Restitution Law will be made effective in the Saarland by a special law, the draft of which will be transmitted to the Embassy of the United States of America in due course.

The Foreign Office would welcome it if the discussion of this legislative proposal could take place soonest. Referring to the letter of the High Commissioners to the Federal Chancellor of October 23, 1954,

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Enclosure 1  
A-2121, April 1, 1963  
From Amembassy BONN  
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concerning facilities for information about internal restitution, it has the honor to invite the Embassy to an explanation of the draft on April 2, 1963, at 10 a.m., in the Foreign Office.

Considering the interest of the persecutee organizations in the intended amendment of the Federal Restitution Law, the Federal Government would like to inform them of the draft law as soon as possible. The Foreign Office would appreciate receiving agreement to this during the intended discussion.

With regard to the contents of the enclosed draft, the Foreign Office would like to summarize the following:

The Federal Restitution Law has so far been amended twice. Both amendatory laws, dated March 24, 1958, and January 13, 1959, have merely changed the provisions concerning the filing of claims.

The enclosed draft provides in Article I No. 11 (amendment of Article 32, BRUEG) for payment of the first 40,000 DM of each claim in full and for payment of any balance to the extent of 75 percent. The question whether full payment may be provided for the claims of organizations serving religious or charitable purposes is at present still being examined.

The draft provides further for a hardship fund in an amount of 400 million DM for making hardship payments in certain cases of confiscation of household effects and jewelry.

Identical Notes Verbales are being addressed today to the French and British Embassies.

Bonn, March 29, 1963.

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# AIRGRAM

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TO : DEPARTMENT OF STATE 1963 APR 7 PM 3 24

FROM : Amembassy BONN DATE: April 4, 1963  
APR. 5 1963

SUBJECT : Amendment of Federal Restitution Law

REF : DEPTTEL 2272, March 26, 1963  
EMB A-2100, March 29, 1963  
EMB A-2121, April 1, 1963

RM/AN  
ANALYSIS & DISTRIBUTION  
BRANCH

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This message reports on the meetings held in this matter (I), analyzes the provisions of the draft law (II) and the expenditure involved in the German proposals (III), discusses considerations pertinent to the decision to be reached by the three Governments (IV) and submits the Embassy's recommendation (V).

The Federal Compensation Law will be referred to as "the BRUEG".

I.

On March 29, an Embassy officer called on Ministerialrat Koppe, Federal Ministry of Finance, to obtain various information regarding the draft law. The conversation related primarily to the question whether and how the estimates of amounts appearing in the "Begrueundung" can be justified (see part III below) and to the question whether there exist statistics permitting to ascertain the amount paid on the "old claims" as distinguished from that paid on the "new claims" (see part IV below).

On April 2, representatives of the Foreign Office and of the Ministries of Finance and Justice explained to representatives of the three Embassies at great length the provisions of the draft law. The Foreign Office spokesman asked for early action by the three Governments so as to permit prompt submission of the draft law to the Federal Cabinet and to the legislative bodies. The Foreign Office undertook to prepare

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POL:L:HFwaldstein:rw *JAW*

Contents and Classification Approved by:

Clearances:

POL:L - Mr. von Elbe *VE*

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HFwaldstein *JAW*

Ger. Mr. Staller airgram sent to Bonn 4/12/63 File

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an English translation of the draft law. Agreement existed that there is no objection to the transmittal of the draft to the persecutee organizations.

On April 3, officers of the three Embassies had a discussion of the subject. The consensus of opinion was that the proposal of this Embassy (see part V below) constituted a desirable solution. It was agreed that the discussion would be continued after the Embassies had received instructions from their Governments.

## II.

The draft law proposes (1) to increase the rate of payment on awards made under the BRUEG, (2) to admit a group of East Berlin claims, (3) to re-open the filing period for one class of claims, and (4) to make a number of procedural amendments.

(1) Increase of rate of payment on BRUEG awards.

In the BRUEG, the FRG undertook unconditionally to pay awards not exceeding DM 20,000 in full and to pay awards of more than DM 20,000 to the extent of 50 percent or DM 20,000 whichever is more. It undertook to pay the balance to the extent that this could be done without exceeding the ceiling of DM 1.5 billion, but this provision lost its practical effect long ago when it became evident that the payments unconditionally undertaken would exceed the ceiling.

In a Directive of June 1961, the FRG undertook to pay to each holder of an award, upon his attaining age 65, one half of any unpaid balance, limiting, however, such additional payment to DM 100,000. Practically, this meant that the rate was raised from 50 percent to 75 percent, with a limitation of DM 100,000 upon the increase of 25 percent.

In the draft law, the FRG proposes to pay each award in full to the extent of the first DM 40,000 and to pay 75 percent of the balance of the award. The resulting additional payments would be spread over a period of three years (1964 through 1966).

Illustration: Assuming an award in the amount of DM 100,000, the holder was to receive DM 50,000 under the BRUEG. Under the Directive

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of June 1961, he was to receive another DM 25,000 when he attains age 65, thus a total of DM 75,000. Under the draft law, this total would be raised to DM 85,000 (40,000 plus 75 percent of 60,000), regardless of the holder's age.

(2) East Berlin claims.

Losses that occurred in East Berlin are at present compensable only if the owner resided in West Germany (including West Berlin) at some time during the Nazi era. The draft law would extend this to cases where the owner or his successor resided at some time during that era in a country with which the FRG maintains diplomatic relations. This is intended to cover primarily those cases where the owner had resided in East Berlin and emigrated to a non-German country.

(3) Re-opening of filing period.

Article 5 of the BRUEG and the action taken by the Finance Ministry thereunder extended the Military Government legislation by admitting claims for property confiscated outside Germany and brought in bulk to West Germany or Berlin. This covered primarily furniture and other household effects taken from 70,000 Jewish owners in France, Belgium and Holland in the so-called "Aktion M" and jewelry taken in these countries and in Eastern Europe from such owners. Statistical reports of the Nazi organizations involved show that about 80 percent of these categories of property were shipped in trainloads to West Germany or Berlin. Accordingly, the FRG is allowing claims for such property to the extent of 80 percent of the value of the confiscated property. For the benefit of those who were unaware of the statistical evidence and thus failed to file or withdrew claims, the draft law would, in effect, re-open the filing period and establish a hardship fund of DM 400 million to cover these late claims.

(4) Procedural amendments.

The procedural amendments are beneficial to the claimants, with the exception of those found in Article I of the draft law at Nos. 2 and 17, providing for the dismissal of claims and the cancellation of awards upon a finding of the court that the claimant, intentionally or grossly negligently, made false or misleading statements in support of his claim,

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We share the German view that such a provision is desirable to protect the German authorities against fraud. Since the court of last resort is an international court, we would not be afraid of this provision being unreasonably applied by the courts. Somewhat similar provisions were embodied in the Federal Compensation Law without an objection of the three Governments.

## III.

According to the Finance Ministry, the three proposals listed above as (1), (2) and (3) would involve an expenditure of approximately DM 350 million, DM 50 million and DM 400 million, respectively, a total of DM 800 million.

The Ministry estimates the total amount of awards made and to be made under the BRUEG (not including the two new categories described above as (2) and (3)) at DM 3.2 billion and estimates the total payments made thereon in the past and to be made thereon under the draft law at DM 2.9 billion (or about 90 percent of the total amount of the awards), of which DM 1.6 billion had been paid by the end of 1962.

If the rate of payment were raised to 100 percent on all awards the additional expenditure would amount to DM 300 million, according to the Ministry's estimates (namely, the difference between DM 3.2 and 2.9 billion). This is a relatively small amount when compared with the total expenditure of the restitution and compensation programs for the persecutees of Nazism, now estimated at approximately DM 24 billion.

The Embassy, having examined with the Finance Ministry the basis for its estimates, is inclined to think that at the present stage reliable estimates are hardly possible and that the final figures could possibly be substantially lower than the Ministry's estimates.

## IV.

We believe that, as far as the United States Government is concerned, the sole question that arises is

whether a partial payment of the BRUEG awards as proposed in the draft law is satisfactory,

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or whether full payment should be requested in view of the commitment given by the FRG (Settlement Convention, Chapter Three, Article 4) or should be suggested as desirable.

As far as this question arises under the Settlement Convention, it presents a problem of some difficulty, in view of the following circumstances.

In the Convention, the Federal Republic undertook to pay the awards against the Reich made or to be made under the restitution legislation of the Military Governments. It was agreed that this obligation of the FRG to the Three Powers would be considered satisfied when the Federal Republic should have paid a total of DM 1.5 billion on these awards.

When, in 1956, the Federal Government submitted to the three Embassies a draft of the BRUEG, it appeared that the Federal Government had added various categories of claims to those falling under the Military Government restitution legislation and that it desired to bring these new categories under the ceiling of DM 1.5 billion. There was no way of predicting whether the amount of DM 1.5 billion would be sufficient to cover in full both the old categories and the new categories. This created a somewhat puzzling problem. The solution finally adopted by the three Governments as a result of a suggestion of this Embassy was that the three Governments agreed to the inclusion of three of the new categories under the ceiling of DM 1.5 billion and reserved their position as to the other new categories of claims (see Note Verbale of this Embassy to the Foreign Office of July 2, 1956). The underlying thought was that the three Governments would wait to see whether the DM 1.5 billion would be sufficient to pay all claims in full.

Further large categories of claims were brought under the BRUEG when the Bundestag added to that Law what is now its Article 5 and when the Finance Ministry administered this Article in a broad and liberal manner. What this Article 5 does has been described in part II(3) above. Whereas the Military Government restitution legislation had been limited to identifiable property confiscated in the territory of one of the three Western Zones of Germany or Berlin and to properties which had been confiscated outside Germany and could be identified as having been brought into one of the Western Zones or Berlin, Article 5 as applied by the Finance Ministry admitted claims in all those cases where no evidence

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existed to show that the specific property of the claimant had been brought to West Germany or Berlin but where Nazi records showed that approximately 80 percent of this category of property had been shipped in bulk to West Germany or Berlin. This Article 5 became a case of the proverbial tail wagging the dog. According to the Ministry's estimate, it resulted in almost doubling the amount of the awards under the BRUEG (see Embassy's A-1283, April 18, 1962).

No records are maintained that would show how much has been and will be paid on the old claims and how much on the new categories of claims admitted by the BRUEG. Consequently, the Federal Government can state today merely that it has so far paid 1.6 billion on all awards made under the BRUEG, but it cannot state how much it has paid or how much it will pay on the awards made under the Military Government restitution legislation. If the matter were considered strictly legally, it would seem to follow that the FRG could not invoke the ceiling of DM 1.5 billion provided for in the Settlement Convention and that it is thus legally committed to pay the awards in full, since it cannot show that it has paid or will pay DM 1.5 billion on the awards covered by Article 4 of Chapter Three.

It seems evident that the matter should not be considered solely on such a narrow legal basis. In greatly broadening the scope of admissible claims, the Federal Republic has taken action welcomed by all those who favor<sup>a</sup> liberal restitution policy. It should not be penalized for such action. This thought would militate against holding the FRG to the letter of its commitment.

On the other hand, we think the FRG could hardly be allowed to take the position that by paying more than DM 1.5 billion under a greatly broadened restitution law it necessarily discharged its obligation. Such a position would not only appear legally unsound but also inequitable, considering that the ceiling of DM 1.5 billion was agreed at a time when the financial capacity of the FRG was much inferior to what it is today, and that this growth in financial capacity was no doubt one of the factors which induced the FRG to greatly liberalize the scope of admissible claims.

It would seem to follow that the provisions of the Settlement Convention as to the scope of the FRG's obligation in this matter have lost much of their validity in view of subsequent developments, and that the scope

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of the FRG's obligation should be re-considered on the basis of subsequent legislative developments, the present financial capacity of the FRG, and other pertinent factors.

It would be difficult to enter into such a re-consideration at this time since the processing of claims is far from complete and therefore the amount payable ultimately by the FRG under the BRUEG or under its present proposals cannot yet be ascertained. The estimates of DM 3.2 billion and DM 2.9 billion (see part II above) may well turn out to be 10 percent too high, and such ten percent would about equal the amount of DM 300 million which, according to the Federal Government, is beyond the financial capacity of the FRG.

In this connection it is observed that, just as the BRUEG did in 1956/57, the present law would again broaden the scope of admissible claims (see items (2) and (3) in part II above), at an estimated cost of DM 50 million plus DM 400 million. It is not easy to harmonize with these new commitments the statement that it would go beyond the financial capacity of the Federal Republic to pay the balance of DM 300 million necessary in order to satisfy the BRUEG awards in full. While we understand that the Claims Conference believes that the claims described in part II(3) above (hardship fund of DM 400 million) are more urgent than the payment of the balance of the BRUEG awards (DM 300 million), a representative of the Council of Jews from Germany, who called on the Embassy, urged that it would be equitable to pay fully those claims formally admitted and assessed long ago under the BRUEG and to admit new categories of claims only as far as the financial capacity of the FRG permits.

V.

The Embassy recommends that the three Governments adopt a procedure which makes it unnecessary for them at this time to determine the difficult question whether the draft law is in harmony with the obligation undertaken by the FRG in the Settlement Convention. The attached draft has been prepared as a proposal of such a procedure. By way of explanation, we would like to add the following:

The Embassy understands that the proposal of partial payment embodied in the draft law might ultimately not constitute the final word of the German side in this matter. It seems that there are many on the German

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side, both in the Ministries and in the Restitution Committee of the Bundestag, who favor full payment of the awards. We understand that the predecessor of the present Finance Minister told at least some representatives of persecutee organizations that he favored this solution. There is reason to believe that his successor might not object to such a solution if desired by the legislative bodies. The Embassy is inclined to think that the Federal Government might welcome a reply such as proposed since it would permit the submission of the draft law to the Cabinet and to the legislative bodies without a possibly time-consuming discussion of the problems arising under the Convention. If the proposed reply is made, the three Embassies would continue to observe the progress of this legislation and would resume the consideration of this matter and its discussion with the Foreign Office if and when the Restitution Committee of the Bundestag should decide against full payment of the awards.

In considering the political desirability of full payment it should be borne in mind that the formal awards issued under the BRUEG state that a certain amount is owed to the holder (to wit, owed by the former Reich). A denial of full payment of these formal awards is likely to create bitterness among the large group of holders of awards. Those who are hostile to the FRG and who try to belittle its efforts in the restitution field are likely to seize upon such action as an instrument of propaganda.

The Embassy believes that a reply along the lines proposed should not mention the claims of charitable organizations. A statement that "at least" these claims should be paid in full would weaken the primary suggestion, to wit, that all awards be paid in full. If the Restitution Committee of the Bundestag should not accept this suggestion, the contemplated further discussion of the draft law with the Foreign Office would then afford sufficient opportunity to urge full payment of the awards held by charitable and similar organizations, as a fall-back position.

Action recommended: The Embassy recommends that it be authorized to reply to the Note Verbale of the Foreign Office of March 29, 1963, along the lines of the attached draft. The Embassy would not avail itself of this authorization unless substantially identical action by the British and French Embassies has been assured. If no agreement could be reached between the three Embassies, the Embassy would report further to the Department.

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This report has been prepared under pressure of time in view of the Department's wish to discuss this matter with Mr. Ferencz prior to his departure for Bonn. Should the Department desire further information on any point, the Embassy would be glad to provide it upon receipt of the Department's request.

For the Ambassador:

*R N Magill*  
Robert N. Magill  
First Secretary of Embassy

Enclosure: *att*

Draft of Note Verbale  
to Foreign Office.

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A-2148, April 4, 1963  
From Amembassy BONN  
To DEPARTMENT OF STATE

D R A F T  
Note Verbale

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Federal Republic of Germany and has the honor to refer to the Ministry's Note Verbale of March 29, 1963 (V 2 (501)-84.21/7), transmitting a draft of a Third Law for the Amendment of the Federal Restitution Law with an Explanatory Statement ("Begrueudung").

As the Government of the United States understands it, this draft has been submitted to it in view of the obligation undertaken by the Federal Republic in Article 4 of Chapter Three of the Settlement Convention. The question whether this obligation can be satisfied by a partial payment of the awards made under the Federal Restitution Law presents a problem of some difficulty since the Federal Restitution Law covers a broader range of claims than the judgments and awards described in the Convention and since it seems that, in view of the lack of separate statistical records, the amount paid on the judgments and awards described in the Convention cannot be determined. The Government of the United States refrains from considering this problem at this time and would like to submit the following observations:

The performance of the Federal Republic in the field of restitution has been a gratifying one and has been an important factor in restoring the standing of the German nation in the free world. The United States Government believes that a solution offering less than full payment of the awards here involved may be harmful to the credit which the Federal Republic has thus gained. It appears from the "Begrueudung" that the difference between such full payment and the proposal embodied in the draft law amounts to approximately DM 300 million, an amount relatively small when compared with the total cost of the program of restitution and compensation for the victims of Nazism. It is evident that this additional payment need not be a charge on the current budget of the Federal Republic but could be made after the expiration of the three years mentioned in the proposed amendment of Article 32.

The United States Government expresses the hope that the Federal Government and the legislative bodies of the Federal Republic will take

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From Amembassy BONN  
To DEPARTMENT OF STATE

the foregoing observations into account in their further considerations. The United States Government will continue to give this matter its close attention and reserves the right to revert to it if this should become desirable.

Embassy of the United States of America,  
Bonn/Bad Godesberg, .....

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FEAUX, FIN MINISTRY, CONFIRMS TODAY'S PRESS REPORTS FEDERAL CABINET JUNE 19 APPROVED DRAFT BILL AMEND COMPENSATION LAW.

TOTAL EXPENDITURE FOR RESTITUTION AND COMPENSATION NAZI VICTIMS WILL IN 1975 REACH DM 40 BILLION, 29 BILLION OF WHICH WILL BE PAID FOR COMPENSATION INSTEAD OF 3 BILLION AS ESTIMATED IN 1953.

PRESENT LAW IMPROVED BY DRAFT PRIMARILY AS FOLLOWS (A) PENSIONS AND ANNUITIES WILL BE ADJUSTED IN ACCORDANCE COMPARABLE SALARIES PUBLIC SERVANTS (B) SICKNESS BENEFITS FOR RECIPIENTS OF ANNUITIES (C) 25 PERCENT REDUCTION EARNING POWER INMATES CONCENTRATION CAMPS WILL AUTOMATICALLY BE RECOGNIZED AS HAVING BEEN CAUSED BY PERSECUTION (D) APPLICATION MOST FAVORABLE COURT DECISIONS TO CLAIMS FOR HEALTH AND PROFESSIONAL INJURIES (E) ESTABLISHMENT SPECIAL FUND DM 600 MILLION FOR PERSONS NOW LIVING IN WEST WHO HITHERTO INELIGIBLE FOR COMPENSATION.

FEAUX ALSO CONFIRMED REPORTS THAT AS RESULT TALKS PRESIDENT GOLDMANN WITH CHANCELLOR AND FINANCE MINISTER ENTIRE DRAFT WILL BE REVIEWED WITH CONFERENCE REPRESENTATIVES IN LIGHT OF CONFERENCE WISHES IN SEPTEMBER WHEN PARLIAMENT EXPECTED START CONSIDERATION OF BILL. SCP-4 MCGHEE

*Bonn 3539*

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*PS 8-4 GER*

FEDERAL RESTITUTION LAW (BRUEG). ACCORDING THIS MORNING'S PRESS REPORTS (GERMAN OFFICIALS NOT AVAILABLE FOR CONFIRMATION OWING GERMAN HOLIDAY) FEDERAL CABINET YESTERDAY DECIDED IN FAVOR FULL PAYMENT OF AWARDS IN INSTALLMENTS OVER PERIOD TIME. LAW ALSON PROVIDES FOR HARDSHIP FUND AS DESIRED BY FRENCH. WHILE TREND TOWARDS FULL PAYMENT HAD ALREADY BEEN ESTABLISHED BY LATEST DRAFT, I HAVE NO DOUBT THAT US-UK NOTES CONTRIBUTED TO FAVORABLE CABINET DECISION.

FEDERAL COMPENSATION LAW (BEG). MESSRS. GOLDMAN, BLAUSTEIN AND LEAVITT, OF CLAIMS CONFERENCE, CALLED ON ME YESTERDAY MORNING TO REPORT ON TALKS WITH GERMAN OFFICIALS. THEY HAD SEEN GOVERNMENT BILL AMMENDING COMPENSATION LAW WHICH SCHEDULED FOR CABINET CONSIDERATION JUNE 19 (EMBASSY HAD NOT YET RECEIVED DRAFT, BUT HAS ASKED FINANCE MINISTRY FOR COPY). DRAFT FALLS CONSIDERABLY SHORT THEIR EXPECTATIONS. UNLESS SUBSTANTIALLY IMPROVED DRAFT WILL, THEY CLAIM, LEAD TO WIDESPREAD ANTI-GERMAN DEMONSTRATIONS. THEY ASKED ME ASSIST THEM IN THEIR ENDEAVORS WITH GERMANS. IN PARTICULAR WITH FINANCE MINISTER DAHLGRUEN, WHOM THEY WERE TO SEE IN AFTERNOON, IN ORDER INSURE CONSTRUCTIVE ATTITUDE ON PART GERMAN OFFICIALS.

I STRESSED THAT WHILE EMBASSY ON GOOD LEGAL GROUND IN ASKING GERMANS TAKE SPECIFIC ACTION ON RESTITUTION LEGISLATION SUCH AS WAS DONE BY RECENT NOTE, PAYMENTS UNDER COMPENSATION LEGISLATION ARE LARGELY VOLUNTARY. CONFERENCE REPRESENTATIVE SEEMED TO ME IN BETTER POSITION THAN EMBASSY TO TAKE UP SPECIFIC POINTS WITH GERMANS. I WOULD, HOWEVER, BE GLAD TO RENEW OUR EXPRESSION OF INTEREST IN A COMPENSATION PROGRAM BEING SATISFACTORILY CARRIED OUT. I WOULD BE WILLING TO POINT OUT ADVANTAGES WE CAN SEE IN COMING TO MUTUALLY SATISFACTORY TERMS WITH CONFERENCE REPRESENTATIVE WHO WERE IN UNIQUE POSITION OF BEING ABLE TO REPRESENT CLAIMANTS. AT BLAUSTEIN'S REQUEST I HAD WORD TO THIS EFFECT PASSED TO MINEIN DAHLGRUEN PRIOR HIS MEETING WITH THEM. I ALSO MENTIONED MATTER IN SAME VEIN AT LUNCH TO CARSTENS.

*Bonn*  
*3439*  
*PS 8-4 GER*

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SIGNED TO: <i>Em</i>	ACTION TAKEN: <i>Noted</i>
NAME OF OFFICER: <i>Gen - Haas</i>	DATE OF ACTION: <i>14 June 63</i>
OFFICE SYMBOL:	DIRECTIONS TO RM/R: <i>file</i>

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By <u>EW</u> NARA Date <u>7/31/00</u>

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-2- 3439, JUNE 13, 8 PM FROM BONN

EMBASSY ECONOMIC MINISTER AND LEGAL ADVISER DISCUSSED PROBLEM WITH  
 EAUX DE LA CROIX, OFFICIAL IN CHARGE THIS LEGISLATION IN FINANCE  
 MINISTRY, WHO UNDERTOOK TO INFORM MINISTER. HE EXPLAINED DM 7-8  
 BILLION ORIGINALLY ESTIMATED FOR COMPENSATION PROGRAM BUT 20  
 BILLION ACUTALLY SPENT AND TERMINATION PROGRAM AS ENVISAGED  
 NEW LAW WOULD REQUIRE TOTAL OF 36 BILLION. HE SAID FURTHER THAT  
 IF ALL DEMANDS OF CONFERENCE WERE MET ADDITIONAL 10 BILLION DM WOULD  
 BE REQUIRED. HE DID NOT, HOWEVER, RULE OUT ROSSIBILITY THAT  
 PRESENT DRAFT WOULD BE FURTHER AMENDED DURING LEGISLATIVE PROCESS.

CONFERENCE REPRESENTATIVES YESTERDAY SAW CHANCELLOR AS WELL AS  
 FINANCE MINISTER, AND GERMAN RADIO REPORTS THAT TALKS WILL  
 CONTINUE. SCP-4

MCGHEE

TRT

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1963 JUN 12 PM 3 06

Control: 9506  
Rec'd: June 12, 1963  
12:06 p.m.

FROM: Bonn

DEPARTMENT OF STATE

TO: Secretary of State

NO: 3394, June 12, 3 p.m.

*B*

Reference: EMBTEL 3369.

*Bonn 3394*

US-UK identical notes delivered June 11. Foreign Office official expressed gratification and said notes would strengthen stand Minister Schroeder expected to take at cabinet meeting June 12 in favor full payment.

SCP-EXEMPT.

MCGHEE

JNA/14

*PS 8-4 GER*

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JUL 15 1963

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NAME OF OFFICER: <i>Gen - Stalder</i>	DATE OF ACTION: <i>12 Je 63</i>
OFFICE SYMBOL: <i>Gen - Stalder</i>	DIRECTIONS TO RM/R: <i>fe</i>

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1963 JUN 11 AM 7 3

Control: 7625

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Rec'd: JUNE 10, 1963

3:47 PM

Info

FROM: BONN

DEPARTMENT OF STATE

SS

TO: Secretary of State

G

SP

NO: 3369, JUNE 10, 8 PM

(B)

L

H

NEA

DEPARTMENT'S 3014, EMBASSY'S 3294

P

IOP

INR

SCA

SCS

RMR

EMB THIS NOON RECEIVED FONOFF NOTE DATED JUNE 7 SUBMITTING LATEST DRAFT RESTITUTION LAW PROVIDING FOR FULL PAYMENT OF CLAIMS. NOTE, HOWEVER, POINTS OUT FINAL DECISION WHETHER CLAIMS EXCEEDING 40,000 DM WILL BE SATISFIED IN FULL OR ONLY 75 PERCENT STILL RESERVED TO FEDERAL CABINET. EMB UNDERSTANDS CABINET WILL CONSIDER DRAFT JUNE 12.

IN LIGHT UNCERTAINTY EXPRESSED IN FONOFF NOTE AS TO FULL PAYMENT, BRITISH EMB CONSIDERS AND WE CONCUR NOTE AS PREVIOUSLY AGREED SHOULD BE SENT PRIOR TO CABINET MEETING, NOTE, HOWEVER, MUST REFER ALSO TO LATEST DRAFT AND CONSEQUENTLY REQUIRES AMENDMENTS TO TEXT RECOMMENDED BY EMBASSY A-2148. WE AGREED WITH BRITISH EMB SECOND PARA WOULD BE REPLACED BY FOLLOWING PARAS (UNNECESSARY WORDS OMITTED):

"THE US GOVT HAS NOT YET BEEN ABLE SINCE RECEIPT OF REVISED DRAFT BUT HAS NOTED WITH SATISFACTION THAT NEW FORMULATION SECTION 32 OF LAW WOULD PROVIDE FOR FULL PAYMENT OF AWARDS TO CLAIMANTS. NOTE VERBALE OF JUNE 7 STATES HOWEVER THAT IT IS STILL RESERVED TO FEDERAL CABINET TO DECIDE WHETHER CLAIMS EXCEEDING DM 40,000 SHOULD BE SATISFIED ONLY UP TO 75 PERCENT AS PROPOSED IN EARLIER DRAFT.

"IN THESE CIRCUMSTANCES US GOVT WISHES SUBMIT AT THIS TIME FOLLOWING OBSRVATIONS:

"AS THE US GOVT UNDERSTANDS IT, THESE DRAFTS HAVE BEEN TRANSMITTED TO IT IN VIEW OF OBLIGATION UNDERTAKEN BY FEDERAL REPUBLIC IN ART 4, CHAPTER

JUL 11 1963  
FILE

Bonn 3369  
PS 8-4 GER

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ACTION ASSIGNED TO: <u>EUR</u>	ACTION TAKEN: <u>Noted - NAR</u>
NAME OF OFFICER: <u>Gen. Stalder</u>	DATE OF ACTION: <u>11 June 63</u>
OFFICE SYMBOL: <u>Gen. Stalder</u>	DIRECTIONS TO RM/R: <u>for</u>

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By EW NARA Date 7/31/00

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-2- 3369, JUNE 10, 8 PM FROM BONN

4, CHAPTER 3 SETTLEMENT CONVENTION. THE US GOVT EXPRESSES APPRECIATION TO FEDERAL GOVT FOR HAVING THUS KEPT IT INFORMED ABOUT PROPOSED LEGISLATION AND WILL CONTINUE OBSERVE PROGRESS LEGISLATION WITH CLOSE ATTENTION."

THEN FOLLOWS THIRD PARA PREVIOUS NOTE BEGINNING WITH "THE PERFORMANCE ..." WITH MINOR EDITORIAL CHANGES. IN LAST PARA WORDS "LEGISLATIVE BODIES OF FEDERAL REPUBLIC" AND LAST SENTENCE OMITTED.

FRENCH NOT INSTRUCTED JOIN IN US-UK NOTE BUT HAVE TOLD US THEY ARE SUBMITTING PRIOR JUNE 12 NOTE OF THEIR OWN DEALING PRIMARILY WITH PROBLEM OF SPECIAL HARDSHIP FUND.

UNLESS INSTRUCTED TO CONTRARY BY 2:00 PM LOCAL TIME, JUNE 11,  
EMB IN CONCERT WITH BRITISH WILL DELIVER NOTE AS AMENDED.

SCP-EXEMPT.

MCGHEE

HC

*Rec'd w Gen (2:45 PM Bonn Time)  
9:45 AM " June 63 G.S.*

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# OUTGOING TELEGRAM Department of State

01874

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JUN 5 5 30 PM '63

Origin (2) ACTION: Amembassy BONN ROUTINE

3014

Info:

B'nai B'rith attorney Ferencz yesterday informed Department of his understanding that German Cabinet is scheduled on June 12 to consider Finance Ministry draft amendment to Federal Restitution Law (BRUEG) providing for 75 percent payment of claims. According to Ferencz this represents FINMIN reversion to original position. On April 6 Dahlgruen reportedly assured Claims Conference President Goldmann of decision to recommend to Cabinet full payment of BRUEG claims and Goldmann so reported to Claims Conference in New York. However on May 22 FINMIN official Koppe, without explanation, informed Claims Conference Bonn representative Katzenstein of FINMIN reversion to previous position.

We favor Cabinet consideration of BRUEG as means to expedite progress of this legislation but we consider it highly desirable that US (and, if possible, British and French) views be communicated to Foreign Office sufficiently in advance to assure their being fully considered in June 12 Cabinet meeting. In this connection, Waldstein informs us of British readiness to join us in despatch of note verbale along lines recommended by Embassy (Bonn's A-2148) and concurred in by Department (Dept's A-327) but says French Embassy remained uninstruced as of May 24. We note that French

Bonn 3014 PS 8-4 GER

Microfilmed by RMIR

Drafted by: EUR:GER:AST/der:jmr 6/5/63

Telegraphic transmission and classification approved by:

GER - Robert C. Creel

Clearances:

L/EUR - Mr. Maurer (draft)

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Page 2 of telegram to BONN

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interests regarding draft law may be somewhat different from US and not British, since French Zone restitution legislation did ~~not~~ cover claims against Reich and therefore Settlement Convention commitment Chapter Three Article 4 not applicable. Also draft law would establish hardship fund ~~for~~ for certain claims that arose in German-occupied areas which matter of special French interest.

Action Requested: If Cabinet consideration of BREEG amendment is in fact imminent and if French still uninstructed and/or unlikely to be in position to act before June 12, Embassy should consult with British with view to immediate US-UK delivery of notes. If British not disposed to proceed without French (even after you have pointed out special French interests), and in absence of Embassy objections which should be reported soonest, Embassy should undertake unilaterally to deliver note to Foreign Office prior to June 12 Cabinet meeting.

SCP-EXEMPT

RUSK

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Department of State

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Control: 3400  
Rec'd: June 5, 1963  
2:46 PM

FROM: Bonn  
TO: Secretary of State  
NO: 3294, June 5, 7 PM

Foreign Office (Bonn) has informed Embassy draft federal restitution law now changed to provide for full payment all awards. Embassy will report details when written confirmation expected next few days received.

SCP-Exempt.

MCGHEE

LLN/3

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OF EUROPEAN AFFAIRS  
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JUL 15 1963

Bonn 3294  
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NAME OF OFFICER & OFFICE SYMBOL: <u>Ger - Staem</u>	DATE OF ACTION: <u>6/6/63</u>		

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DEPARTMENT OF STATE

# AIRGRAM

PS 8-4 GER

XR PS 8-4 GER-US  
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A-232

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HANDLING INDICATOR

TO : DEPARTMENT OF STATE 1963 AUG 2 AM 7 25

*Jm*

RM/AN  
ANALYSIS & DISTRIBUTION  
BRANCH

FROM : Amembassy BONN

DATE: July 31, 1963

SUBJECT : Implementation of Article 5, Chapter Six of the Settlement Convention (Draft of Law on Reparation Damage)

REF : Embassy's A-2522, June 4, 1963

LEGAL ADVISER  
See CA-1691 to Bonn 8/9/63  
AUG 2 1963  
PH P. [unclear] LOR  
DEPARTMENT OF STATE  
"file"

I.

The draft law described in the referenced message was submitted to the Bundesrat on June 21, 1963. At its meeting of July 12, the Bundesrat resolved that it would raise no objection to the draft law, except for two minor formal points. The draft law is now to be submitted to the Bundestag.

II.

With a view to assisting the Department in its study of the scope of the obligation of the Federal Republic under Settlement Convention, Chapter Six, Article 5, the Embassy summarizes hereunder (1) the principles underlying the draft law, (2) the historical background, (3) the arguments of the Federal Government concerning the scope of the treaty obligation of the Federal Republic, and (4) some financial aspects of the problem.

1. Principles underlying the draft law.

The draft law provides for compensation in accordance with the concept of Equalization of Burdens as developed in earlier German legislation. The major compensation principles involved in this concept are: (1) Compensation is paid to individuals only. (2) Compensation is paid on a degressive scale, ranging from 100 percent to 6 1/2 percent. (3) In general, compensation is based on property assessment values established prior to the end of the war. (4) Property that survived the war is taken into account in the compensation formula. (5) Losses

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FORM 4-62 DS-323

Drafted by: POL:L:HFwaldstein:rw  
Clearances: POL:L - Mr. von Elbe  
ECON - Mr. Emerson Brown

Contents and Classification Approved by: CKidd

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A-232, July 31, 1963  
From Amembassy BONN

suffered within Germany are compensated only as far as they relate to business property, agricultural property, real estate and a few other categories of property. (6) No compensation is paid for losses of cash, precious metals and stones, jewelry and other luxury items, works of art and collections.

The draft law contains a nationality requirement and a residence requirement in respect of reparation losses sustained outside Germany. Compensation is paid only if the person who sustained such a loss was a German citizen or an ethnic German (expellee) at the time of such loss and if he or his heir resided on December 31, 1952 in West Germany or in a country which had recognized the Federal Government on April 1, 1956. There are some minor exceptions from the residence requirement.

2. Historical background.

(a) Post-World War I history.

Article 297(i) of the Versailles Peace Treaty imposed upon Germany the obligation

"to compensate her nationals in respect of the sale or retention of their property...in Allied or Associated States."

In view of the progressive depreciation of the Mark currency and the limited financial capacity of the Reich, Germany was unable to pay full compensation under this provision. It finally paid compensation on a degressive scale, ranging from 100 percent to 3 1/2 percent, totaling about 3 billion Reichsmark as compared with losses totaling about 18 billion gold mark. As far as appears, the Allied side took the position that such action did not violate the treaty obligation and that the sole legal significance of the treaty provision was that, as between the States concerned, the obligation to compensate the former private owners rested upon Germany, whereas the scope of the compensation to be paid to German citizens was an internal German problem (see the statement of the representative of the Allied Reparation Agency quoted on page 3 of EMBDES 1502, May 14, 1962).

(b) Post-World War II developments.

The concept of an Equalization of Burdens was developed during the early years after the end of World War II, probably jointly by German

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From Amembassy BONN

and Military Government experts, who realized that the immense losses suffered by German citizens and corporations as a result of the war could not nearly be compensated in full. The term contemplated a social rehabilitation program which would spread these losses among the German population as equally as feasible. This purpose was to be achieved by raising, through special levies on property, an "equalization fund" from which some measure of compensation, narrowly limited by detailed rules, was to be paid to those natural persons who had suffered property losses as a result of the war.

The occupation authorities provided for such a program in their Conversion Law of June 27, 1948 (U.S. Military Government Law No. 63). Article 29 of that Law reads (in its published English translation):

"Article 29

"Equalization of Burdens

"The funds required to carry through the equalization of burdens shall be provided by means of special levies on property, the receipts from which shall be paid for this purpose to an equalization fund outside the budget. Further provisions shall be made in the German legislation on equalization of burdens to be enacted by 31st December 1948, as laid down in the preamble to the Currency Law. Such legislation shall also prescribe the extent to which compensation shall be granted for losses resulting from the monetary reform or otherwise. In this connection, special consideration shall be given to losses occasioned by Control Council Law No. 5 and by reparations removals." (Underscoring added). *particularly*

The Federal Government infers from the last sentence of Article 29 that the Military Governments wished to see the compensation for reparation losses included in the Equalization of Burdens legislation. The Embassy believes that this inference is correct. The English text of the sentence may be misleading, since it could be read as prescribing "special" consideration of the reparation losses in the sense that they should be treated more favorably than other losses. Such reading is negated by the German text (the only "official text"), reading:

"Hierbei sind insbesondere Verluste auf Grund des Kontrollratsgesetzes Nr. 5 und infolge von Reparationsentnahmen zu berücksichtigen."

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From Amembassy BONN

and by the French text, reading:

"Ces lois tiendront un compte particulier des pertes subies par suite de l'application de la Loi No 5 du Conseil de Contrôle et des prélèvements au titre des réparations."

These texts seem to leave no doubt that the Allied legislators intended to ensure that the Equalization of Burdens legislation would take into account, in particular, the reparation losses.

The Government draft of the Equalization of Burdens Law was submitted to the Bundestag on January 20, 1951, together with the customary "Begründung" (explanatory statement) (Bundestag Document No. 1800). The Law was enacted on August 14, 1952. Its compensation provisions were limited to Expellee Damage (property losses suffered in Eastern Europe by expelled Germans) and War Property Damage (destruction of property in Germany by war action) and a few other minor categories. Compensation for all other categories of losses arising from the war and its consequences was deferred to future legislation since the equalization fund was regarded as insufficient to provide compensation for such other categories. Article 325 of the Government's draft of the Law read as follows:

"Article 325

"Reservation of Separate Laws for the Compensation of other Damages and Hardships resulting from the War and its Consequences.

"(1) There is reserved for future laws the compensation, if any, of property damage suffered by

"1. to 3. ....

"4. persons who lost property by the confiscation and liquidation of German external assets and the delivery of foreign exchange assets;

"5. to 9. ....

"(2) .....

"(3) The kind and scope of the compensation provided in any laws enacted pursuant to paragraph (1)...above shall be within the framework of the principles of the present Law, unless the public weal or special circumstances suggest some other kind and scope of compensation." (Underscoring added).

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Paragraph (1) of this Article was intended to assure the groups of claimants listed therein that they would receive compensation under future legislation, if financially feasible. Paragraph (3) was intended to assure the Expellees that, in principle, these other groups would not receive more favorable treatment. The "Begründung" stated that more favorable compensation might have to be provided under international agreements with regard to German assets taken "in certain countries" (meaning such neutrals as Switzerland and Sweden). In a desire to avoid raising expectations which the Federal Republic might be financially unable to fulfill, the Bundestag reduced the proposed Article 325 to a brief declaration which deferred to future legislation the subject of other war and post-war losses (Article 366 of the Equalization of Burdens Law; see the Committee Report in Bundestag Document 3300).

At the time of the negotiation of the Settlement Convention, there was thus on the record a formal and recent announcement of the Federal Government to the effect that, in general, reparation losses would be compensated in accordance with Equalization of Burdens principles under future legislation if and when financially feasible. It is hardly conceivable that this announcement could have escaped the attention of the Allied High Commission, which scrutinized all German legislation and observed closely the Equalization of Burdens program, a legislative project of unparalleled importance. It is also noted that this legislative project was involved in the negotiation of Article 6 of Chapter Ten of the Convention and that its then current draft (Bundestag Document No. 3300) is referred to in paragraph 6 of that Article.

### 3. Arguments of the Federal Government.

The arguments advanced by the Federal Government and its officers regarding the scope of the Federal Republic's obligation under Article 5 of Chapter Six of the Settlement Convention may be summarized as follows:

a. The view taken by the Allied side in the 1920's regarding the legal significance of Article 297(i) of the Versailles Peace Treaty is in point.

b. The negotiators of the Settlement Convention must have contemplated that compensation for reparation losses would be provided in accordance with Equalization of Burdens principles, since in 1948 the Allied legislators had issued a directive to that effect (Article 29 of the Conversion Law) and since in 1950 the Federal Government had publicly announced its intention to proceed in that manner (Article 325 of the draft of the Equalization of Burdens Law).

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 From Amembassy BONN

c. To apply to the reparation losses covered by the present draft law a more liberal method of compensation than that provided for in the Equalization of Burdens Law would violate the constitutional rule of equal treatment (Article 3 of the Basic Law) since there exists no valid reason for treating the reparation losses that occurred in the non-Communist world more favorably than the Expellee Damage which comprises the reparation losses sustained by expellees in the European satellite states.

The Embassy's research has disclosed nothing that would permit it to refute these arguments.

4. Financial aspects.

In the "Begründung" of the draft law, the Federal Government tabulates detailed figures concerning the total losses covered by the draft law. The following table constitutes a summary of these figures:

	Natural Persons	Juristic Persons	Total
	(millions Reichsmark, values of 1938)		
1. Reparation and External Restitution Losses	5,407	14,065	19,472
2. Destruction Losses (elimination of war potential)	150	360	510
3. Internal Restitution Losses	1,450	750	2,200
Totals	7,007	15,175	22,182

According to the same "Begründung", the Federal Government estimates at DM 1,700 million the total cost of the compensation program embodied in the draft law. The total compensation would thus cover less than 10 percent of the total losses.

For the Ambassador:

*Coburn Kidd*  
 Coburn Kidd  
 Counselor of Embassy

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By: EW NARA Date: 7/31/00

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TO : DEPARTMENT OF STATE

1963 JUL 18 AM 7 31  
ANALYSIS & DISTRIBUTION BRANCH

EUR INDEX B

FROM : Amembassy BONN

DATE: July 15, 1963

SUBJECT : Draft of a Second Amendatory Law to the Federal Compensation Law

REF :

On June 21, the Federal Government submitted to the Bundesrat the draft of a Second Amendatory Law to the Federal Compensation Law.

The draft law is intended to bring about a comprehensive and final revision of the Federal Compensation Law (BEG). Its text consists of 106 proposed amendments to the BEG and of a number of other provisions. Most of these provisions are of the liberalizing kind, i.e., they enlarge or clarify the existing law in favor of the persecutees. A few of the provisions would solve existing doubts in a manner unfavorable to the persecutees.

The Embassy has examined the proposals embodied in the draft law. It is not preparing a translation of the voluminous draft law, since its text cannot be understood without constant reference to other texts. The general scope and contents of the draft law may be gathered from the introductory statement of the "Begrundung" submitted by the Federal Government to the Bundesrat. The following is a translation of this introductory statement:

"1. The Federal Compensation Law (BEG) received its text and its title by the law of June 29, 1956 (BGBl. I, p. 559). The first amendatory law to the BEG of July 1, 1957 (BGBl. I, p. 663) merely extended the filing date for claims (Article 189, paragraph 1) from April 1, 1957 to April 1, 1958.

"By December 31, 1962, a total of 3,170,000 claims had been filed under the BEG, of which 2,570,000 had been settled by this date. Thus about 81 percent of the BEG claims had been disposed

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FORM 4-62 DS-323

In  Out

Drafted by: POL: L: HFwaldstein:rw  
Clearances: POL: L - Mr. von Elbe

Contents and Classification Approved by: CK

EW: HQ - R. Kent - 2/4/64 - file

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Authority: NND939554  
By: EW NARA Date: 7/31/00

RG

Entry 59  
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Consular 1963File Protective ServicesBox 3211

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Page 2

A-105, July 15, 1963

From Amembassy BONN

of by that time. Payments made under the BEG amounted to 13.8 billion DM by the end of 1962.

"2. The legislator had intended the BEG to be substantially the final step of the indemnification legislation for victims of National Socialist persecution. In carrying out this law, however, the administrative practice and the decisions of the compensation courts have demonstrated the necessity of revising the law in a number of points. The first step in this respect was taken by the Laender, which carry out the BEG on their own responsibility and which, by an administrative agreement of June 23, 1959, gave an enlarging interpretation to certain provisions of the BEG. This administrative agreement has proved insufficient because, among other reasons, it does not bind the courts.

"In this situation the question of a final revision of the BEG was already considered by the Restitution Committee of the Third Bundestag. There was then no sufficient time to undertake this revision and the matter was left to the Fourth Bundestag. Already at that time, the thought was that such revision should solve all open questions within the framework of financial possibilities and should have a final character.

"3. The preparation of the final revision of the BEG was commenced soon after the election of the Fourth Bundestag. A group of experts was formed from the staff of the Federal ministries concerned and of the Laender, to examine all proposals for such revision and to prepare a working draft. Examination of the numerous proposals for changes, especially of the proposals of the persecutee organizations, soon demonstrated the necessity of limiting the revision. Such limitation was necessary, in the first place, in order to retain the principles underlying the BEG since a reopening of all decided cases did not appear administratively feasible. In the second place, the tight budget situation of the Federation and the Laender imposed financial limitations upon the revision.

"Since, according to estimates prepared by the Laender, the implementation of the BEG in its present form until 1966 is expected to cost a total of 20 billion DM, the revision of this law had to be kept within an additional cost of about 3 billion DM. Therefore, priority had to be given to those improvements that appeared particularly urgent.

"4. In addition to a number of primarily technical improvements, an amendment of the law appeared necessary in respect of the following matters:

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By: CP NARA Date: 7/31/00

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Page 3  
A-105, July 15, 1963  
From Amembassy BONN

1. Revision of the amounts of annuities and connected amounts.
2. Facilitating proof in proceedings concerning damage to health.
3. Liberalization with regard to loss of liberty sustained in Hungary, Bulgaria and Rumania.
4. Revision of the provisions concerning annuities for dependents in cases of loss of employment.
5. Increased compensation for persons damaged in their education.
6. Granting the equivalent of health insurance to persons receiving annuities under the BEG.
7. Liberalizing the hardship provisions of Article 171.
8. Reopening of decisions of the courts and administrative agencies with a view to harmonizing them with later and more liberal administrative and judicial rulings.
9. Hardship provisions for the benefit of groups of persecutees who do not satisfy the residence requirements or the key date conditions of the law.
10. Liberalization of the provisions for the benefit of persons persecuted for reason of their nationality, as far as they relate to permanent damage to health.

"5. The additional benefits provided for in the draft law constitute a voluntary action on the part of the Federation and the Laender since, already in the BEG, the Federal Republic went beyond the obligations undertaken by it in the Israel Agreement, in the Hague Protocol No. 1 of September 1952 and in the Settlement Convention. The Federal Government and the Laender Governments have been guided by the thought that, beyond the satisfaction of purely legal obligations, they should try, for general moral and humanitarian reasons, to bring the indemnification of victims of National Socialist persecution to a fair and just conclusion."

The contents of the draft law have been discussed by the Federal Ministry of Finance with representatives of the Claims Conference. The Embassy understands that these discussions will be resumed in September.

For the Ambassador:

*Coburn Kidd*  
Coburn Kidd  
Counselor of Embassy

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Authority NND 939554  
By CP NARA Date 7/31/00

RG 59  
Entry Central Decimal FL  
File Consular 1963  
File Protective Services  
Box 3211

**INCOMING TELEGRAM**

*Department of State*

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NOV 9 PM 2 58

ON NOV 8, PRESIDENT NAHUM GOLDMAN HAD TALKS WITH CHANCELLOR ERHARD, FEDERAL FINANCE MINISTER DAHLGRUN AND OTHER FEDERAL OFFICIALS RE LEGISLATION NOW PENDING BEFORE BUNDESTAG ON RESTITUTION AND COMPENSATION FOR VICTIMS OF NAZI PERSECUTION. ACCORDING TO PRESS REPORTS, TALKS WERE VERY FRIENDLY. GERMANS ARE REPORTED TO HAVE APPROACHED PROBLEM IN SPIRIT OF POLICY STATEMENT MADE BY CHANCELLOR ERHARD ON ASSUMING OFFICE THAT REPARATION NATIONAL-SOCIALIST WRONGS IS A "BINDING OBLIGATION" ON GERMANY.

PAGE 2 RUFKC 1346 UNCLAS

BILLS ON RESTITUTION AND COMPENSATION SCHEDULED FOR FIRST READING IN BUNDESTAG ON NOV 14. IF ADOPTED AS DRAFTED, THEY MAY REQUIRE AN ESTIMATED 4 BILLION DM IN ADDITION TO 36 BILLION DM PAYABLE UNDER EXISTING LEGISLATION. MCGHEE  
BT

*Bonn 1758  
PS 8-4  
GER*

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Consular 1963  
File Protective Services  
Box 3223

PS - PROTECTIVE SERVICES

US-GEK

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By EP NARA Date 7/31/00

RG 59  
Entry Central Decimaal Fl  
Consular 1963  
File Protective Services  
Box 3223

ORIGIN/ACTION		
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AGR	COM	FRB
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(21)  
85

DEPARTMENT OF STATE

# AIRGRAM

FOR RM USE ONLY

**A-305,** **OFFICIAL USE ONLY**

TO: **Ambassador BONN**

FROM: **Department of State** DATE: **MAR 28 9 54 AM '63**

SUBJECT: **Visit of Claims Conference Representatives to Bonn.**

REF:

Decontrolled following January 1, 1964

During March 22 meeting with Under Secretary McGhee, Mr. Jacob Blaustein, Senior Vice President of the Conference on Jewish Material Claims against Germany, expressed that Organization's impatience over continued Finance Ministry delays in completing draft Final Compensation Law (BEG). He also voiced Conference concern (based on Conference President Dr. Nahum Goldman's February talks with German Finance Minister) over anticipated inadequacies of BEG amendment to be proposed to Bundestag. Major concern of Conference is that post-October 1, 1953 Iron Curtain refugees be accorded full equality of treatment in Final Compensation Law. Dr. Goldman and Mr. Blaustein expect to resume discussions with Finance Minister Dahlgren (and with Foreign Minister Schroeder and Chancellor) during second week of April, hopefully on basis of BEG amendments which Dahlgren reportedly assured Dr. Goldman would then be ready.

Prior to these discussions, to encourage end of German procrastination, Mr. Blaustein proposed that Ambassador Dowling be asked to call to Foreign Minister Schroeder's attention the continuing US interest in the adequacy of the FRG's Compensation performance.

On consideration, Department of view that such an approach would be inappropriate, at least at this juncture, because (1) the German Government is clearly committed to amendment of the BEG and (2) increasing press discussions of guidelines for amendments to this and other compensation and restitution legislation indicates end of drafting stage is finally at hand. Moreover, BEG, unlike the BRUEG, is essentially a matter of domestic German legislation.

Action Requested  
Embassy, in its discretion, should inform appropriate Foreign Office

FORM 62 DS-323 OFFICIAL USE ONLY FOR DEPT USE ONLY

Drafted by: EUR:GER:AST lor:eaw 3-27-63  
 Contents and Classification Approved by: EUR: Richard H. Davis  
 Clearances: M - Mr. McGhee GER - Mr. Greel L/EUR - Mr. Nauer S/S - Mr. Lloyd

P-5 A-305 P-5 8-4 P-5 - GER

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Authority NND939554  
By EW NARA Date 7/31/00

RG

59

Entry

Central Decimal #  
Consular 1963

File

Protective Services

Box

3223

A-305 to Bonn,

OFFICIAL USE ONLY

- 2 -

official of forthcoming visit to Bonn of Conference representatives, Dr. Goldmann and Mr. Blaustein, for further discussions with the Chancellor, Foreign Minister and Finance Minister on BEG amendments whether or not Dr. Dahlgren has completed draft. (Foreign Office will presumably be aware of Conference contention that a deficient performance in the enactment of a Final Compensation Law will jeopardize the gains to the German image arising from the FRG's efforts to date.)

RUSK

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By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

263.1141-Griessmayer, MALEPIC/8-861

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Authority 949660

By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141  
Griessmayer  
Box 420

SUBJECT

DATE

1960

CASE NUMBER

263.1141 MAIER, FELIX  
DC/R Central Files

~~MAIER, FELIX~~

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342928

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Authority 949660  
By EK NARA Date 7/61

RG 59  
Entry CDF 1960-63  
File 263.1141  
GRIESSMAYER  
Box 420

~~RM/R~~

31

July 3 1962

In reply refer to  
L/EUR

Dear Mr. Greenhood:

The American Embassy at Vienna has advised that upon checking with both the Abgeltungsfond and the Hilfsfond, it has been able to find no record of applications having been received from either you or Mr. Schwarz.

The Embassy suggested that you file your application again before August 31, 1962, which is the deadline under the Abgeltungsfond, and that the applications be sent by registered mail.

While the first Hilfsfond has been concluded, the Austrian Parliament enacted a law on June 13, creating a supplementary Hilfsfond for the benefit of persons now living outside of Austria who suffered racial and religious persecution under the Nazis. The Fund, which it is hoped will be operative by October 1, will seek to compensate persons for educational and professional opportunities lost as a result of religious and political persecution.

Sincerely yours,

Donald A. Wehmeyer  
Acting Assistant Legal Adviser  
for European Affairs

Mr. Paul Greenhood,  
9316 Piney Branch Road,  
Silver Springs, Maryland.

2  
microfilmed by RM/R

L:L/EUR:MNash:vab 7-3-62

7/5/62

263.1141 - Greenhood, Paul / 6-2662  
263.1141 - Wehmeyer, Donald

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By EK NARA Date 7/31

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File 263,1141  
Griessmayer  
Box 420

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

*Cont - art 26*  
*RMA*

31

ADDRESS OFFICIAL COMMUNICATIONS TO

American Embassy  
Vienna IX, Austria

June 26, 1962

OFFICIAL-INFORMAL  
UNCLASSIFIED

Dear Miss Nash:

Upon receipt of your letter of June 15, I checked with Dr. Georg Weis' office. I was informed that both the Abgeltungsfond and the Hilfsfond have no record of having received applications from either Mr. Paul Greenwood or Mr. Bernard Schwarz.

It is possible that their applications were misdirected or lost. I do know that the Abgeltungsfond has been prompt in paying claims. I suggest that Mr. Schwarz and Mr. Greenwood file their applications again before August 31, 1962, and that they send them by registered mail.

Sincerely yours,

*Gerald B. Helman*  
Gerald B. Helman  
Second Secretary of Embassy

*263.1141-Greenwood, Paul 6-26-62*  
*for 263.1141-Schwartz, Bernard*  
FILED  
JUL 11 2 05 PM '62

Miss Marian Nash  
L/EUR  
Department of State  
Washington 25, D.C.

3 microfilmed by RM/R

*Reply drafted by*  
*HEUR M. Nash to*  
*Mr. Greenwood + Schwarz*  
*7-3-62*

*7/5/62*

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

263-1141-SAXL CHARLOTTE ESTATE

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Charlotte SAXL  
332 Benefit St. Providence 3, R. I.

May 14, 1946

RECEIVED  
DEPARTMENT OF STATE

To the Department of State, Washington D.C.

1946 MAY 15 PM 4 03  
Referring to FN 462.11  
EW SAXL, CHARLOTTE

- 4-1846 DC/1  
RECORDS BRANCH
- The deposit was made at the Herzbank, Vienna, Austria
  - The deposit is now at the Sperrbank, Vienna, T. Am Hof 2
  - Charlotte SAXL - now at the Sperrbank, Konto No 12281
- The following securities were deposited at the Herzbank. The Konto No was  
 then: 134,465 for both deposits, the Sperrkonto and the Konto-separato
- The Sperrkonto: "Reichsfluchtsteuer"  
 \$ 4000.- 7% Internat. Bundesanleihe, American Tr. and Erträgnis Coupons  
 \$ 4000.- 4% Wiener Stadtsanleihe  
 \$ 22000.- 4% Oesterr. Goldrente (Lousse Communie)  
 \$ 350 - Three hundred and fifty Yonaw-San-Schia Obligationen  
 £ 200. - - 7 1/2 % Ung. Völkerbundanleihe v. 1924 and  
 no Verwahrungsdapot

The Konto-separato

- \$ 1000 - Internat. Bundesanleihe 1930 (American) and Erträgnis Coupons
- \$ 100 - Internat. " 1930 (English)
- \$ 1000 - Wiener Akkord Anleihe 1931
- \$ 10 - 3% Oesterr. Staatsbahn Prioritäten Zertifikat
- \$ 50 - Staats Eisenbahn Ges. Wien
- \$ 1.25 - Galizische Karpathen
- \$ 2.4 - Tripfaler Kohlen
- Kr 12000 - 4 1/2 % Oesterr. Here Eisenbahnanleihe v. 1902
- \$ 1 - Korb. Tabak Coupon
- \$ 15 - Korb. Tabak Lose
- \$ 21 - Linienscheine

- The securities were among the best accredited, but I do not know their value at the time I left Vienna. I know they valued higher than the nominal value - exception paid of little value was the 4 1/2 % Oesterr. Here Eisenbahnanleihe and the Korb. Tabaklose
- The Sperrkonto was to cover and over cover the amount I had to pay as "Reichsfluchtsteuer" - Oesterr. Schillinge 53,124 or Deutsche Reichsmark 35,418 - and on the Konto-separato I was forced to leave my other securities back to get the permission to leave Austria. I had to take a Kari lawyer Dr. Franz BEINTREXLER, Vienna T. Habsburgergasse 5, and to give him power of attorney.

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Mrs Charlotte SAXL 332 Benefit St  
Providence 3, R.I.

6 Recently I got the news, that he died in 1941. I do not think that he misused my confidence - but I know nothing about it.  
Upon my request the Landerbank, Vienna, wrote me, that my konto and deposit is at the present time at their main office in Hof 3, Vienna. It has the No 12.281, and that the statement of account there is  
Sperkontenabteilung, February 11, 1946

Schilling 2 196 40 auf Alt konto und  
Schilling 3 294 60 auf Alt Sper konto  
£ 200 - 4 1/2 % (7 1/2 %) Ungar. Volkerbund duldete 1924 engl. Fr.  
H. 6 Serbische Tabaklose  
H. 12.000 4 1/2 % Bosn. Here Eisenbahn duldete 1902  
H. 125 Gal. Fayathen Akt. a 2l. 100  
H. 24 Eisenbahn kupons (S. E. U. O.)

Compare the statement of account from February 11, 1946 with the deposits. I was forced to leave behind me in 1938. I do not doubt that the Landerbank was always correct and trustworthy, but had to fulfil Hitlers laws. I am the difference of my deposits from 1938 and that, what is supposed to be now on my account, be claimed by law now or later?  
I am asking your help urgently, as I am of advanced age and have not sufficient means for my modest livelihood.

7 CHARLOTTE SAXL, formerly Austrian, 332 Benefit St, Providence 3, Rhode Island, American citizen since February 28, 1944, by naturalization No. 6144594 at the District Court of the United States for the District of Rhode Island, Providence, Rhode Island

Sincerely yours

Charlotte Saxl

State of Rhode Island } ss  
County of Providence }

City of Providence  
May 14 1946

Attest:

Shuley Johnson  
Notary Public

My Commission Expires  
June 30, 1946

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Charlotte Saal Providence R.I.  
332 Benefitor

May 14 1946

To the Department of State, Washington, D.C.  
Besides of the deposit now at the Landersbank, I had  
to leave \$t. 200 Teerag Aktien à 6.60 = Reichsmark 1320  
minus charges 7.59

R. M. 1312.41

in trust of the Wiener Giro und Cassen Verein in Vienna  
I did have them before deposited with a private bank,  
Walter u. Co. T. Schottering g, whose proxy is Mr. Spulmann,  
suddenly died - I do not know if the Wiener Giro und  
Cassen Verein still exists, and if and where I could claim  
those securities. Could you give me an advice?

Sincerely

Mrs. Charlotte Saal

State of Rhode Island } ss  
County of Providence }

City of Providence  
May 14 1946

Attest:

Saulcy Johnson  
Notary Public

My Commission Expires  
June 30, 1946

DECLASSIFIED	
Authority	949660
By	EK NARA Date 7/31

RG	59
Entry	CDF 1960-63
File	263-1141-SAXL Charlotte Estate
Box	420

Mrs Charlotte SAXL  
332 Benefit Str. Providence 3, R.I.

May 14, 1946

To the Department of State, Washington, D. C.

Referring to FN 462.11

EW SAXL, CHARLOTTE

14-1846

1. The deposit was made at the Mercurbank, Vienna T., Austria. The deposit is now at the Länderbank, Vienna T., Am Hof 2.
2. Charlotte Saal - now at the Länderbank Konto No 12.281
3. The following securities were deposited at the Mercurbank. The Konto forward thru: 134.465 for both deposits, the Sperrkonto and the Konto separato.

The Sperrkonto: Reichsfluchtssteuer "

\$ 4000. - 7% Int. Bundesanleihe, American Tr., und Erträgnis Coupon  
sches 4000. - 4% Wiener Stadtanleihe " " "

fl 22.000. - 4% Oesterr. Goldrente (Caisse Commune) " " "

fl 350. - Three hundred and fifty Tonawanda State Obligations " " "

£ 200. - 7 1/2% Ung. Vorkriegsbundanleihe v. J. 1924 und  
Gas Verwaltungsdepot " " "

The Konto separato:

Finanzinternat. Bundesanleihe 1930 (American) und Erträgnis Coupon

£ 100. Int. Bundesanleihe 1930 (English) " " "

sches 1000. Nr. Akkordanleihe 1931 " " "

fl 10. 3% Oest. Staatsbahn Prioritäten m. Zertifikat " " "

fl 50. Staats Eisenbahn Ges. Aktien " " "

fl 125. Galzische Kappellen " " "

fl 24. Trifailer Kohlen " " "

Kr. 12.000. 4 1/2% Bosn. Here. Eisenbahnanleihe " " "

fl 1. Serb. Tabak Coupon v. J. 1902 " " "

fl 15. Serb. Tabak Lose " " "

fl 21. Südbahnstreifen " " "

342935

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Authority <u>949660</u>
By <u>EK</u> NARA Date <u>7/91</u>

RG	<u>59</u>
Entry	<u>CDF 1960-63</u>
File	<u>263.1141-SAXL</u> <u>Charlotte Estate</u>
Box	<u>420</u>

Mrs Charlotte SAXL  
332 Benefit St. Providence 3, Rhode Island

4. The securities were among the best accredited, but I do not know their value at the time I left Vienna. I know they valued higher than the nominal value was. - Exception and of little was the 4 1/2 % Bosn. Here Eisenbahnanleihe and the Erb Tabaklose.
5. The Sperrkonto was to cover and over cover the amount I had to pay as "Reichsfluchtsteuer" - Oesterreichische Schillinge 53.127. - or Deutsche Reichsmark 35.418. - and on the konto-separato I was forced to leave my securities back, to get the permission to leave Austria. I had to take a Nazi lawyer, - Dr Franz Beintreder Vienna I, Habsburgergasse 5, and to give him power of attorney.
6. Recently I got the news that he died in 1941. I do not think that he mistook my confidence, but I know nothing about. Upon my request the Landerbank, Vienna, wrote me, that my konto and deposit is at the present time in their main office, Am Hof 2, Vienna. It has the No 12.281, and that the statement of account there is: Sperrkontenabrechnung, February 11, 1946

Schilling 2.196.40 auf Alt-Konto und  
Schilling 3.294.60 auf Alt-Sperr-Konto  
£ 280. - 4 1/2 % (7 1/2 %) Ungar. Vorkriegsrente 1924, engl. 2  
St 6 Serbische Tabaklose  
K 12000 4 1/2 % Bosn. Eisenbahn Anleihe 1902  
St. 125 Gal. Karpatten Akt a £ 100  
St. 24 Ländbank Treas. (S.E.U.O)

Compare the statement of account from February 11, 1946 with the deposits I was forced to leave behind me in 1938! I do not doubt that the Landerbank was always correct and trustworthy, but had to fulfil Hitler's laws. - Can the difference of my deposits from 1938 and that, what is supposed to be now on my account, be claimed by law, now or later? I am asking your help urgently, as I am of advanced age and have now not sufficient means for my modest livelihood.

7. Charlotte SAXL formerly Austrian  
332 Benefit St. Providence 3, R. I.  
American citizen since February 28, 1944, by

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Authority 949660

By EK NARA Date 7/31

RG 59

Entry CDF 1960-63

File 263-1141-SAXL  
Charlotte Estate

Box 420

Mrs Charlotte SAXL  
332 Benefit St. Providence 3, Rhode Island

naturalization No 6144597 at the District Court  
of the United States for the District of Rhode Island,  
Providence, Rhode Island.

Sincerely yours

Charlotte Saxl

State of Rhode Island } ss  
County of Providence }

City of Providence  
May 14, 1946

Attest:

Stanley Johnson  
Notary Public

My Commission Expires  
June 30, 1946

332 Mrs. Charlotte Saal  
Benefit Str. Providence 3, Rhode Island

May 14, 1946

To the Department of State, Washington, D. C.

Besides of the deposit, now at the Lauderbank,  
I had to leave \$t. 200 Teeray Aktien à 6.60 = Reichsmark 13.20  
minus charges 7.50

R.M. 13124

in trust of the Wiener Giro- und Cassen-Verein in Vienna  
I did have them before deposited with a private bank,  
Walter u. Co. T. Schattening, whose owner, a Mr Spielmann  
suddenly died. I do not know if the Wiener Giro und Cassen -  
Verein still exists, and if and where I could claim these  
securities. Could you give me an advice?

Sincerely

Mrs Charlotte Saal

State of Rhode Island } ss  
County of Providence }

City of Providence  
May 14, 1946

Attest:

Stanley Johnson  
Notary Public

My Commission Expires  
June 30, 1946

RG 59  
Entry GDF 1960-63  
File 263-1141-54X6  
Charlotte Saal Estate  
420 BOX

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342938

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141-SAXL  
Charlotte Estate  
Box 420

*[Handwritten initials]*

In reply refer to  
FN 462:11 E.W. Saxl, Charlotte/  
5-1446

JUN 24 1946

*[Handwritten initials]*

My dear Mrs. Saxl:

Receipt is acknowledged of your letter of May 14, 1946, containing sworn affidavits relative to your deposit and securities at the Landerbank, Vienna. The Department will endeavor, as soon as possible, to have the present status of the accounts investigated. In view of conditions prevailing in Austria, you will appreciate that it may be some time before the investigation is completed.

The Department is unable to state at this time whether the difference between the amounts on deposit in 1938 and those that may now appear in the records of the Landerbank can be recovered.

Sincerely yours,

For the Secretary of State:

*[Handwritten signature]*

James C. Corliss, Assistant Chief  
Division of Financial Affairs

DCR	Gmt
<i>[Handwritten initials]</i>	
rev	
Cat	
Dist	

Mrs. Charlotta Saxl,  
352 Benefit Street,  
Providence 3, Rhode Island.

*[Handwritten stamp]*

JUN 21 4 46 P.M.

FN:JCCorliss:bmm 6/12/46

*[Handwritten initials and marks]*

*[Vertical handwritten notes: 462:11 E.W. Saxl, Charlotte 5-1446]*

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

*FN*  
*FN 462.11 EW Saxl, Charlotte*  
*4-1846*

In reply refer to  
FN 462.11 EW Saxl, Charlotte  
/4-1846

MAY 6 1946

My dear Mrs. Saxl:

Reference is made to your letter of April 18, 1946 transmitting certain information relative to securities on deposit in your name at the Landerbank, Vienna, Austria.

There is enclosed a mimeographed statement setting forth the information desired by the Department in connection with such cases. It is requested that you supply, in quadruplicate, the information requested, sworn to before a notary public, and transmit it to the Department. Upon receipt thereof the Department will, as soon as possible, take such steps as may be appropriate to have the account investigated. In view of conditions prevailing in Austria, you will appreciate that it may be some time before this investigation will be completed.

Sincerely yours,

For the Acting Secretary of State:

James C. Corliss, Assistant Chief  
Division of Financial Affairs

Enclosure:

A mimeographed statement.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3, Rhode Island.  
FN:JCCorliss:bmm 5/2/46

*MAY 6 1946*

*CA*

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Mrs CHARLOTTE SAXL  
332 Benefit Str.  
Providence 3, R.I.

DIVISION OF FINANCIAL AFFAIRS

April 18, 1946 EN  
JCC

APR 24 1946

To the Department of State, Department of State  
Pennsylvania Ave., N.W. Washington, D.C.

I am an American citizen since February 28, 1944,  
and am asking your help with the following matter.

I spent all my lifetime in Vienna, Austria, my birthplace -  
March 14, 1880, until Hitler's regime made it necessary for me to  
leave the country. I came to the U.S.A. on August 3, 1938, where my  
son, Dr. Erwin Jaak of Providence R.I. has been already a citizen  
many years.

I was forced to leave my securities back in Vienna, and I  
deposited them at the Mercurbank - later united with the Länderbank  
the address of which is at the present time: Länderbank, Aktien-  
gesellschaft, Wien I, Am Hof 2, Vienna, Austria.

Because I did not have money to pay the Reichsfluchtsteuer  
one part of my securities was to be deposited on a "Sperkkonto" - the  
remaining part on a "Konto-separato". I possess the copies of the  
two bank accounts as follows:

- Mercurbank I, Hofgasse 1-3 Wien, 17. Juni 1938  
KTO No 134465 Sperrkonto Charlotte Jaak  
Reichsfluchtsteuerversicherung Wien XVIII. Neumarerstr. 33  
Wertpapiere und deren Erträge
- \$ 4000 - 4% Internat. Bundesanleihe 1930 Amer. Tr.
- spres 4000 - 4% Wiener Stadtanleihe
- fl 22000 - 4% Oester. Goldrente (Caisse Commune)
- fl. 350 - Louan Laxe Adria Abgationen  
Verwahrungsdipot
- £ 200 - engl. Punde zweihundert  
7 1/2% Ungar. Völkerverbund Anleihe (1924)  
KTO separato No 134465 21 Juni 1938
- \$ 1000 - Internat. Bundesanleihe 1930, amer.
- £ 100 - " " 1930, engl.
- spres 1000 - No Akkordanleihe 1931
- fl. 10 - 3% Oester. Staatsbahn Prioritäten m. Certificat
- fl. 50 - Staats Eisenbahn Ges. Aktien 1937

SAXL  
CHARLOTTE / 4-1846  
462-11 EW  
CS 1A

DECLASSIFIED  
 Authority 949660  
 By EK NARA Date 7/31

RG 59  
 Entry CDF 1960-63  
 File 263.1191-SAXL  
 Charlotte Estate  
 Box 420

Mrs Charlotte SAKL  
 332 Benefit St.  
 Providence, R.I.

II.

- A 125 - Galizische Karpatten
- A 24 - Zinfailer Kohlen
- K 12000 - 4 1/2 % Bosn. Herc. Eisenbahnanleihe 1902
- A 21 - Südbanknoten
- 15 - Serb. Tabaklose
- 1 - Kupons

The Reichsfluchtsteuer I had to pay was \$ 53,127 - or Reichsmark 35,418. - but the value of the securities I had to put at the Sperrkonto - was much higher.

Before my departure I had to give power of attorney to the Nazi lawyer Dr. Franz BEINTREXLER, Vienna I. HABSBURGERSASSE 5. I got lately the news that he died 1941.

He as well as the Mercobank, then Länderbank, had my American address. It seems that, without my knowledge or order, the bank has sold near all my securities.

A few days ago I received some old bills and receipts from the Länderbank as an answer to my demand for the status of my account and the following letter:

Sperrkontenabteilung Wien, 11 Feber 1946

Wir empfangen Ihr Gesuch vom 6. v. M., aus welchem wir Ihre obige Adresse in Erinnerung nehmen und teilen Ihnen höflichst mit, dass Ihr Vermögensverhältnisse gegenwärtig brutto

- \$ 2,196.40 auf Altkonto und
- \$ 3,294.60 auf Alt Sperrkonto
- beträgt während ein Depot
- ≠ 200 - - 4 1/2 % ( 7 1/2 % ) Ungar. Völkerbund Anl. 1924
- A. 6 Serbische Tabaklose engl. Fr.
- K 12000 - 4 1/2 % Bosn. Eisenbahn Anl. 1902
- A 125 Gal. Karpatten Akt. a 200
- A 24 Südbank Kupons
- erliegen ( J. E. u. C. )

W.K.

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Authority 949660

By EK NARA Date 7/31

RG

59

Entry

CDF 1960-63

File

263-1141-SAXL  
Charlotte Estate

Box

420

Mrs Charlotte SAXL  
332 Benefit Str.  
Providence 3, R.I.

III.

Die gewünschten Auszüge lassen wir nach Fertigstellung folgen, sobald rekommandierte Briefe ins Ausland aufgegeben werden dürfen. Falls die gegenwärtigen Bestimmungen noch derzeit bezüglich Ihrer bei uns liegenden Vermögenswerte nichts vorsehen.

Mit empfinden wir Ihnen  
hochachtungsvoll

Länderbank, Wien  
Aktiengesellschaft

Would you, please ask the Länderbank, Vienna, Austria - Wien T. Am Hof 2, to explain to you the whole business, and help me to save what you think I have the right to ask for.

Sincerely

Charlotte Saxl

Mrs CHARLOTTE SAXL  
332 BENEFIT STR.  
PROVIDENCE 3, R.I.

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Mrs. Charlotte SAXL  
332 Benefit STR.  
Providence 3, R. I.

Department of State  
Seventeenth STR and Pennsylvania Ave. N. W.

32891  
**REGISTERED**  
32891

Washington, D C  
VIA AIR MAIL

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Mrs CHARLOTTE SAXL  
333 Benefit Str.  
Providence 3, R. I.

October 19

LEGAL ADVISER  
OCT 23 1947

DEPARTMENT OF STATE

To the Department of State, Washington D. C.  
Attention of Legal Adviser

On September 2, 1947, I did send to you  
a statement of my property, which I had to leave  
back in Kenya in 1938, before my departure for the  
U. S. A., and copies of the Kenya Legation of the U. S. A.  
and the Landorbank in Kenya.

I asked at the same time, and repeat my  
request respectfully, the American Government may  
help me to get back the amount, I have the right  
to claim, as I am in need, old and invariable sick.

Because I did not get an answer to my  
letter of September 2, which I asked for, I wonder, if  
it was received, and am asking for an answer  
again.

Very sincerely

Charlotte Saxl

462.11 EW SAXL. CHARLOTTE / 10-19-47

RECEIVED  
DEPARTMENT OF STATE

OCT 22 AM 10 11

REC-11-11-47

DIVISION OF FINANCIAL AFFAIRS  
to h/c  
OCT 29 1947 cc  
11/4/47  
DEPARTMENT OF STATE

SAX  
NOV 17 1947  
FILED

DCR - CLAIMS UNIT  
ecl  
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Cut.  
Dist.

462.11 EW SAXL  
Charlotte Estate  
10-19-47  
OS 7 v  
46  
47

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

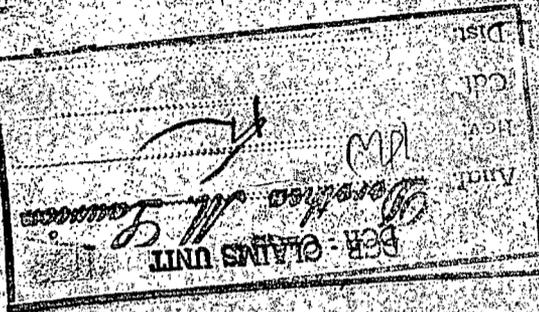
RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

462-11 EW Saxl,  
Charlotte/9-147  
CS/V

DEPARTMENT OF STATE

JAN 26 1948

DIVISION OF FINANCIAL AFFAIRS



FILED

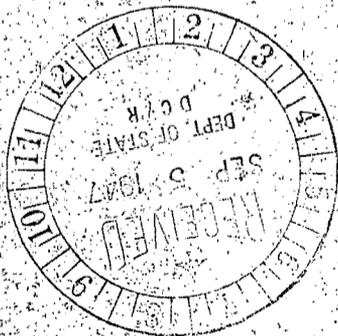
FEB 14 1951

*[Handwritten signature]*

DIVISION OF PROTECTIVE SERVICES

SEP 9 1947

DEPARTMENT OF STATE



462-11 EW SAXL, CHARLOTTE/9-147

*[Handwritten initials]*

DECLASSIFIED	
Authority	949660
By	EK NARA Date 7/31

RG	59
Entry	CDF 1960-63
File	263-1141-SAXL Charlotte Estate
Box	420

from Mrs Charlotte SAXL  
332 Benefit Str. Providence 3, R.I.

September 1, 1947

To the Department of State, U.S.A., Washington 25, D.C.  
Attention of the Legal Advisor:

I am asking your advice and help with the following:

I am an American citizen since February 28, 1944. I was born 1880 in Vienna, Austria, lived there all the time until 1938 when I left and came to the U.S.A. I was forced to leave back all my property, consisting of securities, in 2 deposits at the Merkurbank, now Laenderbank A. G. Vienna, Austria. My last Vienna address was: Vienna XVIII, Weinwaserstr. 32. My address now is: 332 Benefit Str. Providence 3, R.I.

The Nazi lawyer, Dr. Franz Beintrodler, whom I had to give power of attorney, died 1942.

To get back my property I did send a few months ago a petition to the Finanzlandesdirektion für Wien, Niederösterreich und Burgenland, Wien III, Kärntner Zollamtstrasse 7.

Meanwhile I gave power of attorney to the Vienna lawyer Dr. Josef Tafel, T. Opyloberggasse 6. It seems, things are rather complicated. In his letter, which I only got on August 30, he wrote, that my petition to the Landesfinanzdirektion Finanzlandesdirektion would not bring any result for me, but that I have to apply to the American Government.

Will you help me, please?

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

2.

To give you an exact picture of the situation, I am enclosing copies of a letter, written to me kindly by the American Consulate General in Vienna and one from the Leondobach, Vienna to the Consulate

Could you kindly forward my petitions for help, to regain, what possible of my property in Vienna? to where it belongs.

Can I claim with the help of the Department of State the amount which I had to pay for the flight tax?

Can I claim the Plus account, which I had to deposit for that purpose?

Can I claim the amount they took for Jews tax?

Can I claim the loss of value, which was the result of the forced, involuntary sale or exchange of my securities?

What steps do I have to do now, and would the Department of State do it for me?

I did send on May 13, 1946, 4 copies of my deposit in Vienna to the Department of State, Washington.

I am 67 years old, serious sickly, and in need. To help me, please.

I thank you very much!

Sincerely

Charlotte Saal

Referring  
to FN 462. 11  
E W SAXL CHARLOTTE  
14-1846

DECLASSIFIED
Authority <u>949660</u>
By <u>EK</u> NARA Date <u>7/31</u>

RG	<u>59</u>
Entry	<u>UDF 1960-63</u>
File	<u>263-1141-SAXL</u> <u>Charlotte Estate</u>
Box	<u>420</u>

in reply refer to

350. FR:5b

American Consulate General  
Vienna, Austria, June 18, 1946.

copy

Mrs Charlotte Saal,  
332 Benefit St.  
Providence 3, R. I.

Madam:

By reference from the Property Control Branch of the Reparations, Deliberations and Restitution Division, United States Forces in Austria, I received your letter of January 7, 1946, concerning your account and securities with the Landerbank. Wien, A.S. Vienna, which took over the former Merubank.

In reply I am transmitting herewith copy of a statement from the Landerbank, from which it appears that it is holding for you

Bonds 200 4½ % Hungarian League of Nations Loan of 1924  
(English Issue), with coupons 1939 - 1941,

125 Galician Carpathian shares

K12,000 4½ % Bosnia Railroad Loan of 1902

6 Serbian Tobacco-Lottery Bonds

24 redeemable coupons 1919 - 1943 of old Southern Railway Prior Bonds

The statement also gives full particulars as to which of your other former securities were converted, sold or redeemed and indicates that RM 20,300 4½ % German Reichsanleihe 1938/11 had to be delivered to the Preussische Staatsbank for payment of your Reichs Flight Tax and also 5,000 4½ % Vienna City-Bonds and 25 Staatsbahn Bldr. had to be delivered as Jew Expiation Fee.

I am also in receipt of a copy of the letter, which the Landerbank wrote to you on February 11, 1946 in answer to an inquiry received from you direct, dated January 6, 1946. From this letter it appears that your cash account then shows a balance of Schillings 2196.40 on Aktkonto and of Schilling 3294.60 on Aktsparkonto.

The distinction between Akt- and Aktsparkonto is in accordance with the Austrian Schilling Law of November 30, 1946, which provides

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DECLASSIFIED
Authority <u>949660</u>
By <u>EK</u> NARA Date <u>7/31</u>

RG	<u>59</u>
Entry	<u>CDF 1960-63</u>
File	<u>263-1141-SAYL</u> <u>Charlotte Estate</u>
Box	<u>420</u>

provides

2.

that 60% of the old accounts are to be considered blocked. But also the unblocked portion of the old accounts is subject to restricted use and can not be transferred out of Austria.

Dr. Franz Benitzler, the attorney-at-law to whom you refer in your letter died in 1942. I am now endeavoring to ascertain from the Finanzlandesdirektion für Wien, Niederösterreich und Burgenland the full amount of Reichs Flight Tax, which you had to pay and will then bring the matter to the attention of the Austrian Federal Ministry for Property, Safeguarding and Economic Planning.

It should be noted, however, that the Austrian Restitution Law has not yet become effective and that the final form in which claimants will have to file their individual claims will be determined by future legislation.

(Signed) Very truly yours,  
Laurence H. Frank  
Consul General of the United States  
of America

Enclosure:  
as stated above.

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 Authority 949660  
 By EK NARA Date 7/31

RG 59  
 Entry CDF 1960-63  
 File 262.1141 SAXL  
 Charlotte Estate  
 Box 420

Landesbank Wien  
 Aktiengesellschaft

Headquarters United States Forces  
 in Austria  
 Office of the Political Advisor  
 Army U.S. Army  
 Wien IX, Boltzmanngasse 16

Ihre Zeichen: 350:FR:00 Ihre Nachricht vom 16. 5. 1946 Unser Honorar 146 Unser Zeichen Depotbuch/B

Betreff: Auswandererdepot Charlotte SAXL 332 Benefit Street, Providence 3, Rhode Island, U.S.A. No 12281

Attention Mrs Eleanor L. Raynor, Vizekonsul der U.S.A.

Ihre teilweiser Erledigung des obigen Auftrages geben wir bekannt, dass wir für Frau Charlotte Saxl ein Effektendepot führen, das derzeit enthält:

Konto ord. (früher Reichsfluchtsteuer Sperrkonto Ref. II 3-505 Kto-No 212

Estg. 200 4 1/2 % (7 1/2 %) Ungarische Völkerbund Anleihe von 1924 engl. Franche Kupons per 1.8.1939 bis 1.8.1941 hierin (der Kupons 1.8.1939 obliegt in London)

Konto separato (frei verfügbar)

St. 125 Galiz Karpaten Aktien

K. 12008 4 1/2 % Bosnische Eisenbahn Anleihe v. 1902

St 6 Serbische Tabak Lose

St 24 verlosbare Kupons I. IV. 1919 - 1.1.1929 zu alter Südbahn Art

Seit der Auswanderung der Genannten haben in diesem Depot folgende Veränderungen stattgefunden:

Konto ord.

\$ 4000 7% Internationale Bundesanleihe der Republik Oesterreich v. 1. 1930 americk Franche wurden am 1. 2. 1939

a R.M. 262. - per \$100. -

fl 22000 4% Oesterr. Goldrente Caisse Commune wurden am 3. 2. 39 a R.M. 23. - per fl 100

in 4 1/2 % Deutsche Reichsanleihe v. 1938/11 getauscht

spfrs 4000 4% Wiener Stadtauflage v. 1931 wurden am 9. 10. 1939 als vorgeschriebene Fuchenausgabe ausgeliefert

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By EK NARA Date 7/31

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Charlotte Estate  
Box 420

2.

St. 350 Yonau Sane Adria Eisenbahn Pkt. Huvon wurden am  
29. 12. 1939 St. 50 verkauft und restliche St. 300 am  
22. 7. 43 inkassiert

Konto separato

\$ 1000 7% Internat. Bundesanleihe der Republik Österreich  
v. 1930, amerik. Franke und  
Lot. 100 detto engl. Franke wurden am 1. 2. 1939 à R.M. 262  
per \$ 100, resp. R.M. 1297.- per Lot, in  
4 1/2% Deutsche Reichsanleihe v. 1938/II getauscht  
spres 1000 4% Wiener Stadtanleihe v. 1931 wurden am 9. 10. 1939  
St. 20 Staatsbahn Prioritäten am 15. 12. 1939 als Spitzbeitrag  
abgeliefert. Weitere St. 30 der gleichen Prioritäten wurden am 27. 4. 39  
verkauft.  
St. 10 3% Staats Eisenbahn Prioritäten mit Zertifikat Em. 1-X wurden am  
3. 2. 1939 à R.M. 50 per Stück in 4 1/2% Deutsche Reichsanleihe  
v. 1938/II getauscht.  
St. 24 Triester Kohlen Aktien wurden am 27. 12. 1940 verkauft  
St. 15 Perische Tabak Lose, hiervon wurden St. 9 eingelöst und am  
31. 12. 1938 eingelöst; die gelegentlich der Einlösung bezogenen  
St. 9 Serb. Tabak Lose Prämien Kupons wurden am 18. 1. 1945,  
der im Depot gelegene, St. 1 Serb. Tabak Los Prämien Kupons am  
gleichen Tag als wertlos dem Depot entnommen.  
Restliche St. 24 Kupons befinden sich noch bei uns  
St. 3 Strafen u. S Kupons an alten Suedbahn Prior. per 1. 4. 1919 bis  
1. 1. 1923 waren bereits verjährt und verfallen; sie wurden am  
19. 4. 1940 als wertlos dem Depot entnommen.  
St. 1 oesterr. Baubos Em 1923/II wurde am 14. 2. 1939 eingelöst  
Die aus dem Umtausch der altösterreichischen  
Staatswerte stammende 4 1/2% Deutsche Reichsanleihe v. 1938/II  
insgesamt nach Verrechnung des Spitzbeitrages kann R.M.  
R.M. 16400 für Konto ord und R.M. 3900.- für  
Konto separato - musste am 17. 3. 1939 der Pensionisten

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Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

3.

Preussische Staatsbank ausgeliefert worden (Reichsfluchtsteuerabgabe).

Die von den obigen Werten zahlbar gewordenen Kupons wurden jeweils eingelöst - bis auf die im Depot verbliebenen Fälligkeiten der Ungarischen Völkerbundanleihe, für welche keine Einlösungsmöglichkeit bestand, hatte - und der Gegenwert dem Konto der Frau Saal gutgebracht u. zw.

Kp 15/16 zu St. 350 Sonau Saal Fabria Pkt. mit R.M. 216.50  
am 16.5.1939

Kp 1.2.1939 zu § 2000 7% Tiroler Wasserkraft Werke OH. mit R.M. 128.-  
am 21.11.1939, der daraus resultierende Separatrischein über  
Konversionskasse über § 1.05 am 10.12.1940 mit R.M. 2.10

Kp. 1939 zu St. 24 Trifaler Pkt. am 8.10.1940 mit R.M. 19.80

Kp 1.1.1939 zu sfrs 5000 4% Kr. Stadt-Anl. v. 1931 am 19.7.39  
mit R.M. 41.

Kp. 1.4.1939 hierzu am 9.1.1940 mit R.M. 39

Kp. 1.4.1939 zu sfrs 5000 4 3/4% Tiroler Landeshyp. Com. OH.  
am 18.11.1940 mit R.M. 48.70

Wir fügen noch hinzu, dass der Gegenwert der als verkauft ungenügend diversen Wertpapiere jeweils auf Konto der Frau Saal verrechnet wurde. Den Restinhalt Ihrer Anfrage erledigen wir separatgehend

Hochachtungsvoll

Laenderbank Wien  
Aktiengesellschaft  
(Signature illegible)

Kp 1.8.1938 u. 1.2.1939  
zu Lstg 200 4 1/2% Ungar Völkerbundanleihe  
am vom 18.7.1939 mit R.M. 72.40

342953

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 Authority 949660  
 By EK NARA Date 7/31

16  
 RG 59  
 Entry CDF 1960-63  
 File 263-1141-SAYL  
Charlotte Estate  
 Box 420

Form DS-10 Department of State 6-1-45		Date
REFERENCE SLIP		
To: <u>DJR</u>		
<input type="checkbox"/> Advise <input type="checkbox"/> Approve & Return As You Requested <input type="checkbox"/> Attention <input type="checkbox"/> Attach File <input type="checkbox"/> Comment & Return <input type="checkbox"/> Consider <input type="checkbox"/> Copying <input type="checkbox"/> Correct <input type="checkbox"/> File <input type="checkbox"/> Follow-up <input type="checkbox"/> Hold <input type="checkbox"/> Initials Needed <input type="checkbox"/> Investigate & Report <input type="checkbox"/> Instruct <input type="checkbox"/> Justify <input type="checkbox"/> Keep Me Advised <input type="checkbox"/> Legal Matter <input type="checkbox"/> Memo Required <input type="checkbox"/> Not Interested <input type="checkbox"/> Note & Destroy <input type="checkbox"/> Note & Forward	<input type="checkbox"/> Note & Return <input type="checkbox"/> Note & File <input type="checkbox"/> Per Telephone Talk <input type="checkbox"/> Previous Correspon. <input type="checkbox"/> Priority Action <input type="checkbox"/> Reconsider <input type="checkbox"/> Recommend Action <input type="checkbox"/> Record <input type="checkbox"/> Reply <input type="checkbox"/> Return to Sender <input type="checkbox"/> Rewrite <input type="checkbox"/> Signature Required <input type="checkbox"/> See Me <input type="checkbox"/> Take Action <input type="checkbox"/> Transfer <input type="checkbox"/> Type <input type="checkbox"/> Verify <input type="checkbox"/> Reply for Signature of	
REMARKS: Please note and file attached, <del>etc.</del> This letter <del>was</del> not sent out. Info dispatched to Mrs. Sax by Dept by F.N. Starr drafted 8/23/48		
From <u>F.N. - Mrs. Starr</u>		

This Form Printed on Salvaged Stock  
 25-78359-500M

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/91

16  
RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

AMERICAN LEGATION

Vienna, Austria, June 25, 1948.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3, Rhode Island.

Madam:

I acknowledge receipt of your letter of June 10, 1948, concerning the status of your bank accounts with the Laenderbank Vienna and certain securities which it appears that the bank is holding for you.

It is unfortunate, but as yet no law or regulation exists under which you can claim compensation for the amounts which were confiscated by the German Government for Reichs Flight Tax or Jewish Expiation Fee. If and when such legislation is enacted you will be informed.

The amount of your deposit with the Laenderbank has necessarily been reduced according to the currency laws enacted by the Austrian Government. The Austrian Government in enacting these laws was exercising its normal functions in protecting the national currency. Persons resident in the country or having property in the country are expected to be subject to such provisions. Currency laws constitute a basis for carrying on trade and economic transactions in a country and exceptions to certain foreign nationals which would amount to the granting of discriminatory extraterritorial rights or privileges would constitute a serious limitation on the responsibilities and functions of a sovereign government.

Inasmuch

462.11 EW SAXL, CHARLOTTE/6-2548

462.11 EW - SAXL  
CHARLOTTE/6-2548

CS/IV

SEP 3 1948

FILED

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

16  
RG 59  
Entry CDF 1960-63  
File 263.1141 SAKL  
Charlotte Estate  
Box 420

- 2 -

Inasmuch as no rate of exchange is in existence between the United States and Austria there is no way that any of the money can be transferred to the United States at this time. Should this situation change I will be pleased to inform you.

Very truly yours,

Ben D. Kimpel  
American Vice Consul

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

*FBI*

JUN 4 1948

In reply refer to  
FN 462.11 EW Saxl,  
Charlotte/9-147

My dear Mrs. Saxl:

Reference is made to your letters of September 1 and November 13, 1947, regarding your securities and funds in Austria. It is regretted that the reply to your letters has been so long delayed.

The Department has examined carefully the enclosures to your letters and has noted that you have received the report of August 27, 1946 from the American Consulate General at Vienna, containing complete information regarding the status of your accounts. The Consulate General's report was made pursuant to the Department's instruction of June 24, 1946, with which there were enclosed copies of your affidavit of May 14, 1946.

It is noted also that you appear to be familiar with the Austrian restitution legislation but a summary of that legislation is enclosed for your ready reference. Dr. Tafler, to whom you gave power of attorney, appears to be informed as to your case, and of course he may consult with the American Consulate General at Vienna in connection with any aspect of the procedure to be followed in filing claims for restitution. You will note from examination of the summary that claims should not be sent to the Department but should be submitted directly to the Austrian authorities, or transmitted to them through your representative in Vienna. Which items should be included in your claims would have to be determined by you or your attorney, and how many of them would be accepted by the Austrian authorities is a matter which only they can determine.

No procedures have yet been adopted by the Military Government for the filing of claims against Germany in connection

462.11 EW SAXL, CHARLOTTE/6-448

*462.11 EW - SAXL  
Charlotte/6-448  
CS/V*

claims  
yc  
Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3, Rhode Island.

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

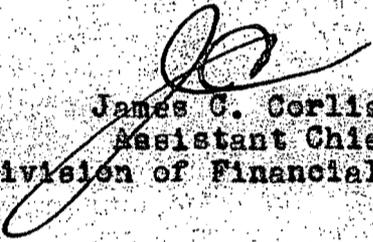
16  
RG 59  
Entry CDF 1960-63  
File 263.1141-SAYL  
Charlotte Estate  
Box 420

- 2 -

connection with property taken by the former German Government, except when the present location of such property is definitely known. The Department will endeavor to give due publicity to any procedure of this kind that may be adopted in the future.

Sincerely yours,

For the Secretary of State:

  
James C. Corliss  
Assistant Chief  
Division of Financial Affairs

Enclosure:

Austrian Restitution  
Legislation, as stated  
above.

✓ FN:CC/Eulass/je  
5/27/48

GN  
M  
MAY 4 1948 P.M.



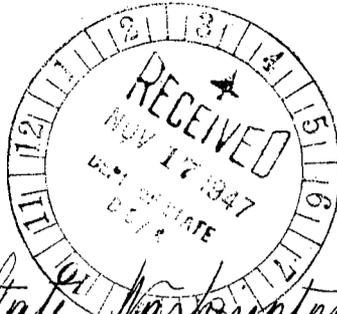
DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

Mrs. Charlotte SAXL  
332 Benefit Str. Providence 3, R.I.

referring to  
Le/C 462.11 EW.SAXL,  
Charlotte/10-1947

November 13, 1947



LEGAL ADVISER

NOV 19 1947

DEPARTMENT OF STATE

To the Department of State, Washington D.C.  
Attention Legal Adviser:

According to your suggestion, to send a copy of my letter of August 31, mailed September 2 (registered air mail), which, as you say, cannot be located, I am repeatedly very sincerely,

I am asking your advice and help with the following:  
I am an American citizen since February 28, 1944. I left Vienna, Austria in July 1938, where I was born and spent all my lifetime. My last address there was Finning XVIII Wimmerstrasse 320.

I had to leave back all my property in stocks and bonds at the Horan bank, later Laenderbank, Vienna. I had to deposit them in two deposit boxes. One was for the flight tax (Sperrkonto), the other as conto separato.

The Nazi lawyer, Dr. Franz Beintreder, whom I had to give power of attorney, Kinnalt T. Habsburggasse 5, died 1942.

To give you exact information, I am enclosing a letter (copy) of Mr. Laurence C. Frank, American Consul General, and a copy of the statement of the Laenderbank, given to Mrs. Eleanor J. Raynor, Vice-consul of the U.S.A in 1946, and the statement of the Laenderbank of January 1947.

On May 13, 1946 I did send the complete statement of my belongings in Vienna, as it was required, in 4 copies to the Department of State, referring to FN 462.11 EW SAXL, Charlotte /4-1846.

The amount, taken for flight tax, according to the statement of the Finanzlandesdirektion für Wien und Niederösterreich to Mr. Frank, the Consul General, was RM. 22,452 - plus RM 818.93 for costs, but the value of my property, which I had to deposit on the Sperrkonto was at that time RM 35,418 or Oester. Schilling A. 53,120. and they took more from the other deposit too, for

Administrative routing table with fields: Aeil, Rev., Cot., Dist. Includes handwritten initials and a large signature.

DIVISION OF FINANCIAL AFFAIRS  
Reply 6/1/48  
JAN 20 1948  
F. O. C. Carlin  
DEPARTMENT OF STATE

NOV 21 1947  
DEPARTMENT OF STATE  
DS

462.11 EW-SAXL, CHARLOTTE/11-1347  
NOV 21 1947  
Charlotte/11-1347

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
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Charlotte Estate  
Box 420

Charlotte SAXL

for that purpose. All my securities were deposited according to the last orders of the Vienna Stock Exchange. They have been sold or exchanged without my knowledge. Do I have the right to claim the difference? What you did anything about? And the <sup>(10% tax)</sup> ~~Superabgabe~~ for which the Exerzierbank had to deliver ~~spes~~ 4000 4% Wiener Stadt Anleihe v. 1931 on October 9, 1939, and the flight tax? Would the Department of State help me to get that money back?

The lawyer Dr Josef Jaffer, T. Uppelzergasse 6, Vienna, whom I gave a few months ago power of attorney, informed me, that my petition to the Finanzlandesdirektion für Wien und Niederösterreich was useless and that I have to apply to the American Government.

I am asking you very sincerely to help me recover what I have the right to claim. I am 67 years of age, born March 14, 1880, and I am very sickly, what my doctor certainly would attest, if necessary, and I am in need. To help me, please, it is urgent.

Sincerely yours

Charlotte Saxl

DECLASSIFIED
Authority <u>949660</u>
By <u>EK</u> NARA Date <u>7/31</u>

RG	<u>59</u>
Entry	<u>CDF 1960-63</u>
File	<u>263-1141-SAXL</u> <u>Charlotte Estate</u>
Box	<u>420</u>

350: FR:ob

copy Kunna, Austria, July 22, 1946

The Foreign Service of the United States of America.

Mrs Charlotte SAXL, 332 Benefit Street, Providence 3, R.I.

Madam:

With reference to my letter of June 18, 1946, concerning your restitution and compensation claim, I have to advise you that I am now in receipt of a report from the Finanzlandesdirektion für Wien und Niederösterreich, dated July 6, 1946 (file GA II - 559/1 - 1946) from which it appears, that according to your Reichsfluchtsteuerkonto 212 FL you were assessed on July 8, 1939 with Reichsfluchtsteuer in the amount of RM 22452. — plus RM 818.93 for costs and that this amount was paid in six instalments between March 17, 1939 and January 31, 1940.

Very truly yours

signed: Laurence C. Frank  
 Consul General of the United States of America

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DECLASSIFIED  
 Authority 949660  
 By EK NARA Date 7/31

RG 59  
 Entry CDF 1960-63  
 File 263-1141-SAXL  
 Charlotte Estate  
 Box 420

copy

1.

Loendlerbank, Wien  
 Aktiengesellschaft  
 Ihr Zinsen: 350. FR. ES.  
 Ihre Kündigung vom 16.5.1946  
 Unser Hauptk.: 146  
 Unser Zuteil: Depotbuch/G

Headquarters United States Forces in Austria  
 Office of the Political Advisor,  
 APO 10177, U.S. Army  
 Wien IX, Boltzmanngasse 16

Betreff: Auswanderungsgelddepot Charlotte SAXL, 332 Bennett Street  
 Boulder 3, Rhode Island U.S.A., No 12281  
 Wien, den 1. Juni 1946.

Wien, den 1. Juni 1946

Attention Mrs Eleanor J. Raynor, Viceconsul der U.S.A.

In teilweiser Befriedigung des obigen Schreibens geben wir bekannt,  
 dass wir für Frau Charlotte SAXL ein Effektendepot führen, das derzeit enthält  
 Konto ord. (früher Reichsfluchtsteuer Sperrkonto Ref. II 3-505 Kto. No 212

Estg. 200 4 1/2 % Ungarische Völkerbund Anleihe v. 1924 erzgl. Franke  
 Kupons per 1. 8. 1939 bis 1. 8. 1941 herein. (Der Kupon 1. 8. 1939 liegt  
 Konto-separat- (frei verfügbar) in London).

St. 125 Galizische Karpathen Aktien  
 K 12000 4 1/2 % Bosnische Eisenbahn Anleihe v. 1902  
 St. 6 Serbische Tabak Lose  
 St. 24 verlosbare Coupons 1. 4. 1919 - 1. 1. 1923 zu alteren Eisenbahn Art

Seit der Auswanderung der Genannten haben in diesem Depot  
 folgende Veränderungen stattgefunden:

Konto ord.  
 § 4000 7% Internat. Bundesanleihe der Republik Österreich v. 1931  
 amerik. Franke wurden am 1. 2. 1939 à RM 262.- per § 100.  
 fl. 22000 4% oester. Goldrente Caisse Commune wurden am  
 3. 2. 39 à RM 23.- per fl 100  
 in 4 1/2 % Deutsche Reichsanleihe von 1932/II getauscht.  
 sfrs. 4000 4% Wiener Stadt Anl. v. 1931 wurden am 9. 10. 1939  
 als vorgeschriebene Löhneabgabe ausgeliefert.  
 St. 350 Roman Save Adria Eisenbahn Art. Hingru wurden  
 am 29. 12. 1939 St 50 verkauft und restliche St. 300 am  
 22. 7. 43 inkassiert.

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By EK NARA Date 7/31RG 59  
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Charlotte Estate  
Box 420

2.

Konto-separate

\$ 1000 7% International Bundesanleihe der Republik Österreich v. 1930, amerik. Franke und  
 £ 500 100 delta engl. Franke wurden am 1. 2. 1939 à R.M. 262 per  
 \$ 100, resp. R.M. 1294 per £ 100, in  
 4 1/2% Deutsche Reichsanleihe v. 1938/II getauscht  
 1000 4% Wiener Staatsanleihe v. 1931 wurden am 9. 10. 1939  
 und St. 20 Staatsbahn Bt. am 15. 12. 1939 als Buchbeitrag  
 abgeliefert. Weiter  
 St. 30 der gleichen Bt. wurden am 21. 4. 1939 verkauft.  
 St. 10 3% Staatsbahn Prior. Em. I-X mit Zertifikat wurden  
 am 3. 2. 1939 à R.M. 50 per Stück in  
 4 1/2% Deutsche Reichsanleihe v. 1938/II getauscht.  
 St. 24 Trippler Kohlen Aktien wurden am 27. 12. 1940 verkauft.  
 St. 15 Serbische Tabaklose, hiervon wurden St. 9 ausgelöst und  
 am 31. 12. 1938 eingelöst; die gelegentlich der Einlösung  
 herausgegebenen  
 St. 9 Serbische Tabaklose Prämien Kupons wurden am 1. 1. 1940  
 der im Depot gelegene  
 St. 1 Serb. Tabak Leo Prämien Kupons am gleichen Tage als  
 vollkommen wertlos dem Depot entnommen. (Restliche St. 6  
 Serb. Tabaklose befinden sich noch im Depot).  
 St. 144 verlosbare Kupons von alter Südbahn Bt. per 1. 4. 1919  
 bis 1. 1. 1923. Hiervon wurden St. 120 Kupons ausgelöst und  
 am 6. 8. 1943 eingelöst, restliche St. 24 Kupons befinden  
 sich noch bei uns.  
 St. 3 Streifen à 8 Kupons zu alter Südbahn Bt. per 1. 4. 1919 bis  
 1. 1. 1923 waren bereits verjährt und verfallen; sie wurden am  
 19. 4. 1940 als wertlos dem Depot entnommen.  
 St. 1 österr. Paulos Em. 1923/II wurde am 14. 2. 1939 eingelöst.  
 Die aus dem Kontopost der altösterreichischen Staatsver-  
 stammende 4 1/2% Deutsche Reichsanleihe von 1938/II insgesamt

342963

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Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

3.

insgesamt nach Verrechnung des Spitzensbetrages von RM. 16.400. für  
Konto ord. und RM. 3900. - für Konto separate +, muss am 17. 3. 39 der  
Preussischen Staatsbank abgeliefert werden. (Reichsfluchtsteuerabgabe)

Sie von dem obigen Wertes zahlbar gewordenen Kupons werden jeweils  
eingelöst - bis auf die im Depot verbliebenen Fälligkeiten der Ungarischen  
Völkerbundanleihe, für welche keine Einlösungsmöglichkeit bestanden hatte  
und der Gegenwert dem Konto der Frau Sätzl gutgebracht wurde u. zw.  
Kp. 15/16 zu St. 350 Loman Lane Adria Eisenbahn Akt. mit RM. 216.50  
am 16. 5. 1939

Kp. ~~11/12~~ 1. 2. 1939 zu § 2000 4% Tiroler Wasserkraft Werke Obl. mit  
RM 128. - am 21. 11. 1939, der daraus resultierende  
Separatrischein der Konversionskasse über  
§ 1.05 am 18. 12. 1940 mit RM 2.10

Kp. 1939 zu St. 24 Tiroler Akt. am 8. 10. 1940 mit RM 19.80

Kp. 1. 1. 1939 zu sfrs 5000 4% Wiener Stadt anl. v. 1931 am 19. 7. 39  
mit RM. 41.19

Kp. 1. 4. 1939 zu sfrs 5000 4 3/4% Tiroler Landeshyp. Com. Obl.  
am 18. 11. 1940 mit RM 48.70

Kp. 1. 4. 1939 zu sfrs 5000 4 3/4% Tiroler Landeshyp. Com. Obl.  
am 18. 11. 1940 mit RM 48.70

Kp. 1. 8. 1938 u. 1. 2. 1939 zu Lstg. 200 4 1/2% Ung. Völkerbundanleihe  
am 18. 7. 1939 mit RM 72.40

Wir fügen noch hinzu, dass der Gegenwert der als verkauft angezeigten  
diversen Wertpapiere jeweils auf Konto der Frau Sätzl verrechnet wurde  
Den Restinhalt Ihrer Anfrage erledigen wir separatgehend.

Hochachtungsvoll

Laeufferbach, Wien  
Aktiengesellschaft  
Signatures Meyble

342964

DECLASSIFIED  
 Authority 949660  
 By EK NARA Date 7/31

16  
 RG 59  
 Entry CDF 1960-63  
 File 262-1141-SAXL  
Charlotte Estate  
 Box 420

N:116430 \*

Unterschieden zurückgeben  
 an **Länderbank Wien**  
 Aktiengesellschaft  
 Wien I, Am Hof 2  
 Kontroll-Abteilung

FROM  
 Charlotte Saxl

Providence

Betr. Depotaufstellung vom 2. Jänner 1947  
 12281  
 AUSD. Depot

Die mir (uns) eingesandte 1 Blatt umfassende Aufstellung, enthaltend die am 31.12.46 bei Ihnen für meine (unsere) Rechnung auf Depot-Konto verbuchten Werte, habe(n) ich (wir) geprüft und deren Inhalt, wie nachstehend angegeben, richtig befunden.  
 1947

Währung	Nennwert Stückzahl	Wertpapier
/	-200-	<u>Streifbanddepot Wien:</u> 4,5 (70) Ungar. Völkerbundanl. 1924 engl. Fr.
Kupons zu		<u>Kuponsdepot loco Wien:</u>
/	-200-	4,5 (70) Ungar. Völkerbundanl. 1924 engl. Fr. per 1.2.1940-1.3.1941
Kupons zu		<u>Kuponsdepot loco London:</u>
/	-200-	4,5 Ungar. Völkerbundanl. 1924 engl. Fr. per 1.6.1939
		<u>Konto parte:</u>
St	-6-	<u>Streifbanddepot Berlin:</u> Serbische Tabakloose
St	-125-	<u>Streifbanddepot Wien:</u> Galizische Karpathen Aktien a 21 loco.
K	-12000-	4,5 Bosnische Eisenbahn Anl. v. 1902
St	-24-	Verlosbare Kupons v. alten Südbahn Art. 1.4.19-1.1.23

Depotkontrolle  
*Rovan*

REPRODUCED AT THE NATIONAL ARCHIVES

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

*From Mrs Charlotte Stark  
320 Poplar Street, Birmingham 3, R.I.*

*To the Department of State  
Attention Legal Advisor*

*Washington 20521*

**REGISTERED**  
Return Receipt Requested

29902

VIA AIR MAIL

342966

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Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263.1141-SAXL  
Charlotte Estate  
Box 420

UNRESTRICTED.

American Legation, Vienna,  
August 27, 1946.

No. 1630

SUBJECT: Property of Charlotte SAXL in Austria.

The Honorable  
The Secretary of State,  
Washington.

Sir:

I have the honor to refer to the Department's instruction No. 512 of June 24, 1946 enclosing copies of two affidavits executed by Mrs. Charlotte SAXL, concerning certain securities and money deposited with Vienna banks.

In reply I have the honor to transmit herewith copies of two letters written to Mrs. Charlotte Saxl of June 18, and July 22, 1946 respectively, which give full particulars relative to her account and securities with the Laenderbank Wien AG, Vienna, and the payment of Reichs Flight Tax.

As far as the 200 Teerag shares originally deposited with the bankers Walter & Co., Vienna, and subsequently transferred to the Wiener Giro- und Kassenverein are concerned, I have the honor to inform the Department that according to information obtained from the Austrian Federal Ministry for Property Safeguarding and Economic Planning the files, relating to the liquidation of Jewish banks during the Nazi regime by the Wiener Giro- und Kassenverein, which was subsequently taken over by the German Reichsbank, are still packed in boxes stored in the cellar of the premises now occupied by the Austrian National Bank and are therefore at present not accessible. Their removal to the aforementioned Austrian Federal Ministry is contemplated for the near future. As soon as these files have been sorted the Ministry will endeavor to ascertain how these Teerag shares were disposed of and will notify this office.

Respectfully yours,

For the Minister:

Laurence C. Frank  
Consul General of the United States  
of AmericaEnclosures:  
As stated.  
File No. 350.  
Rodakowski:ek  
To Department in  
original and ozalid.  
A true copy of the  
signed original.

342967

DECLASSIFIED

Authority 949660By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

C o p y .

Vienna, Austria, June 18, 1946.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3, Rhode Island.

Madam:

By reference from the Property Control Branch of the Reparations, Deliveries and Restitution Division, United States Forces in Austria, I received your letter of January 7, 1946, concerning your account and securities with the Laenderbank Wien AG, Vienna, which took over the former Mercurbank.

In reply I am transmitting herewith copy of a statement from the Laenderbank from which it appears that it is holding for you:

Pounds 200 4 $\frac{1}{2}$ % Hungarian League of Nations Loan of 1924  
(English issue) with coupons 1939-1941,  
125 Galician Carpathian shares,  
K 12000 4 $\frac{1}{2}$ % Bosnia Railroad Loan of 1902,  
6 Serbian Tobacco Lottery bonds,  
24 redeemable coupons 1919-1943 of old Southern Railway  
Prior bonds.

The statement also gives full particulars as to which of your other former securities were converted, sold or redeemed and indicates that RM 20300 4 $\frac{1}{2}$ % German Reichsanleihe 1938/II had to be delivered to the Preussische Staatsbank for payment of your Reichs Flight Tax and a/crs 5000 4% Vienna City Bonds and 25 Staatsbahn Prior. had to be delivered as Jew Expiation Fee.

I am also in receipt of a copy of the letter which the Laenderbank wrote to you on February 11, 1946 in answer to an inquiry received from you direct dated January 6, 1946. From this letter it appears that your cash account then showed a balance of Schillings 2196.40 on "Altkonto" and of Schillings 3294.60 on "Altsperkonto". The distinction between Alt- and Altsperkonto is in accordance with the Austrian Schilling Law of November 30, 1946 which provides that 60% of the old accounts are to be considered blocked. But also the nonblocked portion of the old accounts is subject to restricted use and can not be transferred out of Austria.

Dr. Franz Beintrexler, the attorney-at-law to whom you refer in your letter died in 1942. I am now endeavoring to ascertain from the Finanzlandesdirektion fuer Wien, Nieder-oesterreich und Burgenland the full amount of Reichs Flight Tax which you had to pay and will then bring the matter to the attention of the Austrian Federal Ministry for Property Safeguarding and Economic Planning.

It should be noted, however, that the Austrian Restitution Law has not yet become effective and that the final form in which claimants will have to file their individual claims will be determined by future legislation.

Very truly yours,

Laurence C. Frank

Consul General of the United States  
of America

Enclosure:  
As stated.

342968

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/91RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

C o p y .

Vienna, Austria, July 22, 1946.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3,  
Rhode Island.

Madam:

With reference to my letter of June 18, 1946 concerning your restitution and compensation claim I have to advise you that I am now in receipt of a report from the Finanzlandesdirektion fuer Wien und Niederoesterreich, dated July 6, 1946 (file GA II - 559/1 - 1946) from which it appears that according to your Reichsfluchtsteuer Konto 212 F1 you were assessed on July 8, 1938 with Reichs Flight Tax in the amount of RM 22452.- plus RM 818.93 for costs and that this amount was paid in six instalments between March 17, 1939 and January 31, 1940.

Very truly yours,

Laurence C. Frank  
Consul General of the United States  
of America

342969

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
Entry UDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

UNRESTRICTED.

American Legation, Vienna,  
August 27, 1946.

No. 1630

SUBJECT: Property of Charlotte SAXL in Austria.

The Honorable  
The Secretary of State,  
Washington.

Sir:

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As far as the 200 Teerag shares originally deposited with the bankers Walter & Co., Vienna, and subsequently transferred to the Wiener Giro- und Kassenverein are concerned, I have the honor to inform the Department that according to information obtained from the Austrian Federal Ministry for Property Safeguarding and Economic Planning the files, relating to the liquidation of Jewish banks during the Nazi regime by the Wiener Giro- und Kassenverein, which was subsequently taken over by the German Reichsbank, are still packed in boxes stored in the cellar of the premises now occupied by the Austrian National Bank and are therefore at present not accessible. Their removal to the aforementioned Austrian Federal Ministry is contemplated for the near future. As soon as these files have been sorted the Ministry will endeavor to ascertain how these Teerag shares were disposed of and will notify this office.

Respectfully yours,

For the Minister:

Laurence C. Frank  
Consul General of the United States  
of AmericaEnclosures:  
As stated.  
File No. 350.  
Rodakowski:ek  
To Department in  
original and ozalid.A true copy of the  
signed original *ek*

342970

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Box Charlotte Estate  
420

C o p y .

Vienna, Austria, June 18, 1946.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3, Rhode Island.

Madam:

By reference from the Property Control Branch of the Reparations, Deliveries and Restitution Division, United States Forces in Austria, I received your letter of January 7, 1946, concerning your account and securities with the Laenderbank Wien AG, Vienna, which took over the former Mercurbank.

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Prior bonds.

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Dr. Franz Beintrexler, the attorney-at-law to whom you refer in your letter died in 1942. I am now endeavoring to ascertain from the Finanzlandesdirektion fuer Wien, Nieder-oesterreich und Burgenland the full amount of Reichs Flight Tax which you had to pay and will then bring the matter to the attention of the Austrian Federal Ministry for Property Safeguarding and Economic Planning.

It should be noted, however, that the Austrian Restitution Law has not yet become effective and that the final form in which claimants will have to file their individual claims will be determined by future legislation.

Very truly yours,

Laurence C. Frank  
Consul General of the United States  
of America

Enclosure:  
As stated.

342971

DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG

59

Entry

CDF 1960-63

File

263-1141-SAXL  
Charlotte Estate

Box

420

342972

C o p y .

Vienna, Austria, July 22, 1946.

Mrs. Charlotte Saxl,  
332 Benefit Street,  
Providence 3,  
Rhode Island.

Madam:

With reference to my letter of June 18, 1946 concerning your restitution and compensation claim I have to advise you that I am now in receipt of a report from the Finanzlandesdirektion fuer Wien und Niederoesterreich, dated July 6, 1946 (file GA II - 559/1 - 1946) from which it appears that according to your Reichsfluchtsteuer Konto 212 Fl you were assessed on July 8, 1938 with Reichs Flight Tax in the amount of RM 22452.- plus RM 818.93 for costs and that this amount was paid in six instalments between March 17, 1939 and January 31, 1940.

Very truly yours,

Laurence C. Frank  
Consul General of the United States  
of America

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry UDF 1960-63  
File 263.1141 SAXL  
Charlotte Estate  
Box 420

- 2 -

Austrian National Bank. While the action that may be taken by the Austrian authorities with respect to any particular transaction is a matter of administrative decision, it is the Department's understanding that in general applications to effect transfers from schillings into dollars are not approved. The critical shortage of dollar exchange with which Austria is currently faced has forced the Austrian Government to conserve such small amounts of dollar exchange as accrue to that country in order to finance imports of the most essential foodstuffs and other commodities.

Sincerely yours,

For the Secretary of State:

William J. Stibray  
Assistant Chief  
Division of Financial Affairs

A copy of this document is being furnished to the Department of State.

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DECLASSIFIED

Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263-1141-SAXL  
Charlotte Estate  
Box 420

GEORGE A. SCHMIEDIGEN  
ATTORNEY AT LAW

1204 PALMETTO BLDG.  
COLUMBIA, S. C.  
POST OFFICE Box 987  
COLUMBIA, S. C.  
TELEPHONE 2-8697

February 10, 1950

WASHINGTON ADDRESS  
1920 CONN. STREET, N.W.  
WASHINGTON, D.C. 20036

OFFICE OF FINANCIAL AND  
DEVELOPMENT POLICY  
FEB 14 1950  
DEPARTMENT OF STATE

*WE*  
*EAH*

Department of State  
Division of Financial Affairs  
Washington 25, D.C.

Gentlemen: *See* 462-11 EW Saxl, Charlotte  
18-3098

EX INDEX  
*EA*

Kindly be informed that, Mrs Charlotte Saxl died on December 24, 1949 and that, her son Dr. Erwin J. Saxl was appointed trustee of her estate, on January 24, 1950 by the Probate Court of the State of Rhode Island. We are acting as attorney-in-fact on behalf of the estate.

From the documents found in the estate, it appears that:

1. before Mrs Saxl departure from Austria in 1938, the Nazi Government has confiscated from her property the amount of RM 23,270.93 by assessing Reich Flight Tax in the amount of RM 22,452 plus Jewish Expiation Fee RM 818,93 for costs, which amount was paid in six instalments between March 17, 1939 and January 31, 1940.
2. The Austrian Government has confiscated after 1946, part of Mrs Saxl (an American Citizen) deposit with the Landerbank-Wien, Austria.

We would appreciate you informing us whether any International agreement was reached or any law or regulations were enacted by which the estate could claim compensation for the property confiscated, and what procedure would be advisable to follow in order to recover the damage suffered.

It is our understanding that in accordance with the recognized principles of International Law, any confiscation of property belonging to an American Citizen by a foreign Government is an injury to the U.S. Government which entitles the U.S. Government to claim compensation from the Foreign Power on behalf of its nationals. The Department of State on numerous occasions took the position that the American National who suffered damage to property on territory of a foreign country should receive compensation for his damage. (See the Polish-American Mixed Commission to be established for the determination of compensation for American owners of enterprises taken over pursuant to the Polish Industries Nationalization act of January 27, 1946, Department of State Bulletin, vol 16 (1947); treaty of peace with Rumania art.23 and 24, Italy and Finland (economic clauses) with Hungary art.36, Department of State

CLAIMS UNIT

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*Aus. d. F. A. 2/15/50*  
*WE: R Williams and*  
*sent to Vienna*

024033

*DEC*  
263-1141 SAXL, CHARLOTTE, ESTATE/2-1050  
*W*  
*Charlotte, Estate/2-1050*

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~~WASHINGTON ADDRESS:~~  
~~1200 K STREET, N.W.~~  
~~WASHINGTON, D.C.~~

- 2 -

Department of State

Division of Financial Affairs

publication 2743.)

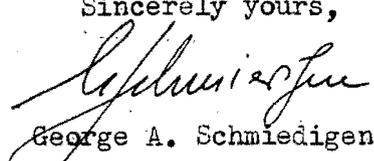
We would greatly appreciate you informing us as to what steps would be advisable for the estate to take in order to receive compensation from the Austrian Government for the damage caused to the deceased Charlotte Saxl by confiscating her account with the Landerbank-Wien, and RM 23,270,93

We have also found evidence that the deceased Charlotte Saxl had in deposit with the Landerbank the following securities:

Pounds 200.- 4 1/2 (7 1/2%) Hungarian Volkerbund Anl. 1924 engl. Tranche; K 12,000.- 4 1/2% Bosn. Eisenbahn Anl. 1902, St. 125 Gal. Karpathen Stocks a Zl. 100.- St. 24 Sudbahn Kupons and Kupons to 200 pounds.- 4 1/2% Hungarian Volkerbund Anl. 1924 from 1.2.39 - 1.8.1941.

We would appreciate you informing us as to the proper action to be taken in order to recover the securities from Austria and compensation from Yugoslavia, Hungary and Chechoslovakia.

Sincerely yours,

  
George A. Schmiedigen

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Authority 949660  
By EK NARA Date 7/31

RG 59  
Entry CDF 1960-63  
File 263.1141-SAXL  
Charlotte Estate  
Box 420

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839921

# REGISTERED

In reply refer to  
L/C 263.1141 Saxl,  
Charlotte/1-1762

January 23, 1962

REGISTERED MAIL

Dear Dr. Saxl:

The Department has received your letter of January 17, 1962, in regard to the claim of the Estate of Charlotte Saxl against Austria.

As requested in your letter all of the documents sent to the Department by Mr. George A. Schmiedigen in 1950 are returned herewith.

Sincerely yours,

For the Acting Secretary of State:

George W. Spangler  
Assistant Legal Adviser

Enclosures:

1. Copy of letter of December 30, 1950 from Mr. Schmiedigen to the Department.
2. Affidavit in duplicate of Dr. Erwin Joseph Saxl dated December 15, 1950 and affidavit of Dr. Erwin Joseph Saxl dated December 27, 1950 with 2 sets of 22 exhibits attached thereto.

Dr. Erwin J. Saxl,  
Fie Hill,  
Harvard, Massachusetts.

L:L/C:GWSpangler:ams 1/22/62

Microfilmed by RM/3

263.1141 - Saxl, Charlotte / 1-17-62

(2)  
SWS

DECLASSIFIED  
Authority 949660  
By EK NARA Date 7/91

RG 59  
Entry CDF 1960-63  
File 263.1141-SAXL  
Charlotte Estate  
Box 420

**ACTION**  
is assigned to  


PIN HILL  
HARVARD, MASSACHUSETTS

January 17, 1962

The Secretary of State  
Department of State  
Washington 25, D. C.

Att: Mr. Edward G. Mises  
Deputy Assistant Legal Adviser  
Ref: L/C 263.1141 Saxl,  
Charlotte/11-861

Dear Sir:

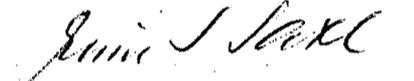
Thank you for your letter of December 7, 1961.

As suggested in the last paragraph of your letter, we would appreciate it if you will kindly return to the undersigned the documents filed by Mr. Schmiedigen in 1950 in behalf of the Charlotte Saxl estate.

This request in no way vitiates any possible call for aid in this matter which we may direct to the Department of State.

Thanking you in advance for your co-operation, I am,

Sincerely yours,

  
Dr. Erwin J. Saxl  
Executor  
Charlotte Saxl Estate

EJS:cr

263.1141-1962

263.1141-SAXL, Charlotte 1-1962

Ans 1-22-62  
4c: GWS  
file

**FILED**  
JAN 26 1962

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②  
1/19/62