

DECLASSIFIED
Authority 949660
By EK NARA Date 7/31

RG 59
Entry CDF 1960-63
File 263.1141/Fischer
Box 4191

July 28 1954

In reply refer to
L/GER 263.1141 Fischer,
Ernest/7-1454

263.1141 Fischer

Dear Mr. Lipscomb:

In acknowledging your communication to me of July 14, 1954, transmitting a letter to you from Mr. Ernest Fischer, dated June 28, 1954, I must apologize for the delay in my answer.

In his letter to you, Mr. Fischer appears to seek assistance in asserting a claim for the refund of discriminatory taxes which he paid in Austria in 1938 during the occupation of that country by the Nazis. As Mr. Fischer has been advised previously, there is presently no place where he can file such a claim and there is no authority from whom he may collect. As a former Austrian who resided in Austria at the time of the action giving rise to his complaint, Mr. Fischer must look to the legislation of Austria for redress. That country has so far provided for the return of property to persons who were deprived thereof by Nazi measures in Austria if such property is identifiable and can still be located in Austria. It has also provided redress in certain other cases, such as where persons suffered imprisonment in Austria because of racial or religious persecution. The Austrian Government has not, however, as yet enacted legislation to compensate persons for discriminatory taxes paid by them during the Anschluss. The Austrian Government has been informed of the interest of the United States Government in having a way found to solve this and other

unresolved

The Honorable
Glenard P. Lipscomb,
House of Representatives.

DC/R
Anal 74
Rev. _____
Cat. _____

263.1141 FISCHER, ERNEST
7-1454

CS/VJ

263.1141 Fischer, Ernest/7-1454

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unresolved problems in this field, and you may be sure that adequate publicity will be given to any new benefits which the Austrian Government provides.

Mr. Fischer's letter to you is returned as you requested.

Sincerely yours,

Thruston B. Morton
Assistant Secretary

Enclosure:

Mr. Ernest Fischer to
Representative Lipscomb,
June 21, 1954.

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S/S-CR
JUL 27 1954 P.M.

JUN 28 1954
Jim
L/GER:HALand:ah

7/27/54

WE
WE (Allen) by phone

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January 28 1955

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Central
Files

In reply refer to
L/GER

263.11

Dear Mr. Fischer:

The receipt is acknowledged of your letters dated January 6 and January 12, 1955 concerning a claim which you assert against the Austrian Government as the result of the loss of certain property in Austria prior to the war.

Claims for restitution of property in Austria are made in Austrian courts in accordance with prescribed legal procedures. While the Austrian Government has enacted several laws dealing with the return of such property, the Department regrets that it is unable to advise you whether your particular claim may be covered by the present legislation. It is suggested that you may wish to communicate with the Austrian Embassy, Washington, D. C. regarding the claim, or with a qualified attorney in Austria who may be in a position to assist you in this matter.

The Austrian Government is understood to be contemplating additional legislation which would broaden the scope of the present restitution and compensation laws and it is possible that your claim, if not covered by the present provisions in Austria, may be covered in the new legislation. The Austrian Embassy may be in a position to advise you in regard to this possibility.

Sincerely yours,

John M. Raymond
Assistant Legal Adviser

Mr. Ernest Fischer,
2923 1/2 Leeward Avenue,
Los Angeles 5, California.

Stamp: S/S-CR, JAN 28 1955 P.M., with handwritten initials and a signature.

DAW:meyer
L/GER: [signature] :ah

1/28/55

263.1141-FISCHER
ERNEST/1-1255

CS/HM

263.1141 Fischer

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Box 419DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

LS NO. 37755
T-16/R-X
German and EnglishNote [in English]: I hope you understand our clear case now.Ernest Fischer
2923 $\frac{1}{2}$ Leeward Avenue
Los Angeles 5, California

December 22, 1956

Dear Mr. Donald H. Wehmeyer:

[In English:] I hope you received right information from me now. I am writing this letter in German language now and I hope you have a right translator on your hand. [In German:] My appeals to the Department of State, in which I, as an American citizen of long standing, have requested due assistance, have invariably been answered with: "Engage a lawyer in Vienna or Berlin." However, no lawyer can accomplish anything in spite of all the supporting material and evidence of blackmail and judicial failure because neither in Austria nor in Germany does there exist any restitution-compensation law applying to my case, by which I mean, to any and all former Austrians.

In Austria there is only a gift law which as such applies to few persons. What your Nazis [several illegible words] here in Austria must be known to the Department of State; now, in liberated Austria it is much worse than it once was during the occupation by American troops. At that time when this was not permissible*, no Jew could obtain any unbiased decision at the Austrian Ministry of Justice or in the courts.

My extortion case in Austria is versus the private banking house of Moritz Krentschker Co., I Schubertring 3-5, an NSDP [organization], (Hitler's largest organization, his attorney and at the same time also GESTAPO attorney general); we were in such extortionist hands, and so

we were

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* Translator's note: Difficult to decipher. This seems to be the meaning.

FBI 263.1141 Fischer, Ernest
 12-22-56

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we were compelled to affix every signature of ours under the threat of death, i.e., the invariable threat was: "He is to sign or go to prison--and he will never get out alive; I will see to that!"

Moritz Krentschker is the background here: At the end of the war, he was immediately charged as a war criminal. The newly-appointed property administrator in the person of Tomasoni [?], the former's authorized agent for many years, advised me on one occasion to institute proceedings immediately in our extortion case and to lodge charges with the court of Graz, as the case would be brought from Vienna to Graz; he called it the "Graz Central" (Graz, the capital of the Austrian Nazis). These petitions with full supporting material and evidence, all of which, although on hand in the United States of America, have never been answered, could now be produced in the proceedings [?]. Now, in spite of complete supporting material, the Vienna Ministry of Justice--state prosecutor of Graz--declines to make any further investigation, saying: "Proceedings suspended once"--it is possible, however, that my petitions have never been taken note of! The president of the Austrian Börseammer [stock exchange chamber], knowing Krentschker's doings, filed declarations for us with the Vienna court; and His Excellency Heintl (President of the Kreditanstalt Bankverein), has informed me that even the GESTAPO had ordered an investigation at Krentschker's just before the end of the war--something attorney Krentschker, who was also a GESTAPO attorney, could no longer prevent! As soon as aryanization of Jewish property was inaugurated Krentschker was assigned our case by the GESTAPO for extortion and mis-handling; only at the end of the war did he disappear. The GESTAPO saved Krentschker from prison.

1) Under extortion and threat of death we were compelled to pay illegal taxes in gold under duress, in spite of the fact that we had already generously paid at Krentschker's in Vienna; this is a unique case: gold, it should be noted here, not in Vienna, but at the Schweiz. Bankverein in Zurich with Swiss license; each of us 28 kg of gold or

a total

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a total of 56 kg in gold--registered [cached ?] at the Nationalbank as income tax [?]. All our other taxes having been paid, we had to pay, following Hitler's occupation [of Austria], these imposed illegal taxes (now declared illegal by the German court).

Krentschker demanded that these illegal taxes be paid in gold, in truth for the support of Hitler's personal war, gold having always been a most desirable thing in war. Hence Krentschker is a traitor of Austria and enemy of the United States of America, an extortionist against Ernst and Hugo Fischer.

Krentschker, wishing to camouflage the extortion, clothed this demand for payment of illegal taxes in gold with the term, "a proposal". A proposal may be rejected, but not when it comes from extortionist Krentschker, especially when we as Jews were free game and were continuously threatened with death during Hitler's occupation of Austria. Vienna became a hell much worse than Germany itself! When we justly rejected the so-called proposal to pay illegal taxes with gold (on deposit in Switzerland), Krentschker, the extortionist, showed his true colors, saying: "If the proposal is not signed today, you will go to prison where I can get any and all signatures, but from there you will go on to Dachau, ~~from where you will be sent to Dachau~~, from where you will never get out alive; I'll see to that!" And so, in order to save my bare life and not to be among the six million murdered Jews, I was compelled to sign this proposal under brutal extortion! This, however, was the first step of extortion. According to evidence, Krentschker demanded 15 kg in gold of my 28.0865 kg in gold for payment of the illegal taxes; moreover, he wanted all our gold, more than 56 kg of gold (28.065 kg from each of us). My brother had cash money and an unencumbered house in Berlin, estimated at 200,000 gold marks in value; he declined to sell it to obtain gold currency for payment under duress for illegal taxes. The signing of the extortionist proposal to pay 15 kg in gold for the illegal taxes was not enough for Krentschker, and so under extortion he demanded a shipment order for all the gold,

more

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more than 56 kg of it, in consequence of which our gold was transferred from the Schweiz. Bankverein, Zürich to the Schweiz. Bankgesellschaft, Zurich, the bank which at one time handled all the business for Hitler Germany in Switzerland, and where Krentschker had opened an account (prohibited by foreign-exchange regulations). All the gold which, as can be proven, he demanded for illegal taxes had to be deposited under extortion in this account. Following this, Krentschker shipped all the gold to the Deutsche Reichsbank, Berlin in August 1938, according to voucher (Schweiz. Bankgesellschaft Zürich), for Hitler's war. Thus this illegal tax was partly paid. The balance was subsequently [extorted] on racial grounds in October 1944, shortly before the end of the war, and this at a time when I had been a resident of the United States of America since 1940, according to voucher of the Vienna Minister of Finance--the Finanzlandesdirektion Wien. Regarding this bookkeeping there is a letter from the Oberfinanzpraesident Hofrat Reibel, who executed this final confiscation on GESTAPO orders, which he confirmed to me in his letter of January 1956.

I have on hand here in the United States full supporting material and evidence for every item. Thus ways are open for the Department of State to act on behalf of an American citizen:

- 1) By inducing the Vienna Ministry of Justice to order new proceedings against the extortionist Krentschker, by drawing attention to the fact that my applications with exhibits of evidence, [filed] on the advice of the appointed property administrator, had never been taken note of, as the purpose was to stop thus all proceedings involving an American citizen. No lawyer can achieve anything in this matter, but the Department of State can, for an American citizen.
- 2) Applications by the Department of State to Germany, its Minister of Finance and Minister of Justice, Bonn, who according to vouchers received everything:

a) our

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- a) our gold deposited in Switzerland, more than 56 kg according to bank voucher of August 1938;
- b) confiscation of balance effected against Ernst Fischer in October 1944 on purely racial grounds according to supporting material; this, even though he had been a resident of the United States of America since 1940; likewise, outlays for the German Reich--supporting material--the Austrian Minister of Finance--Director of the Finanzlandesdirektion, its bookkeeping department; letter of Hofrat Reibel, who made the confiscation on GESTAPO orders, as communicated in the letter of January 1956; annotation on the files at the Finanzlandesdirektion on GESTAPO orders: confiscation of property, remaining property of Mk 108, 750 and of only 2 stocks left of stock once deposited, in existence in October 1944, sent to the Deutsche Reichsbank, Berlin, on October 5, 1944. For outlays for the German Reich, while I was residing in the United States of America since 1940. Thus these Austrian offices have fully confirmed that the shipment of more than 56 kg of gold in August 1938, the confiscation of the balance effected against Ernest Fischer in October 1944 represent an absolute claim against Germany!

What does Germany say, however, with respect to the restitution claim of what can be proven she has received? "Even though we received your gold, cash money, stocks, your place of residence was Vienna; hence any and all claims for restitution are to be rejected!!"

Residence: Vienna; this is fraud against an American citizen. The fact is that immediately following its occupation Vienna--it should be well noted--became the capital of the German province Ostmark and hence was exclusively under German law!

Proof therefor:

- 1) I received a German passport with German nationality (in my possession in the United States of America). We had to surrender the Austrian passports under the threat of prosecution;
- 2) According

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2) According to voucher our deposits in the banks and savings banks were immediately converted from Austrian schillings into German marks at an intentionally unfavorable rate of conversion (first loss) without an order;

3) Vienna having become the capital of the Ostmark province, the premiums for a disability pension had to be sent immediately to Berlin, to the Deutsche Reichsangestellten-Versicherung, Ruhrstrasse 12, Berlin. This insurance was liquidated immediately on the date that payment was due of the disability pension, for which premiums had been paid from September 1938 to the end of April 1945! This is a fraud knowingly perpetrated on aged unemployable men, a fraud still persisting in that no disability pension is being paid for these premiums received.

Hence, the interpretation and disallowance by Germany of restitution of what she has received--something that can be proven fully by vouchers and exhibits of evidence--saying: "Place of residence Vienna" is untenable. Hence the Department of State should act for its American citizens, with all its might, reservations, and protest; this is the duty of the Department of State toward its American citizens. It is a clear case of arbitrariness and injustice. No lawyer in Germany can accomplish this, but the United States of America can, for its citizens! The United States of America, which has given so very much to Austria and Germany for reconstruction, gets in return this provocation in Germany: "Your place of residence, Vienna;" in Austria applications to courts concerning a notorious extortionist are never taken note of! Here, no lawyer, but only the Department of State can obtain justice for American citizens.

For this reason I am awaiting a full reply. On the advice of Vice President Nixon's office this provocative case with all its supporting material was sent to our Senator Kuchell; in expressing thanks and gratitude to the writer for his electioneering for the reelection of Messrs. Eisenhower and Nixon, Mr. Hall referred this case to the Department of State. I now hope for understanding and action on the part of the Department of State, full supporting material being on hand.

Important

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Important

I am expecting a reply at the earliest date possible, as new laws will be enacted in the German Bundestag in Bonn in these next few months; this is therefore the right time for sending at once a petition to the German Bundestag; and a very strong protest to the Minister of Finance and the Minister of Justice in Bonn against this inconceivable, untenable, immoral attitude of disallowing restitution of what has been proven received by saying: "Received but restitution disallowed; your place of residence, Vienna;" but what Vienna became immediately following its occupation I have exhaustively proven in the explanatory letter.

Germany's decisions invariably say: "Your case, as may be proven, shows great hardship, but your place of residence, Vienna; hence, no restitution."

When, immediately following Hitler's occupation of Austria, Vienna became the capital of the German province of Ostmark, Austria was placed under German law, so much so that we were bestowed German nationality and given German passports. Now we want to be treated like the Jews in Germany who now enjoy the benefits of restitution and compensation. On the basis of the evidence the Department of State is now in a very strong position to raise a sharp protest in Germany.

Respectfully yours,

/s/ Ernest Fischer

Pages 12 and f. are in English.

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[In English:] I hope that you understand our case now. Any question I am in position with all documents to answer. Please [word illegible] in the time. I am 79 years old, my brother 77. Our health conditions bad. Suffer too much. We want only justice moral. The basis is established with all documents on hand in U.S.A. as an American citizen. My brother is the owner from [of] a house in Berlin. This house without mortgage brought a rent M. 2,000 monthly. This house received a manager the name Grundbewertungsstelle, Berlin, Wittenbergplatz 5. After the war my brother wanted the rent money which I hoped deposited in a German bank. The answer from the manager: No money deposited for rent; all rent money must delivered to German official office in Berlin. This represent over M. 200,000 which Germany received. A case for refund, too.

Sincerely yours,

/s/ Ernst Fischer

Translator's note: The German text is difficult to decipher, as the handwriting is at times unclear and the sentences are sometimes garbled. We are reasonably certain that the above translation is accurate; however, for an absolutely official translation the writer would have to be requested to submit his letter in typed form.

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MAR 29 1957 - ~~L/GER~~

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

To Mr. Wunderlich
L/GER: Dwehmeyer
File 4/2/57

March 25, 1957

Department of State
Washington, D. C.

LEGAL ADVISER

APR 2 1957

Attention Donald A. Wehmeyer, Esq.
Assistant to the Legal Adviser

DEPARTMENT OF STATE

In re: L/GER 263.1141 Fischer, Ernest
11-1256

Dear Sir:

My client, Mr. Ernst Fischer, has referred to me for attention your letter of December 18, 1956 in which you request him to have an attorney submit his claim which he feels he has against either the West German or the Austrian government in connection with property of his, confiscated by the Nazi regime in Vienna in August, 1938.

The situation is as follows:

Mr. Fischer had his domicile in Vienna, Austria, at the time the Nazis occupied that country. He became one of the victims of their persecution and decided to leave Austria, which he did in September, 1938. Later, he came to the United States and has been a citizen of this country since 1945.

As you undoubtedly are aware, the Nazis exacted a tribute from people of Jewish descent as a condition to leaving the country. To this they gave the euphemistic name of "Reichsfluchtsteuer and Judenabgabe." Mr. Fischer was compelled to submit to this "tax" before a passport was issued to him.

While Austrian Jews generally paid the tax with their funds in Austrian banks, and while Mr. Fischer had sufficient deposits to do the same thing, the Gestapo compelled him to pay it by giving the German government an assignment to certain gold ingots which were deposited in his and his brother's names in the Schweizer Bankverein, Zurich. This money had to be transferred to the Schweizer Bankgesellschaft also

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State Department

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March 25, 1957

in Zürich which was the sole agent doing business with the Nazi government in Berlin. We have a receipt from this latter Bank that the gold ingots were duly transferred to the German Reichsbank, Berlin.

This gold was more than enough to pay the illegal exactions. The balance was "credited" to the Nazi government for "expenses".

When the Nazi government was defeated and the question arose as to what restitution was to be made to the many victims of the regime who are now American citizens, the West German government declared by its highest court that these exactions of the Nazi government were illegal and that the West German Republic would recognize claims for the restitution of these illegal exactions.

When we examined the West German law we found, unfortunately, that cases like Mr. Fischer's, were excluded from restitution because at the time his residence was neither in the West German Republic nor in West Berlin.

When we turned to Austria for redress, especially in view of Articles 25 and 26 of the peace treaty, we were told by the Austrian government that under the treaty Austria would restore only physical assets which remained at all times in Austria and which were still in existence at this time, but not assets transferred to the Reich during the occupation.

The German government refused to restore the illegal exactions in cases like Mr. Fischer's on the ground that the Nazi regime, during its occupation of Austria, directed very many physical plants and properties which have now passed to the Austrian government and of which the entire Austrian people are now the beneficiary. They emphasize that in view of that fact it is the moral obligation of Austria to make restitution in cases of this type.

Whether the Austrian peace treaty, especially paragraphs 25 and 26, can legitimately be interpreted so narrowly I have grave doubts but, be that as it may, U. S. citizens in the situation of Mr. Fischer, I feel strongly, are entitled to the assistance of the State Department to bring moral suasion to bear on the two governments to the end that these cases be covered by

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State Department

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March 25, 1957

supplemental legislation of the two countries involved or that their claims be passed through diplomatic channels.

Incidentally, it is very interesting to note that the Social Democratic Party in Austria is presently engaged in an agitation insisting that in the respects we have here mentioned the Austrian government has yet not lived up to its peace treaty with the Allied Nations.

Very truly yours,


(Mr.) Jean Wunderlich

JW:RJ

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Authority 949660
By EK NARA Date 7/91

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Entry CDF 1960-63
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Box 419

Central Files

In reply refer to L/GER
263.1141 Fischer, Ernst
/3-857

April 2 1957

Dear Mr. Wunderlich:

The Department of State has received your letter of March 25, 1957 with reference to the claim of your client, Mr. Ernst Fischer, based on the confiscation of property in Austria by Nazi authorities in August 1938.

Over the past several years the Department has received a considerable volume of correspondence from Mr. Fischer regarding his claim. Unfortunately the Department was unable to read Mr. Fischer's handwriting or to understand that portion which was legible, and it was difficult to ascertain the exact nature of the claims and what steps he had taken to assert them.

The Department has in the past transmitted to Mr. Fischer various State Department press releases which, it was considered, might possibly bear on his case. On the possibility that they may not be available, there are enclosed copies of these press releases. From the information available it would appear that Mr. Fischer should file a claim with the Austrian Ministry of Finance, if he has not already done so, on the basis of Article 26 of the Austrian State Treaty. Information on the procedure for filing is contained in Press Release No. 619 of October 24, 1955. The claim should be filed even though the administrative deadline established by Austrian authorities has passed.

In the claim under Article 26 you should indicate any claims based on confiscation of what you consider "property, legal rights and interests". You will appreciate the difficulty of deciding whether certain types of losses reasonably fall under the treaty terms, particularly in view of the fact that the Nazi authorities liquidated certain types of Jewish property in Austria and transmitted the funds to Germany. The American Embassy in Vienna is at present negotiating with Austrian authorities in an effort to reach agreement on what particular categories of claims should be considered as covered by the treaty language. Once such agreement is reached it will be necessary for the Austrian Government to

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

enact
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S/BL
263.1141 Fischer
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263.1141 FISCHER ERNEST / 3-857

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enact a law implementing Article 26, but it is believed that there will be no great difficulty in this once agreement is reached on the types of claims covered.

With respect to the so-called "Reichsfluchtsteuer and Judenabgabe" referred to in your letter, while the Department in early negotiations has taken the position that such taxes should be considered as included under the provisions of Article 26, there appears to be very little likelihood that this category of claims will ultimately be accepted by the Austrian authorities as "property, legal rights or interests". Since the funds which were confiscated were shipped physically to Germany, the Austrian Government in the negotiations has taken the position that no "property, legal rights or interests" remain in Austria which can be returned or restored and that since such restoration is impossible, the most that exists is a claim for compensation based on the final sentence of paragraph 1 of Article 26 of the State Treaty. I am enclosing a copy of the State Treaty for your use in this matter. Since, however, the Austrian Government has not as yet granted compensation to Austrian nationals in respect of war damage, the Austrian Government does not at this time recognize any obligation to pay compensation for such losses.

The types of claims which are being discussed in terms of Article 26, paragraph 1, are claims such as those arising out of life insurance policies, mortgages, securities, tenancy rights, bank accounts, and pensions. If Mr. Fischer has any claim based on the loss of such items, they should be included in his claim.

So far as Austria is concerned, it would appear that the quickest way for Mr. Fischer to obtain some financial relief would be for him to file a claim, if he has not already done so, against the fund for aid to political persecutees who have their domicile and permanent residence abroad. I am enclosing Press Release No. 361 concerning this fund and an information sheet setting forth the procedure for filing applications against the fund. The Department has been advised that the administrators of the fund are very efficient in processing claims, and this appears to be the most likely procedure for obtaining relief for Mr. Fischer. I would suggest that if possible you prepare the claim on his behalf. I believe that Mr. Fischer has referred to a brother in his letters, and if his brother was persecuted, a claim might also be made separately on his behalf. While the Department has never assisted individual claimants in applying for aid under the fund, since it is a fund voluntarily established by the Austrian authorities, and the Department has considered that individuals should present their own claims, if you will send me a copy of the claim which might be filed for Mr. Fischer against the fund, I will

transmit

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transmit it to the American Embassy in Vienna with a request that the Embassy request the Austrian authorities to expedite action on the application.

The application itself should, of course, be filed in accordance with the procedure set forth in the information sheet, and I would suggest that the application be transmitted by airmail.

With respect to possible claims against the Federal Republic of Germany, you are correct in concluding that present compensation laws are not applicable where the claim arose outside the territory of the German Reich and that, therefore, claims arising in Austria are not covered. Until recently only claims arising in the Western Section of Germany were accepted, but very recent legislation extended coverage to claims arising in Eastern Germany. The territorial limitation in the German legislation is apparently based on an estimate by the German finance authorities of the financial burden which the Federal Republic can absorb in connection with claims arising out of persecution by the Nazi authorities. You will appreciate that since the Federal Republic is in effect only one half of the former German Reich and has absorbed great numbers of refugees certain limitations on its financial possibilities must be recognized. Accordingly, to date the Federal Republic has not considered itself in a position to pay compensation for claims arising in Austria, Czechoslovakia, Poland, or other occupied areas, and the Department has not considered it feasible to press for such action. While it is possible, therefore, that at some future time the Federal Republic might expand its compensation legislation to include claims arising in Austria, the Department is not in a position to indicate when such action might be taken.

I trust that the foregoing information will be of assistance to you in connection with this matter.

Sincerely yours,

For the Secretary of State:

Donald A. Wehmeyer
 Assistant to the Legal Adviser

Enclosures:

- 1. Press Release No. 619, October 24, 1955.
- 2. Press Release No. 713, December 28, 1955.
- 3. Press Release No. 249, May 10, 1956.
- 4. Press Release No. 361, June 28, and Information Sheet, June 11, 1956.
- 5. Austrian State Treaty.

Handwritten initials
 APR 2 1957

L:L/GER:DAWehmeyer:ejs 4/2/57

See attached enclosures
 GEA-Mr. Fickett WE-Mr. Chapin

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TO THE R/W/4 ORIGINAL FILE

263.1141-FISCHER, ERNEST/8-1557

OS/G

263.1141 FISCHER,
ERNEST/8-1557

In reply refer to L/GER
263.1141 Fischer, Ernest
/8-1557

September 6 1957

Dear Mr. Fischer:

The Department of State has received your letter of August 15, 1957 with further reference to certain claims which you assert against Austria, based on persecutory measures and the confiscation of property in that country prior to the war.

The Department of State has just been advised by the American Embassy at Bonn that the Federal Republic has recently modified the German Federal Restitution Law in a manner which may possibly be of interest in connection with your case. According to the Embassy's report, any Austrian resident or former Austrian resident who is able to prove that his furniture, jewelry, securities or other identifiable property, although seized in Austria, were subsequently sent from Austria into Germany, probably has a valid claim since the restitution courts have held that in such cases not only the place of seizure but also the place of receipt and disposition by the Reich can be considered as the place of confiscation.

The recently amended Federal Restitution Law confirms the court ruling mentioned and specifies which restitution agency has venue in cases where the exact place of confiscation within the Federal Republic or Berlin West is unknown. The law also extends the jurisdiction to confiscations which occurred in the Soviet Sector of Berlin. Article 5 of the law states:

"Where identifiable property was confiscated by one of the legal entities enumerated in Article 1 outside the area of applicability of this law, and subsequent to the confiscation can be shown to have been forwarded into this area of applicability but its location is not known, such property shall be deemed to have been forwarded into the area of applicability of the legislation for the restitution of identifiable property mentioned in Article 11, Section 1, sub-section d. The same shall apply if confiscated property can be shown to have been forwarded into the territory of the

City

Mr. Ernest Fischer,
2923-1/2 Leeward Avenue,
Los Angeles 5, California.

DC/R
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Rev [Signature]
Cat [Signature]

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Authority 949660
By EK NARA Date 7/31RG 59
Entry CDF 1960-63
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City of Berlin as defined by Article 4 of the Berlin Constitution of 1950."

On the basis of the information supplied by the Embassy, it appears that the critical point in each individual case is whether the property which was confiscated was in an identifiable form at the time it was moved across the frontier into Germany. Each claimant must, of course, determine whether such documents as he may have available serve to identify his property, or whether the property can be identified in some other acceptable form. The Department of State is not in a position to advise with regard to this matter which must be the responsibility of the individual claimant.

Claims under the revised German Restitution Law must be filed before April 1, 1958.

You may wish to obtain further information regarding the matter from the Embassy of the Federal Republic of Germany in Washington, D.C., or from the World Jewish Congress, 15 East 84th Street, New York 28, New York.

The Department of State is not in a position to do more than furnish general information regarding claims of former persecutees such as that which is outlined above. The Department is not in a position to represent individual claimants nor to act on their behalf. Accordingly, individual claimants must prepare and present their claim or obtain private assistance.

Sincerely yours,

For the Secretary of State:

Donald A. Wehmsyer
Assistant to the Legal Adviser

[Signature]
L: L/GER: DAWehmsyer: lml
9-30-57 9/5/57

GEA - See attached
cleared by Mr. Harlan

S/S-CR
SEP 5 1957 P.M.

346708

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10/7

DUNK 3-7607

ERNEST FISCHER
2923 1/2 LEEWARD AVENUE
LOS ANGELES 5, CALIF.

September 30 1957

File to
Mr. Fischer

In reply
L. ICER

Department of State
Washington DC.

263 1141 Fisher Ernest.

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NEW YORK
D.A.W.
10/14

Dear Mr. Heh Meyer:

In reply of your letter September 6 1957
The Department of State knows very well
that the Austrian government never fulfilled
§26 after 1000 years. However the
Austrian government Austria the only country
of the world has established to protect
The criminal Nazis an Amnesty Law
Nazi-Emancipation USA. That is Austria.
The Department of State and this the request in the

263.1141 FISCHER, ERNEST/9-3067 9-3057 LWS

263.1141-Fischer, Ernest

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name from all former Australian men being
 some amount. They fulfilled all duties to
 USA to be proud as American Citizens - Veterans
 and Taxpayers -
 to help in support of necessary legislation
 to our new American Ambassador Pearson
 Douglas H. Freeman Matthew
 to fulfill of 26 Peace Treaty. Former Australian
 We are unable to get from Ministry of Justice
 or on the Court Justice and Social.
 The Amnesty Law protect these Nazis who
 have received from evidence money from
 former Australia through Extradition
 Funds highest Expenses etc etc. all this well
 of ^{knowing} Department of State, all the
 Chancellor Raab knows very well all the
 Crimes only political reasons to get a
 Majority by Election brought this
 Amnesty Law in Australia only.

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DUNK 3-7607

2

ERNEST FISCHER

2923 1/2 LEEWARD AVENUE
LOS ANGELES 5, CALIF.

Germany: The new Law July 1957 gave
former Austria of the Austrian can prove
100% the Gold - money - shares -
Heg. Page what Germany received I saw
Order from German Reichs Court Berlin
Representative etc only a little best performed
" only 11% " from all what Germany received that
is to expect only.
Now my question is this by Gold which we have
the same case what Germany received
all documents 100% on hand or
is a difference bet Cash - shares -
green Gold. Gold represents the Best
is different material. material.
Aus Hitler War only to take away

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RG

59

Entry CDF 1960-63

File 263.1141/Fisher

Box

4191

2a

I came to Vancouver, Canada October 1939
to expect my Visa to enter U.S.

My German passport with German Nationality
has run out one year from 25 August 1938

As of 25 August 1939 only never renewed.
Therefore no more German after August 25 1939.

Therefore the American Consul Vancouver
inform us to enter U.S. to give us
not a Visa in the German passport more
he gave us a special letter to enter
U.S. consent, because since August 1939
No more German.

Therefore after August 1939 the German
Government - Gestapo etc no more
any right for Central bank - etc etc.
etc after August 25 1939.

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By	EK NARA Date 7/31

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File	263.1141/Fischer
Box	419

DUN:IRK 27607

ERNEST FISCHER2923 1/2 LEeward AVENUE
LOS ANGELES 5, CALIF.

Germany confiscated me October 4 1944
 short before end the War against \$108,750-
 and I must pay ill Tax Jews Tax - too
 further Gestapo sent my shares by Force
 in the year 1942-1943-1944
 from Vienna to Berlin to sell in Berlin
 my shares. The money coming from the
 shares by Forces to my Vienna account
 only 2 of all this I use to Confiscate,
 all \$108,750 & October 1944 being
 some not more German.
 The document which I have in my
 possession from the bookkeeping
 Vienna Finanz authorities

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and a letter from the man who
 Confiscated all my money October 1944
 Kopal Reichel (Kernan T. Kingman's)
 he was in this time Oberfinanz
 president by the Nazi Vienna -
 Niederman. Ouir Lestayw proves
 correctly that this money October 1944
 going to German Reich Bank Berlin
 again as our gold "Fas Express
 fas German Government. My question
 only have Germany after 25 August 1939
 No more German the Right.
 to do all this Thankfull for your advise
 and help to ^{Germany} Reichel's man. En Finer

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RG 59
Entry CDF 1960-63
File 263.1141/Fischer
Box 4191

October 15 1957

In reply refer to L/EUR

*263.1141 - Fischer
Ernest*

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263.1141 FISCHER, ERNEST/9-3057
Ernest Fischer
LWS

Dear Mr. Fischer:

The Department of State has received your letter of September 30, 1957 with regard to your claim based on certain losses sustained as a result of the actions of Nazi authorities prior to the war.

The Department of State has no information regarding how the German authorities will interpret the provisions of the new Federal Restitution Law in so far as specific claims are concerned. The Department can only suggest that you should file your claim in accordance with the prescribed procedure and obtain the decision of the German authorities on the basis of the facts and the evidence as you are able to present them. As noted in the enclosed information sheet prepared by the Department concerning this matter, the Department is not in a position to furnish additional information nor to be of assistance in preparation or filing of individual claims. Some ten thousand former persecutees from Austria reside in the United States at present and, accordingly, the Department is able only to furnish general information regarding claims and cannot act further in regard to the presentation of individual claims which must be the responsibility of the individual claimant.

In accordance with your request, the article from "Variety" is returned herewith.

Sincerely yours,

For the Secretary of State:

Donald A. Wehmeyer
Assistant to the Legal Adviser

Enclosures:

- ✓ 1. Information Sheet on Monetary Restitution Claims Against Germany.
- ✓ 2. Article from "Variety", August 22, 1956.

Mr. Ernest Fischer,
2923 1/2 Leeward Avenue,
Los Angeles 5, California.

OCT 15 1957

L:L/EUR:DAWehmeyer:ejs 10/11/57

WE

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Box 4191

191001 43 01 41 43 81 11

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In reply refer to
L/EUR 263.1141 Fischer,
Ernest/6-3059

July 7 1959

Dear Mr. Fischer:

The Department of State has received your letter of recent date concerning your claim against Austria based on the confiscation of certain property during the Nazi occupation of that country. You enclosed a copy of a letter indicating that the Austrian Parliament has not as yet enacted a law which will authorize the payment of claims under an agreement recently reached between the Austrian Government and the United States, United Kingdom and France, concerning the settlement of claims under Article 26 of the Austrian State Treaty.

The final arrangements concerning the settlement of claims under Article 26 were made shortly before the Austrian Parliament recessed for the purpose of holding national elections. It is anticipated that when the Parliament reconvenes, the legislation necessary to permit the settlement of claims covered by the agreed settlement will be enacted.

In view of the complex nature of the claims settlement, it is suggested that you may wish to discuss your claim with your attorney, Mr. Wunderlich, in order to make certain that your claim is filed in a proper manner with the Austrian authorities.

Sincerely yours,

For the Acting Secretary of State:

RM/R
Anal 79
[Signature]

Donald A. Wehmeyer
Acting Assistant Legal Adviser

Mr. Ernest Fischer,
2923 1/2 Leeward Avenue,
Los Angeles 5, California.

S/S-CR

JUL 7 1959 A.M.

L:L/EUR:DAWehmeyer:jcd - 7/6/59

[Signature]

1141 FISCHER, ERNEST/6-3059

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263.1141 FISCHER, ERNEST/6-3059

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RG 59
Entry CDF 1960-63
File 263.1141/Fischer
Box 4191

R.M/R

2053
9-25

September 25, 1959

In reply refer to GEA
263.1141, Fischer, Ernest

Dear Mr. Fischer:

The Department has received your letter of September 10, 1959 concerning your claim for the restitution of certain gold bars and your request that the Department's representatives at Berlin, Germany, assist your lawyer in connection with this claim.

The Department has already requested the United States Mission at Berlin to communicate with your lawyer, Mr. Hans Aldenhoff, and the Mission has now received a reply from Mr. Aldenhoff. Mr. Aldenhoff has given the Mission a preliminary report on your case and has stated that he wishes to discuss the matter in greater detail during the latter part of this month. While American Foreign Service Officers are prohibited by statute from acting as agents or in any other fiduciary capacity for private individuals, you may be certain that the Mission at Berlin will continue to maintain its interest in this matter. It appears that your claim has been remanded for new proceedings, with particular reference to the Monetary Restitution Law of July 19, 1957 and that your attorney is making every possible effort to protect your rights.

Your attention is also called to the enclosed Press Release No. 387 of June 3, 1959 entitled "Austria Agrees to Restore Certain Kinds of Property Legal Rights and Interests

of Racial,

Mr. Ernest Fischer,
2923 1/2 Leeward Avenue,
Los Angeles 5, California.

RM/E
Anal 79
Rev
Dat HHH

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by the RM/R Central Files

263.1141-9-25 FISCHER,
ERNEST/9-25
OS/HHH

263.1141-FISCHER, ERNEST
9-1059

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RG 59
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File 263.1141/Fisher
Box 4191

-2-

of Racial, Religious, and Political Persecutees." It appears that you may be entitled to make a claim under this agreement and you may wish to undertake that action here or request your attorney in Berlin to do so on your behalf.

Sincerely yours,

John Devine
German Economic Affairs
Bureau of European Affairs

Enclosure:

Press Release No. 387.

Clearance:

L/EUR - Mr. Wehmeyer *AW*

EUR:GER:GEA:WAllen:mfp
9-18-59 *Wg*

S/SCR *SCR*
SEP 25 1959 P.M.

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Box 419

Ernst Fischer
2923 1/2 Leeward St
Los Angeles Calif

10 September 1959
September 25, 1959

Dear Mr 2 Weh Meyer

My Lawyer in Berlin ^{has secured} informs me now he made a
petition for our confiscated gold Baden over to Kitzler
August 1938 coming from the Bank in Switzerland
(Switzer Bank Gesellschaft) ^{to German Reichsbank 9 August 1938} this the Bank which works
for Hitler Germany in this time only. Bank Kitzler
the Bank of Salzburg and therefore the manager
of the Silberstein enterprise this Silberstein was
established from Salzburg to take again away
money and illegal taxes put in the name
from us. This our gold case a matter
of exporters to get gold only for Hitler war
We have ^{deposited from Kitzler Bank} money deposited by Kitzler
Vienna to pay all ill. Taxes with them
Ernst Fischer have a large amount in Cash
by Kitzler deposited I provide all this ⁹⁻²⁰⁻⁵⁹
Cash 1944 given confiscated me ¹⁰⁰⁰⁰⁰⁰ 700
for Expenses for the German government
For this confiscation under Gestapo - Jewish police Berlin as
Katzler ^{is still in act by Vienna} Finance directed to provide
my ill. Taxes only!

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SERIES 7/9-10559
CS/HHH

29
11/4/59

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My Brother had cash and he gave the order
 to sell his house in Berlin (with mortgage
 Gold mark 200,000 estimated from German
 Government a document says this) Krentzler refused
 to sell this house to get gold proceeds for
 payment of taxes. This is the picture from
 our gold. All Legal Taxes was paid correctly
 by my brother Krentzler from Austria. No account
 from Leipzig or any Nazi office. He was
 honest Austrian Citizen therefore my request
 again and again to do all for us as
 honest thankful American Citizen
 my brother Fischer 82
 My brother 80 not good health
 too.

Our case by opening of our safe prove again
 that Krentzler the Leipzig Bank is a
 prominent Nazi member to work for Hitler and

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File

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Box

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This desire may only prevent again that all which was deposited
 in our safe & Cash money etc. (I was one more and important)
 Jewels - Diamond - Pearls from my Brother former a
 Jeweler in Vienna and gold Coins (with amount of Gold
 mentioned by Nat. Bank Vienna 13 April 1938) all this
 received our lawyer in Berlin for the cash to prove
 we have all done correctly. We cannot take
 with us when we must leave Vienna the Hell
 our life any minute in larger Concentration Camp
 jail etc. etc. On Order from Leipzig that we be
 present by opening our safe. Kohnbitter said
 that is your right to be present by opening
 our safe. However he have never performs as
 no his man a Lawyer ^{Egon Walter} from Vienna
 from a Province city to Vienna to have the
 possibility to take away money as a Thief
 from us because Kohnbitter protect him
 to do it because we are not present in
 less time by opening the safe. However I accused
 Kohnbitter as he promises all stolen goods
 must return to us New Commission
 immediately

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Never the public prosecutor Attorney General ^{or Gray}
 refused to do anything against Krentzler and
 Dr. Egon Volter. It is interesting to know
 all the members from Krentzler Sanjotes
 Band and escape from Vienna in the
 right time ^{Raja Krentzler and Volter} they know that they are criminals
 and the Leader of the Sanjotes group
 Mr. Krentzler he gave all evidence in
 free ^{and a million by extortion Frankfurt} this is against several Justice
 protected by the Court in Gray (1943
 Capitol of Nazis) and his public
 prosecutor. This man protect the Nazis
 and Krentzler must go in Prison
 this is only a little thing as a warning
 signal for all members in the
 Vienna Court and you can give the order
 to the Minister of Justice Vienna too a sentence
 man this is the American going in Prison.

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File 263.1141/Fisher
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3
Kantabha on notes for
his own pocket only. Therefore don't blame people as
is seen his testimony accused him as a man who
take away money from many people with
Extortion - Fraud - High Expenses. If the
man wasn't to just his ^{for his pocket only} testimony
protected him and made him to his manager
from Sasthu Enterprise. Little matter bring him
to jail. His ^{more} First Clerk he was the manager
from his Bank in this time Kantabha in
jail (after the war in India by Vannan) send
me a letter with an attachment in the time
to make a visit against Kantabha to the
Court. Sany informs me that his case going
from Penna Court to Sany. His First Clerk by the
I think this man took the Kantabha
- a Criminal - However that is not all

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The president from the Exchange Committee sent a letter to me in the same time that the president made a notice to the Roman Court for our case (Fraud - Extortion etc) in that my knowledge because he knows that Krentschler Bank of Leipzig manager of L. Krentschler is a Criminal at all.

The president of the greatest Bank Vienna Kreditanstalt - Bankverein Excell. Will send me a letter very Leipzig accused Krentschler Fraud Extortion by Expenses by Association Jess Property the same from us and his Lawyer Lawyer from Leipzig can never prevent because too many accused Krentschler

Therefore here The Bank to do all what you can important to give over to all american office Vienna. Berlin

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Of an order Gestapo Kautzke on his side in case
 made a proposition to my Order Gestapo
 the Les on arrangements. For solo payment still Taxe
 No order Gestapo only Kautzke
 when Hitler occupied Austria Gestapo closed
 all our money and in a time we get
 mk was just pay a month Kautzke gave us
 only mk 100 - why to have many money
 to pay Silbermark fee Ernst F 21 County
 May 1 32 000.
 all done over head of Gestapo too
 Austrian passport to the Austrian Police or just
 by all Austrian Coffee and Restaurant No food
 served for them people not permit to
 reach them on a bench organized Believe me
 the Hell and the Austrian people elected
 a Free election of Hitler This people
 received and help from USA without
 this help and near reliability possible
 Now isn't thankful the Court of law
 again against us as an American citizen
 in 1945 4th of May Peace give order near to Berlin Regrettably
 because our Case Dismissed End September on the Court Court (Fin)

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I forget Case of Major Fisher Berlin House
 when Major Fisher must leave Austria Vienna
 he must give his House Berlin to Kentscher
 Kentscher give this House on that money
 to the Superintendent Ingstalle Berlin for management
 the rent monthly from House 11k 2000 -
 He have never received any money from the Bank
 since September 1938 However the former
 manager from the House (man may a house
 Lawyer deposited 11k 46.150 - for Bank)
 This is the message from the Police President
 Berlin. This money was confiscated for
 How bad was the case? from manager
 Superintendent Ingstalle Berlin elected from Kentscher
 only not permit from my Brother
 When my Brother as an American citizen
 received his name the American Embassy
 gave my Brother an advice to take a
 New manager for your house

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This can coming on the Court two
episodes of our gold case.

My request Please sent immediately to our
Am. Council in Berlin to help my lawyer
in all when he need him after 15 September
to sign with our lawyer all suit
on the Court in Berlin Please

Many thanks

Respectfully

Yours
Carmel Jones

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File 263.1141/Fischer
Box 4191

October 14 1939

Konst Fischer (Fischer)
2923 1/2 Lee want Sta
Los Angeles Calif

Dear Mr. Wehmeyer:

Newspaper Griffbau: Maximum: 20000 Austrian
shilling for each (Alleg. Taxes - ^{Payment: For} Confiscation Cash money
and shares) I paid Reichsflucht Tax 42000 - ^{MR 108.750}
Indesbyade 18000 -

Monetary Me
Confiscation MR 108.750
and P Rate = 3600
India

Cash Confiscation 108.750 -
Order Gestapo
Different shares sent to Berlin

was again a law because I was since September 1939

No more German I was a Person, thank a
Country (Schastelub) This was the information

still 8 and
1945-
am. Citizen

from the American Konsulat Vancouver

Canada living 1939 as Residenter to expect
to go to USA. Therefore when I have the

Permit enter USA I don't get a Visa
in my German passport because I
wasn't a German I received a special
letter from the Americ. Konsul in Vancouver
to enter with this letter in USA

The German passport running 20 years
never renew from us.

79

NOV 12 1939

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Therefore the Gestapo hasn't a right
to Confiscate Mk 100,750 and Payment
V Rate Inver Mk 3600 as a man
not German more Please will you kindly
tell this the American Mission in Berlin
Money Loss: When Austria was occupied
immediately all my saving money
Aust shilling 82000 going in Mark 17,000-
It was 1 1/2 Aust shilling = 1 Mark ^{only}
When Austria free again 1 Mark = 1 Aust shilling
In this time 5 Aust sh. = 1 Dollar
now 25 Aust n = 1 Doll

Money Loss Austria shilling 33%

and later 65% Loss

Bill Frank a former Austria Homewer
since 1945 Americ. Citizens!

My share deposited in Vienna Order Gestapo
sold in Berlin I bought these shares
in Austria's shilling and sold in Mark

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2
 only 10 shares Wagnerol. was sold in Vienna
 by assisting Jew Enterprise Bought
 Austria doll. 20000 sold at \$11000 -
 Tremendous Loss in Vienna in many ways -
 If the shares not sold Order Devices
 F & hand selling in this time by
 assisting without my order the
 shares are now more as double in
 price. But now only maximum
 cost of 20000 -
 that is 600-700 doll only for all!

Calling Fraud on an American citizen
 Austria's Calling in the newspaper:
 Austria's Lucky Jew indeed & some
 reduction Income Tax - tremendous
 Tourist Business - The government working
 together Old People - Pensioners etc living
 excellent - Dictator - Neoplat - Medica

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free - No Socialist's medicine Only

Workman's sick fund

Established from Government the same
in Germany. In N.H. every day people
pay a way No money for doctors
Medicine However we have spent
hundreds money for Foreign
aid and a War now

by Industry. I am happy to be
(Steel strike)

an am. Citizen therefore I am very out
U.S. - Britain - France must go
together and don't accept the new Law
for each former Austrian now
am. Citizen only 600-700 doll for ever
They must Compel that we
received Moral Justice not
Fraud now. This Law is a
a Law - 10% Only for all
a Fraud end

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Box	<u>4191</u>

3 years
 I am the only person in Austria living in
 Vienna by Nazi occupation only with
Sold (under Extortion - Fraud -
 Life in danger - Konzentration Camp
 Jail etc) Payment Ill. Taxes! It was
 enough Cash money deposited in Vienna
 by the Gestapo Bank - Moritz Krentschke
 in this time Vienna I Lehnbestoring 3-5
 papers for Payment all ill Taxes He
 Refuse only with ^{Payment all papers} Sold or
 No Passport - Jail - Konzentration Camp
 All Sold was sold much more as
 necessary for Ill Taxes all Sold sold
 For Hitler War ^{Payments}
 from War Criminal - ^{Moritz Krentschke} Trasitor
 from Austria accused by the Court

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and a short time for End the War
 from His Serapuo too I can
 prevent any time. The Bank -
 President for Nerial send me this
 message. The Lawyer from Krentzler
 was in the same time
 the Lawyer of Serapuo he cannot
 prevent ^{anything!} more. Krentzler accused
 as Serapuo Bank and manager
 from Serapuo Enterprise Silverstein
 Fraud Extortion by Assisting
 Jews Enterprise - money - shares -
 gold etc. Now for Free Free
 Living as a millionaire in Graz
 (Capital for the Nazis)
 Austria Court protect all Nazis
 always!

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By <u>EK</u> NARA Date <u>7/31</u>

RG <u>59</u>
Entry <u>CDF 1960-63</u>
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Box <u>4191</u>

4
 All my claims which prove 100% Fraud
 Extension and Promoter in a Thief case
 by opening our safe. The Case:
 2 Safes in Vienna Banks closed from
 Lestyn however nothing against ^{us}
 in a time safe fee - Lestyn gave
 the permit that we are present by
 opening Ralstbiller said: Your Right
 I inform you correctly immediately
 that you by opening your safe present.
 We have never done so it was
 for his man Dr Ejan Walter a member
 from Sangster Bank Ralstbiller possible
 we are not present stolen: Cash 500000,
 and Jewelry Diamond - Rest the
 Rest from my Brother Inez as a
 former Jeweler - Gold Tab Box
 Gold Coin (with our gold report by
 National Bank Vienna April 13 1938

DECLASSIFIED

Authority 949660
By EK NARA Date 7/31RG 59
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File 263.1141/Fisher
Box 4191

over
 correctly. The Gold K 56 for each over K 28
 Gold Kames were deposited in Switzerland
 by Schopfer in the Bank Kuesen & Co.
 whenever Kantscher Titelia Proposal (only)
 Signature Heil Hitler shortly Kantscher
 under Extortion life in danger
 his Lawyer to the same time danger
 the Letter we knew all this
 therefore we must sign this
 Proposal to pay ^{under Extortion to save our Life} with a deal of Gold
 All Tax (the only case in Austria)
 whenever Kantscher sold all Gold
 and more as he need for
 Payment All Tax For Heil Hitler War
 and this Criminal is Free protect
 for Minister of Justice and General
 attorney by Trazer Court too.

346736

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5. Now claim to Inge & Kantscher End the War as
 War Criminal in jail in Vienna Therefore
 the manager of the Bank was now his
 First Clerk (many years) He sent me
 a letter and gave me this advice now
 is the time to accuse Kantscher by Goring
 Court. No answer from the Court Never
 only No reason to accuse Kantscher
 Therefore Free in all Criminal Facts
 now a millionaire.

Take money from our Cash Deposited
 by his Bank Ernst F M 21000
 Nure 1 32000

For Silberstein - I saw Entesman
 as his manager without our Order. He received

10% Commission for sending this money
 Use for Expenses for German justice
 He says we are member from Silberstein

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never sent a letter to be a member Nungere
 Rentscher gave an order to his
 Lawyer Raja Kumit - Lawyer of
 Sertapur to establish a
 Protocol of Memoory this Protocol
 would prove that he has a Right
 to take his money away from us
 for Sertapur and prove to me
 and member from Sertapur
 Toish - Fraud again - Signature to the
 Protocol of ~~of~~ Don Rente. No Passport
 Rentscher says: He isn't manager
 of our money - shares - gold etc
 he is manager of Sertapur
 Sertapur Enterprise and we
 member Nungere this the same
 Fraud Enterprise. These Possibilities
 exist. All members from
 Sangster Band Dr Walter - Dr Rajakumit

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of going out to the right time with stolen money
 Dr Rajakumbal accuse in USA too

I told you not all what happens to us.

However you know all what happens because
 you have former Austrian lawyer now
 a lawyer on your hand for information

Therefore this Austria lawyer now for
 am. citizen is in this form unacceptable
 in all. Think 20 000 aust shell is the
 Best what an am citizen can get now
 -600-700 doll only

Please help us all aspects for us

a clear case. All money what we
 have by occupation was inform by him

you by office Allen Property Custodian
 Wash. D.C and for Ernst Fisher
 in Vienna by Gemeinde District 6/7

The case closed. Payment 10 000 mark more Reichsmark
 as month Raetscher brought Reges pay was to pay
 to the Reichsmark Tax Clerk Ernst Fisher
 Karl Neuwirth Vienna I Stadionsamt
 New defense for Income Tax

Rolls

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 By EK NARA Date 7/31

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Nevoty says: If you don't pay \$10,000
 more together Reichflucht Tax you
 cannot proceed or Transport to leave
 Ex-territory again. However he was informed
 from Kentscher Payment Reichflucht Tax
 only with Gold. —

All this happens under many others
 now only 600-700 Doll in all
 With fuel and help Austria fees
 Rebuilding only With now
 Austria gave the am. citizens
 only for all 600-700 Doll
 (20000 aust shell) Maximum

Therefore my Request Help us

I am 82 not good Health
 My wife 80
 We have too much suffer
 we lost ² money - Health -
 and old too much

Respectfully
 Ed. Fisher

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Authority 949660
By EK NARA Date 7/31

RG 59
Entry CDF 1960-63
File 263.1141/Fischer
Box 4191

R M / R

November 6, 1959

263.1141-FISCHER, ERNEST/10-1459

OS/B

This Document must be returned to the Staff Central Files

Dear Mr. Fischer:

The Department has received your letter of October 14, 1959 concerning your claim for the restitution of certain gold bars and other losses which you suffered in Austria.

The Department has not yet received a further report from the United States Mission at Berlin with regard to the proceedings for the restitution of the gold bars. As the Department's letter of September 25, 1959 informed you, that claim has apparently been remanded for new proceedings, and the Mission at Berlin has reported that your attorney there appears to be making every possible effort to protect your rights. When additional information concerning this case is received, you will of course be informed without delay.

With reference to the circumstances surrounding your other losses in Austria, it is suggested that you bring these to the attention of your attorney if it is your intention to have him act on your behalf in this connection.

Sincerely yours,

m

John Devine
German Economic Affairs
Bureau of European Affairs

Mr. Ernest Fischer,
2923 1/2 Leeward Avenue,
Los Angeles 5, California.

Clearance: *Devine*
L/EUR - Mr. Wehmeyer

79
3/5 CF
NOV 6 1959 A.M.

EUR:GER:GEA:WAllen:mfp:11-5-59
WAllen

263.1141-FISCHER, ERNEST / 10-1459

DECLASSIFIED
Authority 949660
By EK NARA Date 7/31

RG 59
Entry CDF 1960-63
File 263.114/1-1562
Box 419

SS JST

International Institute of Gary, Indiana, Inc.

A SERVICE BUREAU FOR ALL NATIONALITIES
321 WEST 15TH AVENUE TELEPHONE TU 2-3009
GARY, INDIANA



Dec. 13, 1959

- DIRECTORS
- DONALD HOUSKEEPER
PRESIDENT
 - REV. EUGENE LAZAR
FIRST VICE-PRESIDENT
 - NICHOLAS COST
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 - MRS. SAM SCHIRALLI
 - GLENN WILSON
 - ELIZABETH N. WILSON
EXECUTIVE SECRETARY

State Department
Office of Foreign Claims
Washington, D.C.

Dear sir:

Would you kindly mail to our office some forms to be filled out by persons who were forced to leave their property in Austria. Will you also advise us as to what is the final date for filing of these papers.

Yours very truly,

Isabel Pope

(Mrs.)

Isabel Pope
Case Worker

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

263.1141/12-1559

OS/963.1141/12-1559

RM/R
Appl. 62
Rev. [Signature]
Cat. [Signature]

OFFICE OF *File*
SPECIAL CONSULAR SERVICES
Spdtr. to Mrs. Pope
DEC 20 1959
SCA:SCS:MLC:MAR
DEPARTMENT OF STATE
1-6-60

MEMBER OF THE GARY COMMUNITY CHEST (UNITED FUND)
GARY COMMUNITY WELFARE COUNCIL
AMERICAN FEDERATION OF INTERNATIONAL INSTITUTES

DECLASSIFIED
Authority 949660
By EK NARA Date 7/31

RG 59
Entry CDF 1960-63
File 263.114/1-1562
Box 419

845

DSL 2
(6-4-45)

DEPARTMENT OF STATE
WASHINGTON 25, D.C.

SPEEDLETTER

This form of communication is used in the interest of speed and economy. If a reply is necessary, address the Department of State, attention of the Division mentioned below.

In reply, refer to
SCS

Date: **January 6, 1960**

SPEEDLETTER

TO:

Mrs. Isabel Pope,
International Institute of Gary,
Indiana, Inc.,
321 West 15th Avenue,
Gary, Indiana.

Reference is made to your letter of December 15, 1959, requesting to be supplied with forms to be filled out by persons who left property in Austria.

There is enclosed for your information Press Release No. 387 of June 3, 1959, which describes in detail the establishment of the Austrian fund for the settlement of claims of persons who were subject to racial, religious or political persecution in Austria from March 13, 1938, to May 8, 1945.

Please note that the Department is not in a position to be of assistance in the preparation or filing of individual claims, and that the claim forms should be obtained by communicating directly with the Austrian Embassy or the nearest Austrian Consulate.

George S. Knight
George S. Knight
Chief, Division of Property Claims,
Estates and Legal Documents

Enclosure:

Press Release No. 387,
June 3, 1959.

SCA:SCS:NL:Canaler:mar

RE/R
Isabel Pope
62

263.114/1-660
CS/REGA/114/1-660

DECLASSIFIED
Authority NND 959000
By EJC KARPA Date 7/31

RG 59
Entry Central Foreign
Policy Files 64-66
File PS 84 seizure
Damage
Box 300

1. In so far as such action has not already been taken, Austria undertakes that, in all cases where property, legal rights or interests in Austria have since 13th March, 1938, been subject of forced transfer or measures of sequestration, confiscation or control on account of the racial origin or religion of the owner, the said property shall be returned and the said legal rights and interests shall be restored together with their accessories. Where return or restoration is impossible, compensation shall be granted for losses incurred by reason of such measures to the same extent as is, or may be, given to Austrian nationals generally in respect of war damage.

DECLASSIFIED
Authority NND 969000
By SPM NARA Date 8/7/02

RG 59
Entry 5293
File AUSTRIA Individuals Jewish 1960(102)
Box 2

We (including ICA) ~~are convinced~~ believe ^{some} this has merit, particularly ^N if it would contribute towards settling the Article 26 question. Therefore we inserted the following paragraph in the draft letter to the Chancellor on the counterpart settlement agreement:

It is further understood, and I would appreciate your Excellency's confirmation of this understanding, that counterpart may also be made available as a contribution to a fund from which compensation will be paid to persons who suffered persecution in Austria during the Nazi period.

~~As you know, the letter is being~~
~~Your comments requested.~~

We hope this meets with your approval, and we would, of course, welcome any comments you or Miss Nash might wish to make.

cc: Pinkney, Vienna; Miss Nash
ICA: Mr. Strasser

DECLASSIFIED

Authority NND 969000By SLM NARA Date 8/7/02

RG

Entry

File

Box

595293AUSTRIA - Individuals
Jewish 1960(10.2)2655

10.1

The 4th Restitution
Claims Law concerns
heirless property. The State
Treaty provides (Article 26, # 2)
that it will be transferred to
special organizations. The Law
will implement this. As is
indicated in despatch 895 (attached).
The British Jews have pressed
for this. Presumably ours have
also, but perhaps not so strongly.
(See also p 5 of the attached memo).

w

346746

DECLASSIFIED

AUTHORITY *NND 969000*BY *SPM* NARA Date *8/7/00*

RG

Entry

File

Box

*59**5293**AUSTRIA Individual
Sewish 1960(10.2)**2*

L/EUR Subj

*art. 26**[Handwritten signature]*

March 21 1958

In reply refer to
L/EUR 253,1181 Stahl,
Wolff/3-958

Dear Mr. Stahl:

The Department of State has received your letter of March 9, 1958 concerning a pension claim which you assert against Austria.

The Department of State will transmit information concerning your claim to the American Embassy at Vienna and request the Embassy to ascertain whether the claim is covered by the provisions of Article 26 of the Austrian State Treaty. As soon as a report is received from the Embassy, the Department will communicate further with you.

There are enclosed several press releases issued by the Department concerning claims against Austria which may be of general interest to you.

Sincerely yours,

For the Secretary of State:

Donald A. Weinberger
Assistant to the Legal Adviser

Enclosures:

1. Press Release No. 619,
October 24, 1955.
2. Press Release No. 247,
May 10, 1956.
3. Press Release No. 361,
June 28, 1956.
4. Information Sheet: Monetary
Restitution Claims.

Mr. Wolf Stahl,
84-43 Goldington Court,
MIDDLE VILLAGE 79, New York.

r.r./amr:NAV:weiner:els 3/19/58

WE

346747

DECLASSIFIED
Authority NND 959000
By EJC NARA Date 7/31

RG 59
Entry Central Foreign Policy Files 64-66
File PS 84 seizure Damage
Box 300

363.1143 Ungar, George/10-447 DS

363.113/7-1946 FA
5-246 FA
12-2886 OFS
1-1647 FA
1-1647 FA
2-447 FA
2-447 FA

GEORGE UNGAR
11-01 162nd Street
Beechurst, New York

ACTION
is assigned to

[Signature]

April 24, 1959

File

262.1141 Ungar, George/6-253 SC:OP

Department of State *per Mrs. William ASL*
Washington, D. C.

OFFICE OF
SPECIAL CONSULAR SERVICES
Spec LTR TO UNGAR
APR 30 1959
SC:SES:DMcKELVEY:ISL
DEPARTMENT OF STATE
6/2/59

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

263.1141 UNGAR, GEORGE/4-2459

OS/K

FILED

JAN 29 1962

263.1141 Ungar,
George/4-2459

Gentlemen:

A few years ago I wrote you and explained that I was an American citizen of Austrian birth who left Austria when Hitler took over or shortly before. At the time I left I was a minor and various Austrian State bonds which I held were in the hands of the Austrian courts.

After the war I learned that these bonds had been forcibly converted by the Germans into German State bonds at an extremely unfavorable ratio. At the end of the war these bonds were again converted into Austrian State bonds, again at an extremely unfavorable ratio.

Since that time I have attempted to find a means of recovering my assets but to date have been unsuccessful. I understand that there has been a treaty signed between the United States and Austria whereby some of these bonds are being re-instated. I do not presently have physical possession of these bonds; however, I do have their numbers.

I wrote you, as mentioned above, about this matter a few years ago, and at the time you answered that I should attempt to seek remedy for recovery in Austria and in Germany, and if I had no success after resorting to all available jurisdictions, that I should then contact you again for your possible aid.

Unfortunately, that letter which you wrote me has gone astray over these many years, and I feel that it might be helpful today in attempting to settle this matter and in applying to the various commissions in this country set up to help people in my position.

I fully realize that asking you to look up such correspondence and send me a copy of such a letter is extremely bothersome, but I would like to request that you do so nevertheless in the hope that I might finally be successful in having my claim settled.

Your cooperation will be very greatly appreciated.

Very truly yours,

George Ungar

DECLASSIFIED
Authority NND 959000
By EJC NARA Date 1/31

RG 59
Entry Central Foreign
Policy Files 64-66
File PS 04 seizure
Damage
Box 300

DEPARTMENT OF STATE
WASHINGTON 25, D. C.

SPEEDLETTER

This form of communication is used in the interest of speed and economy. If a reply is necessary, address the Department of State, attention of the Division mentioned below.

In reply refer to
SCS 262.11.1 Ungar,
George/4-2459
Date:

June 3, 1959

SPEEDLETTER

TO:

Mr. George Ungar,
11-01 162nd Street,
Beechurst, New York.

Enter Document must be returned to the RM/R Central File

603.1141 UNGAR, GEORGE/4-2459

Reference is made to your letter of April 24, 1959 concerning your possible claim for compensation against the Government of Austria.

You may be interested to know that negotiations with the Austrian Government regarding an agreement providing for the compensation of political, religious and racial persecutees have been practically concluded. Following the signing of the agreement, and after the enactment of pertinent Austrian legislation, the Austrian Government will establish an organization to receive claims, and will make public announcement regarding the organization as soon as it is ready to consider individual claims.

You may wish to watch the press in this connection or, if you prefer, communicate with Mr. Karl Wolf, Consul General of Austria, at 31 East 69th Street, New York 21, New York, who may be able to furnish the information you desire.

If you desire a copy of a specific communication addressed to you by the Department it will be necessary for you to transmit a search and copying fee of \$1.50 prescribed by the Code of Federal Regulations, Part 21, Item 1, Chapter 1, Title 22.

RM/R
Anal Ed
Rev
Date fk

Ed
George S. Knight
Chief, Division of Property Claims,
Estates and Legal Documents

263.1141 - Ungar
George/4-2459

MMCK- SCA:SCS: WMC McKenzie:DMKelvey:sls 6/3/59

DECLASSIFIED

Authority NND 959000
By EJC NARA Date 1/31

RG 59
Entry Central Foreign
File Policy Files 64-66
PS 84 seizure
Damage
Box 300

SCS

In reply refer to
SCS

July 2, 1959

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

208.1141-UNGAR, GEORGE/7-259

CS/MDR

Dear Mr. Ungar:

Reference is made to your undated communication received by the Department on June 22, 1959.

There is enclosed as you requested a copy of the Department's letter of February 3, 1948, addressed to 166 West 72nd Street, New York, New York, which is believed to contain information required in connection with your claim against the Austrian Government.

Sincerely yours,

George S. Knight
Chief, Division of Property Claims,
Estates and Legal Documents

RE/R
Ans: 57
Rev: gsh
Enclosure
Get

Copy of Department's letter
of February 3, 1948.

Mr. George Ungar,
11-01 162nd Street,
Beechhurst, New York.

SCA:SCS:MMcKenzie:mrh

(592766)

6/25/59

S/S-CR
JUN 29 1959 P.M.

JUL 2 1959 P.M.

FD/M-Miss Hartman

346750

DECLASSIFIED

Authority NND 959000By EJC MARA Date 7/31

RG

Entry Central ForeignFile Policy Files 64-66Box PS 84 seizureBox 300

AUSTRIAN CONSULATE GENERAL
31 EAST 69TH STREET
NEW YORK 21, N. Y.

D. NESTOR

REF. NO.

TEL. REGENT 7-6400

New York, August 11, 1959

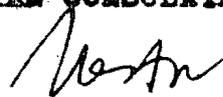
Dear Mr. Ungar:

In reply to your letter of August 4, 1959 the Consulate General wishes to advise that the Austrian Government has concluded a convention with the Governments of the United States, Great Britain and France regarding the implementation of Article 26 of the State Treaty.

Under this convention out of a fund of 6 Million dollars to be set up in Austria allocations will be made to persons who suffered a loss through confiscation of bank accounts, securities, cash money and mortgages as well as through the imposition of the Reichs tax on emigrants or the levy on property as a result of religious, racial or political persecutions during the occupation of Austria.

Since the Federal Law relative to the creation of this fund and its by-laws will not be passed by parliament before its next session you are requested to refrain from further inquiries until the beginning of next year unless prior to this you should have received information through the press on the passage of this Federal Law and details about the filing of claims.

Very truly yours,
THE AUSTRIAN CONSULATE GENERAL
by:



346751