

ARTICLE II

Declaration of Property and Obligations

4. (a) Within thirty (30) days of the effective date of this law, unless otherwise ordered, any person owning or controlling directly or indirectly, in whole or in part, any foreign exchange asset, or owing any obligation of payment or performance, whether matured or not, to a person outside GERMANY, shall file with the nearest branch of the Reichsbank, or other institution designated by Military Government, a written declaration of such asset or obligation in such form and manner as will be prescribed by Military Government.
- (b) When and as directed by Military Government, any person affected by this law shall file such other reports as may be required.

ARTICLE III

Delivery of Property

5. Within fifteen (15) days of the effective date of this law, all of the following classes of property shall be delivered, against receipt therefor, by the owner, holder or other person in possession, custody or control thereof, to the nearest branch of the Reichsbank, or as otherwise directed:

- (a) Currency other than Germany currency;
- (b) Checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside GERMANY;
- (c) Securities and other evidences of ownership or indebtedness issued by:
 - (i) Persons outside Germany; or
 - (ii) Persons in GERMANY if expressed in a currency other than German currency;
- (d) Gold or silver coin; gold, silver or platinum bullion or alloys thereof in bullion form.

Authority NND968106
By JW NARA Date 6-3-99

RG 59 TGC
NL 3-59-9C-59
Lot 620115 Box 9

6. Any person owning or controlling directly or indirectly, in whole or in part, any other type of foreign exchange asset, shall, when ordered by Military Government, deliver, against receipt, the possession, custody or control of such asset to the nearest branch of the Reichsbank, or as otherwise directed.

7. Any property referred to in this Article which hereafter comes into the possession, ownership or control of any persons subject to this law, shall, within 3 days thereof, be delivered by such person in the same manner as provided in this Article.

ARTICLE IV

Applications for Licenses

8. Applications for licenses to engage in transactions prohibited by this law, or any request in relation to the operation of this law, shall be submitted in accordance with such regulations as may be issued at a future date by Military Government.

ARTICLE V

Void Transactions

9. Any transfer effected in violation of this law and any agreement or arrangements made, whether before or after the effective date of this law, with intent to defeat or evade this law or the objects of Military Government, is null and void.

ARTICLE VI

Conflicting Law

10. In case of any inconsistency between this law and any order made under it and any German law, the former prevails.

ARTICLE VII

Definitions

11. For the purposes of this law:

- (a) The term "person" shall mean any natural person, collective persons and any juristic person under public or private law and any government including

- all political sub-divisions, public corporations, agencies and instrumentalities thereof;
- (b) The term "transaction" shall mean acquiring, importing, borrowing or receiving with or without consideration, remitting, selling, leasing, transferring, removing, exporting, hypothecating, pledging or otherwise disposing of; paying, repaying, lending, guaranteeing or otherwise dealing in any property mentioned in this law;
- (c) The term "property" shall mean all movable and immovable property and all rights and interests in or claims to such property whether present or future, and shall include, but shall not be limited to, land and buildings, money, stocks/shares, patent rights or licenses thereunder, or other evidences of ownership, and bonds, bank balances, claims, obligations and other evidences of indebtedness, and works of art and other cultural materials;
- (d) The term "foreign exchange asset" shall be deemed to include:
- (i) Any property located outside GERMANY.
 - (ii) Currency other than German currency; bank balances outside GERMANY; and checks, drafts, bills of exchange and other instruments of payment drawn on or issued by persons outside GERMANY.
 - (iii) Claims and any evidence thereof owned or held by:
 - a. Any person in GERMANY against a person outside GERMANY whether expressed in German or other currencies;
 - b. Any person in GERMANY against any other person in GERMANY if expressed in a currency other than German currency;
 - c. Any person outside GERMANY against another person outside GERMANY in which claim a person in GERMANY has any interest;

- (iv) Any securities and other evidence of ownership of indebtedness issued by persons outside GERMANY, and securities issued by persons in GERMANY if expressed or payable in a currency other than German currency;
- (v) Gold or silver coin, or gold, silver or platinum bullion or alloys thereof in bullion form, no matter where located;
- (vi) Such other property as is determined by Military Government to be a foreign exchange asset;
- (e) A juristic person may, for the purpose of the enforcement of the provisions of this law, be deemed to be in any one or more of the following countries: (a) that country by, or under whose law it is created, (b) that or those in which it has a principal place of business, or (c) that or those in which it carries on business.
- (f) Property shall be deemed to be "owned" or "controlled" by any person if such property is held in his name or for his account or benefit, or owed to him or to his nominee or agent, or if such person has a right or obligation to purchase, receive or acquire such property;
- (g) The term "GERMANY" shall mean the area constituting "Das Deutsche Reich" as it existed on 31 December 1947.

ARTICLE VIII

Penalties

12. Any person violating the provisions of this law shall upon conviction by Military Government Court be liable to any lawful punishment other than death as the court may determine.

ARTICLE IX

Effective Date

13. This law shall become effective upon the date of its first promulgation.

BY ORDER OF MILITARY GOVERNMENT.

1-1 (2)

Low 53 Gold Gunther Wagner Gold

Authority NWD 968106
By JW NARA Date 3-99

RG 59 TGC
LU 3-59-9C-59
Lot 62015 Box 9

208422

DECLASSIFIED

Authority NND968106
By JW NARA Date 6-3-99

RG 59 TGC
UN 3-59-9G-59
LOT 62D15 Box 9

U94

December 10, 1956

OFFICIAL USE ONLY

OFFICIAL INFORMATION

Dear Mr. Adair:

From all appearances, the case of the two small bars of Polish gold can now be considered closed. The Department of the Army advises that it has received the two bars from the Federal Reserve Bank of New York, and will forward them to Germany for delivery to their owner, who had previously been located.

Sincerely yours,

Saul R. Srole
Chief, Exchange Restrictions
And Payments Agreements
International Finance Division

Mr. Charles W. Adair, Jr.,
United States Commissioner,
Tripartite Commission for the
Restitution of Monetary Gold,
American Embassy,
Brussels, Belgium.

OFD:PN:SRSrole:ml
12/7/56

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208423

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
UN 3-59-9C-59
LOT 620115 B&W*Low 5B Hold*
Janet Wagner

496

INT-3023
G/BRN
G/WP

2 June 1956.

From : The Secretary General

To : The Commissioner of the Government
of the United States of America ✓The Commissioner of the Government
of the United Kingdom of Great Britain
and Northern IrelandThe Commissioner of the Government
of the French Republic.~~CONFIDENTIAL~~

Further to my INT-384, dated 12 May 1956, I now enclose,
for information, a copy of a letter No. 1944, dated May 22, 1956,
received from H.H. Minister (Economic), British Embassy, Paris,
and of my reply thereto.

(sgd) J. A. WATSON.

J. A. WATSON,
Secretary General.2 ones.

J.A.W./as.

208424

Authority NND 968106 RG 59 TGC
 By JW NARA Date 6-3-99 LN 3-59-9G-59
Lot 62015 B&W

COPY (as)

~~CONFIDENTIAL~~

1544

British Embassy,
 BONN,
 Friedrich Ebert Allee 77

May 22, 1956.

Dear Colonel Watson,

With reference to your letter G/MRZ-2961, G/EP-,
 of May 4, 1956, addressed to Castle, I am now able to acknowledge
 the safe receipt of the Gold Bar No. 1537 (the "Günther Wagner Bar"),
 which was forwarded to Bonn by the Banque de France, to whom I have
 acknowledged receipt.

I trust that this letter will suffice for your file.
 I did take up with representatives of the French and United States
 Embassies here the question of Castle or myself signing a receipt
 in the name of the three Governments, as you asked, but this was not
 for various reasons, including those of protocol, considered to be a
 practicable procedure. I am, however, sending a copy of this letter
 to the Embassies of France and of the United States of America for
 record purposes.

Yours sincerely,

sgd. R.W. JACKLING

(R.W. Jackling)
H.E. Minister (Economic).

Colonel J. A. Watson,
 Secretary General,
 Tripartite Commission for the
 Restitution of Monetary Gold,
 50, Avenue des Arts,
 Brussels.

208425

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
CH 3-59-9C-59
LOT 62D15 Bx 92/2978- 2978
C/RP.

2 June 1956

CONFIDENTIAL

R. W. JACKLING, Esq., C.M.G.,
 H. M. Minister (Economic),
 British Embassy,
 Bonn, Germany.

Dear Mr. Jackling,

Thank you for your letter No. 1544, of May 22, 1956.

With regard to the question of a receipt for the gold bar No. 1537 (the "Günther Wagner bar"), the situation is somewhat unusual. I suggested that the receipt should be drawn up in the name of the three Governments because the gold account at the Bank of France to which the bar was delivered by mistake and from which it has now been taken and sent to the Embassy, is in the name of the three Governments. It is not operated by the Commission, as a Commission, but by the individual Commissioners acting as duly authorized representatives of their respective Governments. There was no other name, therefore, but that of the three Governments, in which a formal receipt could have been drawn up.

However, your letter makes it clear that the Embassy has now received the bar from the three Governments via the Bank of France and it will suffice in support of the gold accounts.

Yours sincerely,

(sgd) J. A. WATSON.

J. A. WATSON,
 Secretary General.

JAW/as.

208426

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Authority NN0968106
By JW NARA Date 6-3-99

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UN 3-59-96-59
LOT 620115 Box 9



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

Gunther Wagner
DEPARTMENT OF
STATE
4/10/56
Milner

OFFICIAL--INFORMAL
OFFICIAL USE ONLY

American Embassy, Brussels

April 6, 1956

MESSAGE CENTER

Dear Mr. Srole:

I am enclosing two copies of Gold Commission letter INT-2995, dated March 31, 1956, which gives more complete information concerning identification of the "Gunther Wagner bar."

You will note that the recommendation of subsequent action to be taken by the Gold Commission is slightly in conflict with the recommendation made in your letter of January 4, 1956, indicating that the United States Commissioner could cooperate in any way necessary to effectuate release of the gold bar to the Gunther Wagner firm. Colonel Watson states that the receipt for the subject gold was given to the British authorities by the Bank of France on behalf of the three Governments and, accordingly, the return of such gold will have to be to the British Government. Technically, therefore, we will have no assurance that the bar will be released by the British authorities to the Gunther Wagner firm, although there is every good reason to expect that such would be the case.

In light of the above circumstances, I would appreciate being informed whether or not there is any objection to the Secretary General's writing to Mr. W. J. Castle at the British Embassy in Bonn and informing him of the four points contained in Colonel Watson's letter under reference. Colonel Watson has expressed the hope that I will be able to furnish him with a decision in this matter at an early date.

Sincerely yours,

Robert L. Brown
Robert L. Brown

Enclosure:
Gold Commission letter
INT-2995 of March 31, 1956
and enclosure thereto
(2 copies)

Representing

Charles W. Adair, Jr.
United States Commissioner
Tripartite Commission for the
Restitution of Monetary Gold

Mr. Saul R. Srole, Chief,
Exchange Restrictions and Payments Agreements,
International Finance Division,
Department of State,
Washington, D.C.

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208427

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
UN 3-59-9C-59
Lot 620115 Box 9TRIPARTITE COMMISSION
FOR THE RESTITUTION OF MONETARY GOLD

INT-2995

31 March 1956.

From: The Secretary General

To: The Commissioner of the Government
of the United States of AmericaThe Commissioner of the Government
of the United Kingdom of Great Britain
and Northern Ireland(Your letter No. 10730 of
28 March 1956 refers.) The Commissioner of the Government
of the French Republic

Subject: The "Gunther Wagner bar"

With reference to the last paragraph of my INT-2992, dated 21 March 1956, I enclose a photocopy of a letter No. 10730, dated 28 March 1956, received from the French Commissioner.

The position now is as follows:

The letter, dated 19 May 1952, from the British Authorities in Germany, contained a formal statement to the effect that a bar, of which they gave a description and which was included in their deliveries of 17 and 25 October 1951, to the account of the three Governments at the Bank of France, belonged to Gunther Wagner A.G. (vide the top of page 2 of my above-mentioned INT-2992).

It would appear, from the French Commissioner's letter of 28 March 1956, that it can now be taken as established that the bar, which the Bank of France set aside, at the Commission's request, is the bar described by the British Authorities in Germany, as belonging to Gunther Wagner A.G.

Having regard to what precedes, it would seem that the bar could be returned.

The French Commissioner has suggested that it should be placed at the disposal of Gunther Wagner A.G. in Paris. It is a point for consideration whether this would not place the British Authorities in Germany in an embarrassing position and involve lengthy and complicated formalities. It would seem that the bar should be returned to the British Authorities, who sent it, (or to an institution or person designated by them) against a receipt, signed by the British Authorities themselves.

I

208428

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
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Lot 62015 Box 9

I should, therefore, be obliged if the three Commissioners would kindly let me know if they agree to my writing to Mr. W. J. Castle, at the British Embassy, Bonn, informing him:

1. that a further check has enabled the Commission to clear up the matter of the discrepancies;
2. that the three Governments have agreed to the return of the bar;
3. that this can be done against reimbursement of carriage and delivery of a receipt signed by the appropriate British Authorities; and asking him:
4. to whom the bar is to be sent, say ... dear

... une autre expédition portant le No 17.337, le vingt octobre 1946, à l'ordre d'au moins deux représentants de la Banque Anglaise, à Paris, à la Banque de France, à Paris.

J. A. Watson

Secretary General, Bureau des Barres d'Or et du Lingot, officiellement au Locle.

Je vous souhaite vous signaler que je tiens ce dernier renseignement du personnel de la Chambre de Banque anglaise à Paris, alors qu'il se fait à la demande, mais les raisons de ma demande, qui me beaucoup intrigué, que ces expéditions abondent dans fantaisie, il peut que le billets de banque, auquel il est adressé, soit en effet émis pour les véritables motifs, et que ces actions au sujet du lingot qui ont récemment été posées par la Banque anglaise.

Ensuite, les spécialistes de la Banque de France n'ont fait appeler, que sur cette, l'expédition de lingot ne faisait guère de doute et aucune des autres émissions figurent dans l'envoi des autorités britanniques correspondant aux caractéristiques données.

Sur ces considérations, je suis prêt, pour ma part, à signer l'ordre de remise de ce lingot en décharge.

Je vous prie d'agréer, monsieur le Secrétaire général, mes assurances de la plus cordiale estimation.

Votre très obéissant, Monsieur le Secrétaire général, les assurances de la plus cordiale estimation.

J. A. Watson

208429

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
UN 3-59-96-59
Lot 620115 Box 9

Paris, le 28 mars 1956

Monsieur le Secrétaire Général
de la Commission Tripartite pour la
Restitution de l'or Monetaire
50, Avenue des Arts
Bruxelles

Monsieur le Secrétaire General,

Comme suite à votre communication INT 2992 du 21 mars, relative au lingot réclamé par les Etablissements Gunther Wagner, j'ai l'honneur de vous informer que le lingot dont je vous ai adressé la photographie le 16 mars ne portait, lors de sa remise par les Autorités britanniques à la Banque de France que les marques

"1000" et "S.....S
Essaydeur"

Les autres gravures, notamment le No ME 1.537, le titre exact 999,6 et le poinçon qui représente, je pense, Mercure, dieu des banquiers, furent frappées en 1951 par l'essayeur de la Banque de France BOUDET.

Il paraît, par ailleurs, que tous les lingots marqués SBS sont obligatoirement originaires du Locle.

Je dois toutefois vous signaler que je tiens ce dernier renseignement du représentant de la Société de Banque Suisse à Paris. Bien que je ne lui ai donné sur les raisons de ma demande, qui l'a beaucoup intrigué, que des explications absolument fantaisistes, il peut que le Siège de Zurich, auquel il s'est adressé, ait pu en déceler les véritables motifs, si des questions au sujet du lingot lui ont récemment été posées par la Société Pélikan.

Par contre, les spécialistes de la Banque de France m'ont fait savoir, qu'à leur avis, l'identité du lingot ne faisait guère de doute et aucune des autres matières figurant dans l'envoi des Autorités britanniques ne correspond aux caractéristiques données.

Dans ces conditions, je suis prêt, pour ma part, à signer l'ordre de renvoi de ce lingot en Allemagne.

Je suis toutefois assez peu disposé à accepter que les frais d'expédition soient supportés par la masse; ne serait-ce qu'en raison du ton de la lettre de la Société, jointe à votre communication INT 2553 du 13 avril 1953. Je propose donc que l'or soit remis à sa disposition à Paris.

Veuillez agréer, Monsieur le Secrétaire Général, les assurances de ma haute considération.

/s/
J. Lanson

208430

Authority NND 968106
By JW NARA Date 6-3-99

RG 59 TGC
CH 3-59-96-59
Lot 620115 Box 9

Paris, March 28, 1956

Mr. Secretary General,

With respect to your communication INT 2992 of ~~XXX~~ March 21 relative to the bar claimed by the House of Gunther Wagner, I have the honor to inform you that the bar of which I have sent you a photograph of March 16 does carry, when it was returned by the British authorities to the Bank of France, only the marks "1000" and "S... S Essay... deur".

The other markings notably the number ME 1.537, the exact title 999.6 and the marking which represents I think Mercure, guardian of the bankers was ~~printed~~ in 1951 by the essayer of the Bank of France Boudet.

It seems therefore that all the bars marked "SBS" are necessarily originally from Locle.

I should therefore at the same time inform you or bring to your attention that I hold this last information from the representative of the Society of Swiss Banks in Paris. Although I have only given him the reasons for my request, which have intrigued him very much, I have given him only the absolute minimum explanations. It is possible that the seat of Zurich to which I addressed himself is able to determine the real notifications as well as the questions on the subject of the bar which have been asked of him recently by the Pelikan Society.

On the other hand the specialists of the Bank of France have made it known to me that in their opinion the identity of the bar is hardly in doubt and none of the other factors figuring in the shipment of the British authorities does not ~~XXXX~~ correspond to the given characteristics.

Under these circumstances, I am ready on my part to sign an order of shipment of this bar to Germany.

I am at the same time little disposed to accept the shipping expenses that could be supported by France. It would be with reasons ~~XXXX~~ to the

208431

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Authority AND968106
By JW NARA Date 6-3-99

RG 59 TGC
UN 3-59-96-59
Lot 620115 Box 9

-2-

tone of the letter of the Society, attached to your communication INT
2553 of April 13, 1953. I propose therefore that the gold be remitted
to its disposition at Paris. [Be returned to the Society.]

/ s /

J. Lanson

208432

Authority NND968106 RG 59 TGC
 By JW NARA Date 6-3-59 UN 3-59-9C-59
 Lot 620115 B-9

C
O
P
Y

TRANSLATION
(Br/598/53)

512

FEDERAL MINISTRY OF
FOREIGN AFFAIRS

244-00 II 13176/53

BONN, 5 October 1953

(Rec'd in AGS: 6 October 1953)

Mr. W. Neate,
Secretary General of the
Allied High Commission,
Wehlemer Aue, Wing III,
Bad Godesberg - Wehlem.

Sir,

I have the honour to request your good offices in the following matter:

The firm of Gunther Wagner A.G., Zurich, had, in 1944, placed an order with the firm of Gunther Wagner Pelikan-Werke, Hannover, for the manufacture of gold nibs for fountain pens. For that purpose it made available a total amount of 1499,80 grammes of fine-gold in two parts of 999,80 grams and 500 grammes. However, it was no longer possible to carry out the order.

Although the fine-gold deposited with the firm of Gunther Wagner Pelikan-Werke, Hannover, was Swiss property it was initially seized by the Allies; however, in December 1951, Property Control released the part of 999,80 grammes of fine-gold deposited with the Landeszentralbank Niedersachsen as Swiss property. This part was returned to the firm of Gunther Wagner A.G., Zurich.

According to the statement of the Landeszentralbank Hannover, the remaining part of 500 grammes of fine-gold was at the request of Military Government transferred to the Landeszentralbank of the city of Hamburg in 1947 and in December 1950 from there to HQ Investigation Branch, Finance Division, HQ R/B Dusseldorf 318 HQ CCG (BE) BAOR 4, Dusseldorf, Jurgensplatz, Oberfinanzprasidium. However, the gold was not kept there either. It is reported that it is now kept in the custody of the Bank of France in Paris at the disposal of the Tripartite Commission for the Restitution of Monetary Gold, 155, Rue de la Loi, Brussels.

Since the Tripartite Commission for the Restitution of Monetary Gold negotiated only with those governments which are represented in the commission, the firm of Gunther Wagner has no negotiating partner for its efforts concerning the release of the remaining 500 grammes of fine-gold.

I have no doubt that the claim for the release is well-founded since the gold in question is the property of an independent Swiss firm and the major part of it has already been released. Therefore, I should be grateful to you if you would use our influence to have these remaining 500 grammes of fine-gold returned to the Swiss firm of Gunther Wagner A.G.

Accept Sir, the renewed assurance of my highest consideration.

By Order:

AGREED TRANSLATION :

RL for Br. Element :

WML for U.S. Element:

(Sgd.) von TRUTZSCHLER

R E S T R I C T E D

208433

Authority NN0968106 RG 59 TGC
 By JW NARA Date 6-3-99 UN 3-59-9C-59 Box 9
 Lot 620115 *plus small* *Rec 53 909*
CE-D

~~RESTRICTED~~TRANSLATIONALLIED HIGH COMMISSION FOR GERMANYALLIED GENERAL SECRETARIAT24 December 1953AGSEC(53)1055

To: Chairman,
 Economics and Finance Committee
 (Attention: Duty Secretary)

Subject: Request for Return of Gold to a Swiss Firm

In the following letter the Federal Chancellery requests the Allied High Commission to inform it of the decision which it is proposed to take concerning the matter raised in the Federal Government's letter of 7 October 1953 circulated as AGSEC(53)872.

This letter is forwarded to your Committee for consideration.

H.J. JOOS
 Secretary General

TRANSLATION

FEDERAL MINISTRY OF
 FOREIGN AFFAIRS

(Br/803/53)

Bonn, 21 December 1953

244-00 II 13176/53 Ang. I

Rec'd in AGS: 22 December 1953

M. H.J. Joos,
 Secretary General of the
 Allied High Commission,
 Deichmannsaue, Wing III,
 Mehlem.

Sir,

In a letter of 5 October 1953 - 244-00 II 13176/53 - I asked you if you could use your influence to have returned to the Swiss firm Günther Wagner A.G. 500 grammes of fine-gold which are held in the custody of the Bank of France in Paris at the disposal of the Tripartite Commission for the Restitution of Monetary Gold. In my letter I explained the purposes for which the fine-gold was delivered to the Günther Wagner Pelikan-Werke at Hannover, by the firm Günther Wagner A.G. Zurich, and pointed out that Property Control, in December 1951, released the part of 999.80 grammes of fine-gold deposited with the Landeszentralbank Niedersachsen, as Swiss property.

I should be grateful for information as to when the Swiss firm Günther Wagner A.G. can expect the release of the remaining part.

By Order: (sgd.) Dr. Steg

- : AGREED TRANSLATION :
- : FCC for Br Element :
- : LRT for US Element :

~~RESTRICTED~~

208434

I-L (3) Two Bars Gold

208435

Authority NND 968106
By JW NARA Date 6-3-99RG 59 TGC
UN 3-59-9C-59
LOT 620115 Bx 9~~CONFIDENTIAL~~
~~REGISTERED~~

522

August 20 1956

Dear General Crandall:

In 1953 two small bars of gold were sent by the 17th Finance Disturbing Section, U.S. Army, to the Federal Reserve Bank of New York with the request that they be credited to the Tripartite Commission for the Restitution of Monetary Gold. The bars had been seized from a stateless person in Germany in 1951, as described in the enclosed documentation, which was borrowed from the Department of the Army and is herewith returned.

The question arose at once whether the gold properly belonged in the Tripartite Commission accounts. The Federal Reserve Bank of New York has never actually credited the gold to these accounts, and has placed it in a suspense account, pending instructions from the Commission's three component Governments: the United States, Great Britain and France. This matter has been informally discussed with the Field Service Division, Office of the Chief of Finance, and an understanding reached that if the three Governments found the gold to be other than looted monetary gold, it would be withdrawn from the Federal Reserve Bank and restored by the Army to its original owner in Germany.

The United States, Great Britain and France have now determined that the two bars were not looted monetary gold and do not qualify for inclusion in the Tripartite Commission account. It is therefore requested that the Department of the Army obtain the two bars from the Federal Reserve Bank of New York and endeavour to effect their return to the person from whom seized. If the person cannot be located after a reasonable search the Department of the Army is requested to communicate with this Department for further guidance as to alternative disposition.

The Federal Reserve Bank of New York has been advised by the Tripartite Commission that it has no objection to withdrawal of

Major General S. W. Crandall,
Chief of Finance,
Department of the Army

~~CONFIDENTIAL~~

208436

Authority NN0968106
By JW NARA Date 6-3-95

RG 59 TGC
UN 3-59-9C-59
LOT 620115 Box 9

CONFIDENTIAL

- 2 -

the two bars by Department of the Army authorities.

Sincerely yours,

Saul R. Sykes
Chief, Exchange Restrictions
And Payments Agreements
International Finance Division

Enclosure:
CIA Criminal Investigation Report

L/E - Mr. Maurer

cc: Mr. Adair, Amembassy Brussels

CFD:FN:SRSrole:seg
8/17/56

CONFIDENTIAL

208437

Authority NN0968106 RG 59 TGC
 By JW NARA Date 6-3-99 643-59-96-59 Box 9
 Lot 620115



THE FOREIGN SERVICE
 OF THE
 UNITED STATES OF AMERICA

542
 American Embassy,
 Brussels, Belgium,
 February 25, 1954.

Referred to Mr. Fletcher, 2/25/54
 Mr. Otto F. Fletcher,
 Monetary Affairs Staff Division,
 Department of State,
 Washington 25, D. C.

Dear Mr. Fletcher:

I am forwarding a letter which I received from Jacques Lanson, French Commissioner to the Tripartite Gold Commission, in which you will note that he requests certain information from our Government concerning the details which led the American military occupation authorities to turn over the two gold ingots, which they obtained from a stateless person, to the Federal Reserve Bank for the Commission's account.

I have replied to Mr. Lanson telling him that I have forwarded his request to Washington and as soon as I have received the information I will pass it on to him.

2
 I am also enclosing a paper prepared by Sir Ronald Wingate which I received at an informal meeting of the Commission with Colonel Watson the other day. Sir Ronald made quite a point of stating that this paper was not an official but a purely personal attempt on his part to set down some ideas on the form and composition of the historical report of the Commission's activities. He asked that Jacques Lanson and myself transmit our impressions, comments and recommendations on his paper to Colonel Watson as soon as possible.

I have delayed taking up the matter with Colonel Watson until I could have the benefit of any observations Washington might care to make. Pending receipt of that information, I will continue to stall as long as possible but I think I should sound a note of warning that Sir Ronald is quite anxious that the Secretary General get on with the historical report as soon as possible and I feel that I should be prepared to either concur with his recommendations or make appropriate comments as soon as possible.

Very truly yours,

Thomas K. Wright
 Thomas K. Wright
 First Secretary of Embassy

Enclosure:

Letter from Jacques Lanson, February 22, 1954.

7505

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208438

Authority NN0968106 RG 59 TGC
By JW NARA Date 6-3-99 UN 3-59-9C-59
Lot 620115 Box 9

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

TC NO. 5940
EG/R-II
French

TRIPARTITE COMMISSION
FOR THE RESTITUTION OF MONETARY GOLD

Brussels, February 22, 1954

Mr. Commissioner, dear colleague:

In my letter of October 13, 1953, copy of which was transmitted to you by the Secretary General on October 15, file number 2643, I requested that the deposit of two gold bars by the US Army Finance Office to the account opened in the Federal Reserve Bank in the name of the Commission be deferred until our three Governments had reached agreement on the subject.

In its letter of October 1, 1953 to the Federal Reserve Bank, communicated to us by the Secretary General on October 7, under number 2636, the interested United States office states that the two bars were seized on June 5, 1951 from a stateless person who had them illegally and claimed that they had been brought to Germany from Poland in 1945.

My Government is not in a position to determine from these brief indications whether or not this small quantity of gold fulfills the conditions established for inclusion in the pool, as provided under the Paris Agreement or by Resolution No. 1 of the Conference on Monetary Gold held in Brussels in January 1950.

It believes, furthermore, that the mention of Poland as the country of origin of the two gold bars should cause great circumspection. Dr.

Lachs,

The Commissioner of the

United States of America

208439

DECLASSIFIED

Authority NND968106
By JW NARA Date 6-3-99

RG 59 TGC
UN 3-59-96-59
Lot 620115 Box 9

- 2 -

Lachs, the Polish Representative, maintained before the Commission on September 5, 1950 that the greater part of ^{the} gold found in Germany came from looting in his country. He was not, however, able to present any indisputable proof. Such an argument, moreover, would not be deciding, but it seems inopportune to give it specific confirmation if not absolutely necessary.

My Government has not yet had this question brought up officially by the Government of the United States, as is normal in such a case, but desires to study it in order to be able to give an authoritative opinion when the time comes. I should therefore be very grateful if you would inform me in detail of the reasons which have led the American military authorities to deposit these two gold bars in the Federal Reserve Bank to the account of the Commission, in order that I may forward the information.

I am sending copies of this letter to the Commissioner of the United Kingdom and to the Secretary General, and remain, my dear colleague,

Sincerely yours,

/s/ Jacques LANSON

208440

Authority NND968106 RG 59 TGC
 By JW NARA Date 6-3-99 UN 3-59-96-59
 Lot 620115 B-9

AIR POUCH

CONFIDENTIAL
SECURITY INFORMATION
(Security Classification)

DO NOT TYPE IN THIS SPACE

FOREIGN SERVICE DESPATCH

200.6241-Subd

546 10-953

FROM : US COMMISSIONER, TGC DEPT. NO. 421
 AMEMBASSY, BRUSSELS

TO : THE DEPARTMENT OF STATE, WASHINGTON.

October 9, 1953

REF :

<i>FBI Doc</i>	ACTION	REF ID:	RECD. BY:	DEPT. NO.
Use Only	E-6	RECD. BY OTHER	10-14	FRB 2 ARMY-3

SUBJECT: TRIPARTITE GOLD COMMISSION--ADDITIONAL GOLD BARS RECOVERED
 IN GERMANY AND TRANSMITTED TO FEDERAL RESERVE BANK, NEW YORK

The Secretariat, Tripartite Gold Commission in Brussels, has received from the 17th Finance Disbursing Section, U. S. Army, a copy of a letter dated October 1, 1953, addressed to the Federal Reserve Bank, New York, transmitting two gold bars as described therein for deposit to the account of the Tripartite Commission.

Presumably the bank will require some authorization either from the Department or from the Commission to accept this gold for the Commission's account.

Since the action has been taken upon advice from the Department of the Army in Washington, as indicated in the letter, the Department of State has already been consulted in the matter. In any case, it is requested that whatever confirmation or authorization may be necessary in the circumstances be transmitted by the Department either to the Federal Reserve Bank or to me for appropriate action by the Commission, as may be indicated by the information in the possession of the Department.



Homer S. Fox
 United States Commissioner
 Tripartite Commission for the
 Restitution of Monetary Gold

Enclosure:

Copy of letter from 17th Finance
 Disbursing Section, U. S. Army

H.S.Fox/rw
 REPORTER

CONFIDENTIAL
SECURITY INFORMATION
INFORMATION COPY

Retain in divisional files or destroy in accordance with security regulations.

208441

Authority NND968106
By JW NARA Date 6-3-99RG 59 TGC
643-59-9G-59
Lot 620115 Box 9Page _____
Desp. No. _____
From _____CONFIDENTIAL
SECURITY INFORMATION
(Classification)Page _____ of _____
Encl. No. 1
Desp. No. 421
From Brussels 1sIC
O
P
Y17th FINANCE DISBURSING SECTION
APO 46 US ARMY

1 October 1953

Federal Reserve Bank
New York, New York

Gentlemen:

Transmitted herewith two (2) bars, $12\frac{1}{2}$ cm x 2 cm x $\frac{1}{8}$ cm and 9 cm x 2 cm x $\frac{1}{8}$ cm. Total weight five (5) ounces, for deposit to the account of the Tripartite Commission for Restitution of Looted Monetary Gold.

These two gold bars were confiscated by the 13th Military Police CID in connection with CID Case 13-3161 on 5 June 1951. They were taken from a stateless person who possessed it illegally. This person alleged that the gold was brought to Germany from Poland in 1945.

This action is taken upon advice received from Department of the Army, Office of the Chief of Finance, Washington D.C.

Yours truly,

E. E. TATE
Major FC

cc: Commander in Chief
US Army, Europe
APO 403, US Army
ATTN: Chief of Finance

cc: Tripartite Commission for Restitution of Looted Monetary Gold
Rue de la Loi
Brussels, Belgium

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SECURITY INFORMATION

208442

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Authority NND 968106
By JW NARA Date 6-3-95

RG 59 TGC
UN 3-59-9G-59
Lot 620115 Box 9

OUTGOING AIRGRAM

DEPARTMENT OF STATE DIVISION OF COMMUNICATIONS AND RECORDS TELEGRAPH BRANCH

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CONFIDENTIAL SECURITY INFORMATION

HICOM

1807

FRANKFURT 4-157 October 17, 1952
RPT INFO: Ambassador Brussels FOR FOX
Re your despatch 4290, September 2, 1952 and Department's telegram to
Brussels 6A73, October 9, 1952 reported to Miss Frankfurt 4675.

BIS

The action which you reported in your despatch 4290 of September 2,
namely the British proposal for the return of certain gold delivered
from the British Zone to the Gold pool, came up for discussion in a
recent meeting of the Tripartite Gold Commission. The Department,
upon the US Comptroller's request for advice, has stated its classified
"no objection" position in a telegram to Ambassador Brussels for the US
Commissioner, 6A73 of October 9 which was referred to Miss Frankfurt
as 4675.

With reference to paragraph 3 of your despatch 4290 of September 2
we wish to add, for your information only, that we agree with your
interpretation of the Act of Paris and your practice of making gold
claims of non-German private individuals, including those of US citizens.
Our concurrence with your practice is based on the assumption that it
is limited to such cases where the gold in question had been collected
under law 73, that is to say the gold in question did not originate from
those gold stocks of the former German State which consisted of gold
looted from occupied countries.

We do not feel that it is of advantage to this mission to go into a detailed
discussion either among the three Commissions or in the Tripartite Gold
Commission the legal aspects and precise nature of claims made on these
stocks. We note from the general practice of the other Commissions that no such
claims are submitted to advise in the US Bureau of International Affairs to the
early consideration by the Department's Comptroller of what is the proper
and the application of a correct interpretation of the pertinent articles
of the Act of Paris.

RECD
HICOM

OCTOBER 17, 1952 10:15 AM

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CIA

CONFIDENTIAL SECURITY INFORMATION

208443

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DECLASSIFIED
Authority NND 968106 RG 59 TGC
By JW NARA Date 6-3-99 UN 3-59-9C-59
Lot 620115 Box 9

INCOMING TELEGRAM

Department of State

20. file
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TELEGRAPH BRANCH

SECRET

A

Control: 12072
Rec'd: June 28, 1950
12:28 a.m.

FROM: Frankfort

TO: Secretary of State

NO: 5528, June 27, 9 p.m.

SENT DEPARTMENT 5528, REPEATED INFO BRUSSELS FOR FOX 163.

Reference DEPTEL 1151, February 7, and our telegram 1883, March 3, subject Brussels gold conference and Czech gold bars.

After complete review whole issue monetary gold with Department's representative and after check relevant previous German laws and hearing BDL expert, we are prepared to apply the following principles as guidance for delivery to Tripartite Gold Commission of Law 53 gold:

1. A. All gold in form of bars or bullion (sticks) regardless of size and whether previously obtained by owner from Reichsbank under license;

B. All gold coins except those of numismatic value. If, however, in a coin collection not more than 10 percent are gold coins which in themselves cannot be designated as of numismatic character but are needed for completion of collection, such coins shall be exempt from delivery to TGC;

C. Dental gold, gold jewelry whole or broken, wires, sheets and dust are not to be delivered to gold pool and will be released to German economy. Appropriate principles and procedures will be established separately after tripartite negotiations here. No part of gold collected under Law 53 has been released to Germans or otherwise;

D. Gold belonging to non-Germans is not to be included in delivery to TGC and may be placed at disposal of non-German owner, subject foreign exchange control regulations.

2. In accordance with above-listed principles we are prepared to deliver 10 so-called Czech bars to TGC on basis explanation Department representative. Department may wish to consider effect possible Czech reaction if and when they learn that this gold classified as monetary. We will await your decision.

DUX Aug
Kiefer
view (gold should go to 180) is reasonable but if we have to send it to pool he will go along with it. Dux has discussed this 3. Portion of
SECRET with Archer who is of same
opinion.

REPRODUCTION OF THIS
MESSAGE IS PROHIBITED

208444

Authority NN0968106
By JW NARA Date 6-3-99RG 59 TGC
UN 3-59-96-59
Lot 62D115 B&9

SECRET

-2 5528, June 27, 9 p.m.

3. Portion of gold collected under Law 53 which in accordance above principles designated for delivery to TGC will be assembled forthwith and made ready for shipment. Shipment will be effectuated only upon instruction from Department possibly simultaneously with execution by British from UK zone.

Fletcher assisted drafting this cable and concurs in recommendations.

TT:RFB

MCCLOY

SECRET

208445

RQ 59 TGC
NN3-59-96-59
LOT 62015
Box 10

Reparation.

SOURCE: RSD No. 27, from Dorr, Brussels, July 30, 1946
a. The official languages of the Commission shall be English and French.

TRIPARTITE COMMISSION FOR THE RESTITUTION OF MONETARY GOLD

6. The functions of the Tripartite Commission for the

restitution of monetary gold shall be to determine in the

Reparation, signed in Paris on January 14th 1946, the

Government of the United States of America, His Majesty's

Government and the Government of Northern Ireland and

the Government of France have decided to set up a Commission

to be known as the Tripartite Commission for the Restitution

of Monetary Gold by gold found in Germany or which may be

2. The Commissioners appointed by and representing the

three Governments concerned are:

(a) To verify and estimate the value of the available

For the Government of the United States of America Mr. Russell H. Dorr

United States of America, International Secretariat of the Inter-Allied

the gold losses suffered through looting by, or

For His Majesty's Government Sir Desmond Morton, KCB.,

of the United Kingdom and CMG., MC.

Northern Ireland, International Secretariat of the Inter-Allied

(b) To scrutinize claims received and to adjudicate

For the Government of France M. Jacques Rueff

the share of each claimant Government in the pool

3. The Tripartite Commission for the restitution of Monetary

of monetary gold would be distributed by way of

Gold shall normally sit in Brussels but shall be independent

restitution in accordance with Part III of the

of the Inter-Allied Reparation Agency already located there.

Final Act of the Paris Conference on Reparations.

The Commission is nevertheless empowered to communicate,

and all other pertinent agreements.

on behalf of the three Governments concerned, with the Allied

(c) In due course to announce the total value of

Governments, Members of the Inter-Allied Reparation Agency,

pool of monetary gold which will become available

through the Delegates accredited to the Agency by those

Governments, with the International Secretariat of the Agency,

(d) When all claims for restitution have been received

and when necessary with other governments on questions arising

out of Part III of the Final Act of the Paris Conference on

208446

Reparation.

and adjudicated upon, to announce the share in the pool of monetary gold available for restitution English and French.

4. The official languages of the Commission shall be English and French.

5. The functions of the Tripartite Commission for the restitution of Monetary Gold shall be as indicated in the following sub-paragraphs.

6. Decisions of the Commission shall be by unanimous agreement of its members.

(f) To perform such administrative acts as may be necessary to carry out the functions referred to in sub-paragraphs (a) through (e) above, including,

monetary gold found in Germany or which may be recovered from a third country to which it was transferred from Germany, claims for restitution and the making of contracts for the performance

supported by detailed and verified information regarding necessary services. Expenses of the Commission

the gold losses suffered through looting by, or incident to the carrying out of its functions, removal to Germany.

shall be a first charge against the Fund of

(b) To scrutinize claims received and to adjudicate the share of each claimant Government in the pool

of monetary gold would be distributed by way of

restitution in accordance with Part III of the Final Act of the Paris Conference on Reparation,

and all other pertinent agreements.

N.B. I Correspond to correspond with No. 1011, Aug. 8, 1945.

(c) In due course to announce the total value of the

pool of monetary gold which will become available for distribution by way of restitution.

(d) When all claims for restitution have been received

and within necessary time other governments are requested and invited to do the same at the final act of the Paris Conference on

208447

and adjudicated upon, to announce the share in the pool of monetary gold available for restitution

to each country entitled to participate in the pool.

(e) In such other ways as shall be decided by the three Governments establishing the Commission, to assist in the distribution of the pool of monetary gold available for restitution.

(f) To perform such administrative acts as may be necessary to carry out the functions referred to in sub-paragraphs (a) through (e) above, including, without limiting the generality of the foregoing,

2. The Commissioners appointed by and representing the three Governments concerned, shall, for the performance

for the Government of the United Kingdom Mr. Russell W. Scott
Unit of necessary services. Expenses of the Commission

For incident to the carrying out of its functions,
of the United Kingdom and North Sea first charge against the fund of
CMG. MC

For the making of contracts for the performance

of the functions of the Commission, and the opening and maintaining of the bank accounts,

and the making of contracts for the performance
for the Government of the United Kingdom Mr. Russell W. Scott
Unit of necessary services. Expenses of the Commission

3. The Tripartite Commission for the restitution of Monetary
Gold shall normally sit in Brussels but shall be independent

of the Inter-Allied Reparation Agency already located there.

The Commission is nevertheless expected to communicate,
on behalf of the three governments, to the Agency by those

from Brussels. A total value of two
Governments, Members of the Inter-Allied Reparation Agency,
through the Delegates accredited to the Agency by those

Governments, with the International Secretariat of the Agency,
(d) general claims for restitution have been received
and when necessary with other governments on questions arising

out of Part III of the Final Act of the Paris Conference on

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