

DECLASSIFIED

Authority NND 765076
By J. NARA Date 5/10/99

RG 260 BOX 434

FED

ORMcJ/ham

CRN

24 November 1948

Dear Sir:

We would like to inform you that we have again reviewed the matter of disposition of industrial diamonds now being held in our custody in the Foreign Exchange Depository.

During the review, careful consideration was given to the restitution claims previously submitted by you for these properties, and we can only confirm to you our previous decision that inasmuch as the identification of the properties which you desire could not be established, your request to restitute these properties to your Government cannot be granted.

As a matter for your information, we have decided to release these properties for use in the German economy.

Sincerely,

ORREN R. McJUNKINS
Chief - Reparations and
Restitution Branch

Col. S. Baquants
Chief, Belgian Restitution Mission
Restitution Control Branch
APO 403, KARLSRUHE

CC: Lt. Gen. Georges Goethals
Chief, Belgian Military Mission
16/18 Stoesserstrasse
Tegel-Konradshoehs

CC: Mr. DeKeyserlingk

✓ MR. J. A. Bennett
Finance Adviser

copy for Mr. J. A. Bennett, Finance Adviser

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 Authority NND 765072
 By SP17 NARA Date 6/8/99

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General List

940.002(02)

Nom	Parties	Pieces	Carats	Date de la saisie	Numero des depots
100. ANQUETE Maer	4	300	44.85	26/11/41	271
101. AWEBUCH Juda, Leib	2	67	8.95	12/1/42	990
102. AWEBUCH Juda, Leib	5	799	19.--	29/11/41	672
103. ABELIST J.M.	1	265	2.71	21/4/42	1.336
104. ABELIST Itasio	1	-	2.25	19/3/42	5.022
105. ABELIST J.M.	1	125	1.10	5/1/42	974
106. ABELIST J.M.	2	912	9.25	24/11/41	48
107. ARONSFRAU Leon	2	559	13.93	24/11/42	6
108. AWEBUCH Juda Leib	2	-	11.--	21/3/42	5.027
109. BRAUNSTEIN, Marc.	5	-	50.83 boart	19/3/42	5.018
110. BIEGELREISEN Motitz	1	-	32.15 30.pulver	16/5/42	5.964
111. BRONMAN Rubin	4	-	73.10 50.pulver	20/3/42	5.049
112. Berneman Moszek	8	-	382.95	28/3/42	5.677

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Nom	Parties	Pièces	Carats	Date de la saisie	Numéros du dépôt ^{2.}
113. BOMBAGE Joseph	3	-	81.-	27/3/42	5.611
114. BOXENBAUM Hirsch	2	-	38.55	20/3/42	5.068
115. BERGER Max	2	-	4.-	19/3/42	5.021
116. BALAMUT Juda	2	296	88.35	13/3/42	1.165
117. BALAMUT Juda	2	357	3.-	30/5/42	798
118. BALDINGER Jacob	2	-	5.03	19/3/42	5.002
119. BERUSTOTT Mendel	11	3692	52.78	28/11/41	494
120. BIRON Israel	5	1468	17.27	29/11/41	757
121. BERLINER Israel	2	-	26.90	19/3/42	5.023
122. BERGMANN Sigmund	1	-	2.33	19/3/42	5.020
123. BALAMUT Juda	2	-	27.-	20/3/42	5.062
124. BRIN Jos.	3	-	15.80	7/4/43	5.800
	4	-	102.30	stamp.	
125. BAUMAN Herck	2	249	5.16	24/11/41	24
26. BIRON Abr. Jacob	3	1283	18.-	24/11/41	28

Annex A - 1
Foreign
Shipment 17 (Securities)

<u>Form No.</u>	<u>Country of issue</u>	<u>Description</u>	<u>Par Value</u>
15069	Switzerland	18 Internationale Gesellschaft für Chemische Untersuchungen A.G. Basel bearer shares of 1929, Par Value 500 Swiss Francs each, Nos 169109 thru 169112, 194375 and 194473 thru 194485 with dividend coupons Nos 13 thru 20 and talons attached. Dutch stamped.	9,000 Swiss Francs
15070	Spain	18 Compania Hispano-Americana de Electricidad bearer shares of 1920 series A Nos 066040 thru 066057, par value 500 Pesetas each, with dividend coupons Nos 43 thru 60 and talons attached. Dutch and German stamped.	9,000 Pesetas
15073	Spain	3 4% Treasury bearer bonds issued 1940 of the Compania Hispano-Americano de Electricidad Madrid, Nos of bonds: 049949, 049950 and 049951. Par value 200 Argentine Pesos each, with coupons Nos 2 thru 20 due 1 Jan 43 thru 1 Jan 1961 attached. Par value of coupons 8 Argentine Pesos each. Maturity date 1 Jan 1961. Dutch stamped.	600 Arg. Pesos
		3 4% Treasury bearer bonds issued 1941 of the "Compania Hispano Americana de Electricidad Madrid, Nos of bonds: 154277, 154558 and 154559. Par value of bonds: 200 Argentine Pesos each, with coupons par value 8 Argentine Pesos each Nos 2 thru 20 due 1 Jan 1943 thru 1 Jan 1961 attached, Maturity date 1 January 1961 Dutch stamped	600 Arg. Pesos
		3 4% Treasury bearer bonds issued 1942, of the "Compania Hispano-Americano de Electricidad Madrid, Nos of bonds: 262591, 262592, and 262593, par value of bonds: 200 Argentine Pesos each, with coupons par value 8 Argentine Pesos each. Nos 3 thru 20, due 1 Jan 1944 thru	

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Annex A - /
Foreign
Shipment 17 (Securities)
(continued)

<u>Form No.</u>	<u>Country of issue</u>	<u>Description</u>	<u>Par Value</u>
15073 (cont'd)	Spain	1 January 1961 attached. Maturity date 1 Jan 1961. Dutch stamped	600 Arg.Pesos
		3 4% Treasury bearer bonds issued 1943 of the "Compania Hispano-Americano de Electricidad Madrid, Nos of bonds: 358079, 358080 and 358081, par value of bonds 200 Argentine Pesos each, with coupons par value 8 Pesos each Nos 4 thru 20 due 1 Jan 1945 thru 1 Jan 1961 attached. Maturity date 1 Jan 1961. Dutch stamped.	600 Arg.Pesos
15071	Netherlands	9 3 1/2% Dutch State Loan bearer bonds of 1943, series A Nos 047824 thru 047832, par value 1,000 Guilders each, with coupons Nos 4 thru 40 due 15 July 1945 thru 15 July 1963 attached. No maturity date stated.	9,000 Guilders
15074	Netherlands	3 N.V. Hollandsch Administratie-Kantoor voor Deutsche Waarden Certificates of 1930, representing 1 share each, registered in the name of I.G. Farbenindustrie Co., par value 1,000 Reichsmarks each, Nos of certificates 1622, 1741 and 1872, with dividend coupons Nos 19E thru 28E and talons attached Dutch stamped.	3,000 Reichsmarks
		10 N.V. Hollandsch Administratie-Kantoor voor Deutsche en andere Waarden certificates of 1942, representing 1 share each, registered in the name of I.G. Farbenindustrie Co, par value 1,000 Reichsmarks each. Nos of certificates 5035 thru 5044 with dividend coupons Nos 19E thru 28E and talons attached. Dutch stamped	10,000 Reichsmarks
		2 N.V. Hollandsch Administratie-Kantoor voor Deutsche Waarden certificates of 1929, representing 1 share each, registered in the name of I.G. Farbenindustrie Co, par value 2,000 Reichsmarks each, Nos of certificates 380 and 671, with dividend coupons Nos 19E thru 28E and talons attached. Dutch stamped.	4,000 Reichsmarks

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Annex A - 1

Shipment 17 (Foreign Securities)
(continued)

<u>Form No.</u>	<u>Country of issue</u>	<u>Description</u>	<u>Par Value</u>
15074 (cont'd)	Nether-lands	3 N.V. Hollandsch Administratie-Kantoor voor Duitse Waarden certificates of 1931 representing 1 share each, registered in the name of I.G. Farben-Industrie Co., Par Value 2,000 Reichsmarks each. Nos of certificates 3009, 3038 and 3039 with dividend coupons Nos 19E thru 28E and talons attached. Dutch stamped.	6,000 Reichsmarks
		1 N.V. Hollandsch Administratie-Kantoor voor Duitse Waarden certificate of 1933, representing 1 share, registered in the name of I.G. Farbenindustrie Co., par value 2,000 Reichsmarks, No. of certificate 3529, with dividend coupons Nos 19E thru 28E and talon attached. Dutch stamped.	2,000 Reichsmarks

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Annex A - 2

Shipment 17 (German Securities)

<u>Form No.</u>	<u>Country of issue</u>	<u>Description</u>	<u>Par value</u>
15072	Germany	22 I.G. Farbenindustrie A.G. Frankfurt am Main bearer shares of 1925, par value 1,000 Reichsmarks each, Nos of shares initial letter A-007666, 007667, 030032, 032403, 032404, 037860, 049483, thru 049485, 067845, thru 067847, 085411, 086296, 086673, 086674, 097021, 113165, 115714, 137088, 165569 and 197843 with dividend coupons Nos D 10 and R 10 and talons attached. Dutch stamped.	22,000 Reichsmarks
		18 I.G. Farbenindustrie A.G. Frankfurt am Main, bearer shares of 1926, par value 1,000 Reichsmarks each, Nos of shares initial letter A-207403, 207412, 244157, 251207, 301162, 330769, 342514, 354711, 483873, 483874, 494228, 494233, 494234, 517592, 583409 thru 583411 and 598332, with dividend coupons Nos D 10 and R 10 and talons attached. Dutch stamped.	18,000 Reichsmarks

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File No. 945.700 ✓

Item #3 - Restitution to France

8 December 1948

1. Chief, CPA, 3 Dec
FED, COMUS, 1948
APO APO 742
757

1. Attached hereto is revised Annex A, in duplicate, covering Shipments 2D and 2E. It is requested that you substitute this Annex A for the one forwarded to you with our IRS of 21 September 1948. Revision was made necessary by a final check of all material involved, resulting in a few additions and changes.

2. In compliance with your letter of 2 November 1948, data on this item were forwarded on 5 November 1948 to the Restitution Control Branch, Property Division, for their consideration and action. No reply having been received from them, a follow-up IRS was sent on 29 November.

3. Reply under date of 1 December has been received from Restitution Control Branch. Photostats of their IRS and accompanying documents are attached.

4. With regard to the statement made by RCB in Para 3 of their IRS, that "If FIB reports are accurate the property under discussion is clearly restitutable to France", it is our belief that such reports are accurate.

5. Accordingly, authorization to release to France will be appreciated by this office. If you share our opinion it is presumed that you will coordinate with Reparations and Restitution Branch, Berlin, as requested in Para 4 of RCB letter.

Incl: a/s

Telephone:
Frankfurt 21191
or Red Line 32

EDWIN P KELLER
Acting Chief
Foreign Exchange Depository

RG 260

Box 426

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Authority WND 765075

By J. NARA Date 5/19/99

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Dossier N° 1- Banque de France, 10 rue de la Harpe, Paris (18.4.1941)
 List of sealed envelopes and packages being deposited (18.4.1941)
 Opening (27.5.1941)

2- Banque de France, 10 rue de la Harpe, Paris (18.4.1941)
 List of safes and contents
 Opening of safes (11.9.1940 - 23.5.1941)

3- Banque de Liban et Cie, 9 Boulevard Haussmann, Paris.
 List of packed safes (29.8.1940)
 Opening of safes (23.11.1940 - 20.3.1941)
 List of sealed packages being in depot (23.8.1941)

4- Banque Mallet Freres et Cie, 27 rue d'Anjou, Paris
 List of objects and packages deposited in the strong room
 of MM. Mallet at the Bank of France.
 Opening (8.1.1941 - 22.4.1941)

5- Banque Maugy, 43 rue des Saussaies, Fontainebleau
 Opening of safes (30.10.1940 - 17.4.1941)

6- Banque Mirabaud et Cie, 58 rue de Provence, Paris
 Packages deposited in safes
 Opening (8.10.1940 - 4.3.1941)

- 24- Banque Nationale pour le Commerce et l'Industrie (B.N.C.I.)
- 25- Agence Centrale, 18 boulevard des Italiens, Paris.
- 26- List of rented safes (12.6.1940)
 Opening of safes (17.7.1940 - 6.11.1940)
- 27- Opening of safes (7.11.1940 - 7.2.1941)

Special cases:
 Aufferscht Simons, release of her collection of paintings (5.3.-5.5.41)

Bloch Charles, release of his collection of paintings (6.11.1940 - 23.1.1941)

Cesnian Pierre, sale of devices, blocked at the R.K.K.
 (21.1. - 3.7.1941)

Dian Germain, release of her collection of paintings (11.8.1940)

Chillon Rene, collection of paintings (6.11. - 27.12.1940)

Laroche, Harve et Jules, transfer of values of Dinen at Paris
 (24.11. - 20.12.45)

Lippmann Max, R. sale of devices blocked at R.K.K. (30.10. - 18.11.1940)

Mattoni, Eugen von: sale of devices blocked at R.K.K. (10.5. - 31.7.1941)

Purard Jean, (succession) sale of golden pieces blocked at
 R.K.K. (11.12.1940 - 24.6.1941)

(A-1) 3-11-1941
 1-1-1941
 1-1-1941
 1-1-1941

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By J. NARA Date 2/19/99

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Robert Jean, succession) sale of golden pieces blocked at the
R.R.R. (11.12.1940-24.8.1941)

Vitte Joseph, release of his collection of paintings
(9.3.1941-5.3.1941)

Wesson (Anglais) delivery of his paintings to the
Kinastatsh Rosenberg (27.11.1940-23.1.1941)

24 to 27 agencies of Paris

24-1- AUTREUIL, 120 rue La Fontaine, Paris
List of rented safes (15.6.1940)
Openings of safes (14.8.1940-10.3.1941)

Special Cases:
Khatcharin Olga- transfer of the contents of her safe to
Berlin (11.2.1942-8.3.1943)

2- BARBES, 3 boulevard Barbes, Paris
List of rented safes (15.6.1940)
Openings of safes (7.8.1940-20.3.1941)

3- BOURSE, 15 place de la Bourse
List of rented safes (18.6.1940)
Openings of safes (31.7.1940-9.3.1943)

4- CHAMPS, 67, avenue des Champs Elysees, Paris
List of rented safes (18.6.1940)
Openings of safes (2.10.1940-11.3.1941)

5- GLICHY, 80, place Glichy, Paris
List of rented safes (18.6.1940)
Openings of safes (7.8.1940-17.9.1942)

6- HAUTE, 41, rue Etienne Marcel, Paris
List of rented safes (18.6.1940)
Openings of safes (14.8.1940-8.4.1941)

7- CANAL, 2 place Gambetta, Paris
List of rented safes (18.6.1940)
Openings of safes (30.8.1940-8.3.1943)

25 1- Gobelins, 77, avenue des Gobelins
List of rented safes (18.6.1940)
Openings of safes (21.8.1940-25.8.1943)

2- GRANDE, 50, avenue de la Grande Armee,
List of rented safes (18.6.1940)
Openings of safes (14.8.1940-13.3.1941)

ОТДЕЛЕНИЕ ЭКОНОМИЧЕСКОГО И РЕКРУТИНГОВОГО СОМОБОР ВЪУИИ
ОТДЕЛЕНИЕ ПО УПРАВЛЕНИЮ СОЛБИВЕИИ (1941)

Doc No

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Authority WWD 765075
By JN NARA Date 5/10/99

FRENCH MISSION FOR RESTITUTION TO THE FRENCH
MEMORANDUM OF THE OFFICE OF MILITARY AFFAIRS

Office of Military Affairs, Office of the Director of the French Mission for Restitution to the French
Paris, takes out of the safe in the castle of "Landifer-
Maugé". (18.6.1940)
Opening of the safes (18.7.1940 - 18.8.1940)

Special safes:
Monsieur Georges, sale of golden pieces to the R.A.I.
(21.10.1940 - 31.1.1941)

By opening of the safe there is complained by Duissere
(Goussier de) (25.8.1941 - 8.8.1941)

Monsieur Adieu, release of his collection of objects of art
and manuscripts (28.10.1940 - 8.8.1941)

Vaucluse de Louvain (Monsieur de) Golden coins found
by Germans in his property at Champs and which have been
placed at a bank to be located. (21.12.1940 - 8.4.1941)

Volland Lucien, release of his collection of art objects.
(20.1.1941)

32 Banque Parisienne de Credit au Commerce et a l'Industrie
1 a 9 - Avenue de la Seine.

1-~~Paris~~. 8 boulevard Voltaire
List of rented safes
Opening of the safes (23.6.1940 - 1.4.1941)

2-~~Paris~~. 17, boulevard Jean Jacques
List of rented safes (15.6.1940)
Opening of the safes (8.8.1940 - 8.8.1941)

3-~~Paris~~. 6, place Harold
List of rented safes (16.6.1940)
Opening of safes (19.8.1940 - 8.8.1941)

4-~~Paris~~. 45, avenue de Fontainebleau
List of rented safes (10.6.1940)
Opening of the safes (11.12.1940 - 8.8.1941)

5-~~Paris~~. 12, Rue Point du Centre
List of rented safes (17.6.1940)
Opening of the safes (8.12.1940 - 9.4.1940)

6-~~Paris~~. List of rented safes (15.6.1940)
Opening of the safes (8.12.1940 - 21.4.1940)

7-~~Paris~~. List of rented safes (16.6.1940)
Opening of the safes (9.9.1940 - 8.8.1941)

8-~~Paris~~. 26, Avenue de Saully
List of rented safes (12.6.1940)
Opening of the safes (21.10.1940 - 8.8.1941)

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By JN NARA Date 5/1/99

34 (cont)

1- Bank Transatlantique, 7 bd Beaumarchais, Paris
inventive list of rented safes
opening of safes (25.7.1940 - 18.6.1942)

37-39

Bank L'Union Parisienne, 6 & 8 boulevard Beaumarchais, Paris

37- condition of rented safes (31.4)
arrival of envelopes and packages, sealed and deposited before
June 1940
opening of safes (18.7.1940 - 5.11.1940)

38- opening of safes (6.11.1940 - 25.12.1940)

39- opening of safes
particular cases (18.12.40 - 17.9.1943)

Canal (mercator of German origin) contents of his safe blocked
(29.8.1941 - 26.9.1941)

Langlois de Neville (Maurice): released paintings
(26.11.1940 - 2.2.1941)

Hallensky (general) contents of his safe deposited at D.S.K.
(6.8.1941)

Renoir Pierre, paintings in his possession and in the possession
of his two brothers

Suzon (Mrs Joseph): released paintings
(26.10.1940 - 11.2.1941)

Hassermann (Mrs Denise): released objects of art
(25.11.1940 - 10.7.1941)

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Bank L. Paris-Genève et Cie., 102 bd Beaumarchais, Paris
1- agency of Salles, 11 rue de Turbigo
condition of rented safes
opening of safes (7.8.1940 - 15.11.1941)

Page 2 215/40

2- Bank L'Union Parisienne, 1 rue de la Harpe, Paris
inventory of safes and packages, deposited 21.6.1940
opening page 2 215/40 (8.8.1940)

3- Bank L'Union Parisienne, 11 rue de la Harpe, Paris
opening of safes (23.6.1940 - 17.12.1943)

Bank L'Union Parisienne of Biarritz
opening of deposited packages (21.11.1940)

Bank L'Union Parisienne of Le Havre
opening of safes (14.5.1941)

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12 (cont)

12.

1. **Colonne d'Espagne de Madrid**, commercial et industriel
2. rue de la Ville d'Espagne - Paris

List of rented safes (12 July 1940)
Opening of safes (12.7.1940 - 21.9.1941)

12.51

Colonne d'Espagne de Paris, 9 rue Des-Sarres et 19 rue de Valenciennes

11- List of rented safes transferred:
safes 1 - 222 (10.2.1941 - 12.9.1941)

- 12 : 101 - 104 (7.2.1941 - 19.2.1941)
- 13 : Opening of safes (20.2.1941 - 26.2.1941)
- 14 : " (2.3.1941 - 4.3.1941)
- 15 : " (5.3.1941 - 11.3.1941)
- 16 : " (12.3.1941 - 19.3.1941)
- 17 : " (20.3.1941 - 26.3.1941)
- 18 : " (27.3.1941 - 2.4.1941)
- 19 : " (3.4.1941 - 16.4.1941)
- 20 : " (17.4.1941 - 30.5.1941)

Particular cases:

Beauregard, Jean Baptiste, transfer of his values deposited in Paris to Strasbourg (21.22.3.1941)

Beauregard, sale of his blocked up gold pieces to R.F.R.

Beauregard (Henri) (Wallon) : partial release and sale of blocked up foreign exchanges. (21.9.1941 - 6/8.1941)

12

Colonne d'Espagne de Provencence de Vermelles

1. a- **Colonne d'Espagne de Vermelles**
List of rented safes (21 June 1940)
Opening of safes (27/9.1940 - 6.6.1941)

b- **Branch Argenteuil**
List of rented safes (22)
Opening of safes (2.10.1940 - 5.2.1941)

2. **Colonne d'Espagne de Lorient**
(Bouvier et co) Opening of safes by Prisoner of war
Charles Henry, Argenteuil (2.10.5.1940 - 22.6.1941)

3. **Colonne d'Espagne de Rouen**
Opening of safes of
Charles Henry
Charles Henry (12.2. - 2.4.1941)

10
11

LE BUREAU D'ETUDE
ECONOMIQUE DIVISION REGULATION CONTROL BRANCH
OFFICE OF THE GOVERNMENT (1940)

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Authority NWD 765075
By JN NARA Date 5/10/99

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BÖHMISCHE UNION - BANK

Koffer Nr. 1.

Verzeichnis

Suitcase No. 1 Shipment 26B

St	11	Böhmisch-Bulgarische Zuckerindustrie Aktien	n.Kp.1938/39
St	5	dergl.	n.Kp.1940/41
St	196	Szolyva Holzverhandlung A.G. Aktien mit Bescheinigung Nr.2917	n.Kp.1931
St	13	Aktien-Hypothekenbank Lemberg Aktien	n.Kp.1932
St	25	Hermannstädter Bodenkreditanstalt Aktien Nr.1,1933	n.Kp.1933
St	1	Jewish Colonialbank Trust Aktien in Certif.	n.Kp.Nr.19
St	12	/Jüdische Kolonialbank Aktien/ dergl.	n.Kp.Nr.13
St	1.300	Jugoslawische Bank Aktien	n.Kp.1936
St	150	dergl.	n.Kp.1937
St	50	Aktien d. Ungarischen Allgem. Kreditbank mit Bescheinigung Nr.2882	n.Kp.1944
St	25	Agram Samoberer Lokaleisenbahn Priorität Aktien	n.Kp.1943
St	5	Agram Samoberer Lokalbahn Genuss-Scheine	
St	4	dergl.	
Hfl	2.700	Aka Aktien /Allgem. Kunstzijde Unie N.V./	n. Talon Nr.27
Hfl	300	dergl. Zertifikate	n.Kp.Nr.18
RM	200	Aktion der Anker Allgem. Versich. Ges. in Wien	n.Kp.Nr.1
St	175	Apollo Mineralöl-Raffinerie Aktien	n.Kp.1944
RM	9.000	Berghütte, Berg-u. Hüttenwerke-Ges. Aktien	n.Kp.Nr.3
St	45	Brasocer Cellulose Aktien n. Bescheinigung	n.Kp.Nr.1944
St	100	"Cophag" chem. pharmat. Industrie vorm. Gehe- Werke Aktien	n. Talon 1944
St	10	Aktion der Dynamit Nobel A.G. in Bratislava	n.Kp.1944

BÖHMISCHE UNION - BANK

Verzeichnis

St 1.126 / Brava Aktien m.Kp.1943

St 30 / "Galicia" Galizische Naphta-A.G. Aktien á Zl 100 m.Kp.1939/40

RM 9.940 / Glanzstoffabrik Lobositz A.G. Aktien m.Kp.Nr.3

RM 40.500 / Aktien d. Heinrichsthaler Papierfabrik A.G. m.Kp.Nr.6

St 200 / Jagodina Aktien m.Kp.1944

St 25 / Kux-Scheine d. Kohlenwerkschaft Frauenlobschacht
in Ladowitz

St 33 / Vorzugsaktien d. Konfektions Aktiebolaget
H. Bengtson m.Kp.Nr.1

St 10 / Karl Korn Banges. Aktien m.Kp.1931

St 190 / Erste Kroatische Zucker Aktien m.Kp.1940/41

St 10 / Macomber Motors Gempyna Company in einem Zertif. á § 5.-

RM 12.000 / Minerva Maschinenfabrik A.G. in Troppau Aktien m.Kp.Nr.2

St 6 / Orientalische Eisenbahn Aktien ex VI. Liquid. Rate
über by Aktien-gesellschaft in Paris

St 2 / Palestine Land Development Company Ordinary Shares m.Kp.14

St 25 / Pressburger Kabelfabrik Aktien m.Kp.1944

St 10 / Aktien Rubenson & Co. Aktiebolag-Vorzugsaktien m.Kp.Nr.1

St 5 / Sanatorium Dr. Schweinburg Aktien m. Talon

St 50 / Serbisch-Böhmische Zucker / Čuprija Aktien / m.Kp.1943/44

St 75 / Silleiner Cellulose Aktien m.Kp.1944

RM 5.000 / Schering Aktien m.Kp.Nr.8

St 22 / Steaua Romana Aktien m.Kp.Nr.31

found for bond FED
46. 11. 26 B

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BÖHMISCHE UNION - BANK

3

Verzeichnis

- St 20 "Timber" Holding Holz Industrie Aktien n.Kp.1926
- RH 3.950 Troppauer Zucker Aktien n.Kp.1.7.1944
/Kp.Nr.140/
- St 4.000 Ungarisch chem.Papier- und Papierwarenfabrik A.G.
Budapest Aktien n.Bescheinigung Nr.4141 n.Kp.1929
- St 137 /Aktien der Eisenindustrie A.G.Zenica n.Talon 1937
- St 175 4/4 Steg Prior. n.Kp.1.2.1938.

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BÖHMISCHE UNION - BANK

Versaichnis

- Lg 20.-- 3/8 Province of Buenos Aires Loan 1906
"Assented Bonds" nicht gestempelt n.Kp.2.1.1938
- ß 1.000.-- 7/8 Jugosl.Hypothekenbank Gold Pfe. 1927 n.Kp.1.10.1941
- K 14.400.-- 3/8 Ung.Eiserner Tor Anleihe G.C. n.Kp.1940
- Pgß 171.650.-- 4/8 Prior.Oblig.Forothaler Lokalbahn n.Kp.1.7.1931
- RM 191.57 3/8 Keka Teilschuldversch.Ser.C., n.Kp Zinsanspruch ab
1.7.1937

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BÖHMISCHE UNION - BANK

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N u m m e r v e r z e i c h n i s
Über St 16 Böhmischo-Bulgarische Zuckerindustrie Aktien.

Samil Adler, Br. Pilsen ✓
V.V.Nr. 1147
Konskr.Nr. 15423

✓ St 10 d St 1 Nr. 1611-20 *Or. 1938/39*
Registr.: Deutsches Reich vertr. durch den
Reichsprotector in B.u.M. -
Vermögensamt, Prag

Wilma Mahler ✓
V.V.Nr. 840
Konskr.Nr. 13650/42

✓ St 5 d St 1 Nr. 18011-12, 19054-55 *Or. 1900/60*
18368
Registr.: Auswanderungsfonds für
Böhmen und Mähren, Geschäftsfüh-
rung, Prag

Petschek & Co. in Liquid. ✓
Prag II
Konskr.Nr. 15426/42

✓ St 1 d St 1 Nr. 2012 *+ Or. 1938/39*
Registriert: Deutsches Reich vertr.
durch den Reichsprotector in B.u.M.
Vermögensamt, Prag

Journal des proc. Cont. F.E.D
Lw. Nr. 26 B

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BÖHMISCHE UNION - BANK

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Nummernverzeichnis

Über St 196 Szolyva Holzverkehrlunge A.G. Aktien *Div. 1931*
mit Bescheinigung Nr. 2917

MAN Kantor, Prag
V.V. Nr. 1946
Konskr. Nr. 10469/42

✓ St 196 4 St 25 Nr. 16901-17000 *Div. 1931*
4 St 1 Nr. 23001-23096

Nummernverzeichnis

Über St 13 Aktien-Hypothekenbank Lenberg Aktien *Div. 1932*

Fetschek & Co. in Liquid.
Prag
Konskr. Nr. 15427/42

✓ St 13 4 St 1 Nr. 2203-10, 4311-20 *Div. 1932*

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BÖHMISCHE UNION-BANK

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Nummernverzeichnis

Über St 25 Hermannstädter Bodenkreditanstalt Aktien III. I, 1933

Jakub Vonný, Michalovec
B.Nr. 1032/44-II A 5

St 25 ✓ 4 St 10 Nr. 631 *Jan 1933*
4 St 2 Nr. 4054-59
4 St 1 Nr. 3975-77

Bei Übertrag des Depots bzw. Ausfolgung ist die Landesbank zu verständigen.

Nummernverzeichnis

Über St 13 Jewish Colonialbank Trust Aktien /in Zertifikaten/
/Jüdische Kolonialbank Aktien/

Richard u. Anna Pollak, Prag
V.V.Nr. 5162

✓ St 1 Zertif.Nr. Akt.Nr.:
41928 /Hantel/ 202428
41912 /Emp. Bogen/

Hr. Alexander u. Hilda Bondy
Prag
V.V.Nr. 2690
Kenschr.Nr. 4791 /42

✓ St 10 4 St 1 Nr. 70073 223546 ✓
4 St 2 Nr. 15290 109448-49 ✓
15291 109444-45 ✓
4 St 5 Nr. 4223 30897-61 ✓

Vogl. Felix Zwigg, Olmütz
V.V.Nr. 2027
Kenschr.Nr. 15346/42

St 2 ✓ 4 St 1 Nr. 29862 79512 ✓
01162 248349 ✓

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BÖHMISCHE UNION-BANK

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Nummernverzeichnis

Über St 1.450 Jugoslawische Bank Aktien

S. Anagnostis, Paris
V.V.Nr. 833
Konskr.Nr. 15424/42

✓ St 150 & St 25 Nr. 111926-950, 209402-425
221326-460, 270576-600
Registrierung Nr. 1937

Dr. Otto Reichl, fr. Eger
dst. London
Konskr.Nr. 15424/42

✓ St 300 & St 10 Nr. 51781-630, 72491-300,
72751-750,
& St 1 Nr. 30274, 30280-51, 30783-4,
30621-24, 30889-70,
32101-104, 6592, 11360-1
11973-4, 3084, 9590-93,
31996-99, 32000,
& St 10 Nr. 65471-80, 69461-490,
69551-60,
& St 1 Nr. 20092-94, 20967, 21785-89,
22039, 22227, 22261-2,
22439, 22942, 24724-5,
20972, 29648, 30053-61,
30446-50, 30562-4, 30779-
30782, 30817-21, 33756,
35051-2, 39851-53,
7726-30, 8151-8200,
9310-324, 17815-16, 20907,
28008, 37163-196

Dr. Alfred Rufeisen dst. London
V.V.Nr. 301
Konskr.Nr. 15424/42

✓ St 1.000 & St 100 Nr. 928801-900,
& St 50 Nr. 431451-500, 438351-450,
450551-600, 465151-200,
483701-750
& St 25 Nr. 751901-752500
& St 10 Nr. 47221-30, 52101-10,
52161-170, 52451-460,
55401-10, 55731-800,
55801-950, 57221-220,
57271-290, 57921-940,
58301-590, 59001-930,
60641-670,

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BÖHMISCHE UNION - BANK

Nummernverzeichnis

Über St 50 Aktien der Ungarischen Allgem. Kreditbank *Nov. 1944*
mit Bescheinigung Nr. 2532

Richard Heubauch, New York
B.Nr. 1401/42
Kontokr. Nr. 8266/42

✓ ✓ St 50 & St 5 Nr. 518591-555, 519001-010,
471321-140, 476206-250,
Nov. 1944 & St 1 Nr. 5420-424, 5415-5419,

Nummernverzeichnis

Über St 28 Agram Semederer Lokaleisenbahn Prior. Aktien *Nov. 1943*

Verl. Elise Thieben, fr. Brunn
V.V. Nr. 5937

✓ ✓ St 28 & St 1 Nr. 201, 205, 2406, 2409, 2410,
2411-13, 2417, 2424, 2429,
2430, 2437-39, 2443, 2446-47,
2452, 2454, 2459, 2466-67, 2472,
2476, 2479, 2559-2600.

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Sh. No 26B

Nov. 1943

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BÖHMISCHE UNION BANK

76

Nummernverzeichnis

Über St 5 Agram Sanoberer Lokalbahn Genuss-Scheine

St 5

Verl. Elise Thieben fr. Brunn
V.V.Nr. 5937

St 5 & St 1 Nr. 34, 41, 46-47, 82

Nummernverzeichnis

Über St 4 Agram Sanoberer Lokalbahn Genuss-Scheine

St 4

Verl. Elise Thieben, fr. Brunn
V.V.Nr. 5937

St 4 & St 1 Nr. 179, 180, 200, 210,

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BÖHMISCHE UNION - BANK

Nummernverzeichnis

Über RM 3.000.- Aktia /Allgemeine Kunstzijde Unie N.V./

Annie Benedict, Prag
V.V. Nr. 881
Konstr. Nr. 15473

✓ RM 2.700.-
folms 1917

6 los: Nr. 77601
6 los: Nr. C 3/ 52407, 32864,
35876-89, 32867, 35800,
20803-06, 81201,
C 4/ 32223, 81201, 81226.

✓ RM 300.-

Zertifikate:
6 los: Nr. 4436-37, 4500.
Dr. F. i

Nummernverzeichnis

Über RM 200.- Aktia der Anker Allgen. Versich. Gesellschaft in Wien

Ing. Viktor Stiasny, fr. Prag
V.V. Nr. 1268

✓ RM 200.- 6 los: Nr. 4483-86 *Dr. F. i*

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BÖHMISCHE UNION BANK

Immatrikulationsverzeichnis

Über St 175 Apollo Mineralöl-Raffinerie Aktien

Karl Braun, Conf
V.V.Nr. 662
Kontnr. 19450/42

✓ St 25 & St 25 Nr. 18476-500 *Apr. 1944*

Gina Hauronits, Prag
V.V.Nr. 300
Kontnr. Nr. 15450/42

✓ St 50 & St 10 Nr. 5646-95 *Apr. 1944*

Otto Imortgut, Pilsen
V.V.Nr. 7059
Kontnr. Nr. 17543/42

✓ St 50 & St 10 Nr. 5746-75
& St 1 Nr. 1104-85 *Apr. 1944*

Josef Steiner, Pardubitz
Kingsg. It. Nr. 2238
Kontnr. Nr. 2441/42

✓ St 25 & St 25 Nr. 26426-26450 *Apr. 1944*

Anna Sencová, Prag
Kontnr. Nr. 9904/42

✓ St 25 & St 1 Nr. 1654-88 *Apr. 1944*

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BÖHMISCHE UNION - BANK

Nummernverzeichnis

Über RM 9.000.- Bergkütte, Berg- und Hüttenwerke-Ges. Aktien

Verl. J. Dr. Paul Kirchner, Prag RM 9.000.- & 1.000.- Nr. 114221-29 6/1/48
B. St. 177/44-IV B 5

Nummernverzeichnis

Über St 45 Brassoer Cellulose Aktien mit Bescheinigung Nr. 268

Verl. Rudolf Weismann
V.V. Nr. 2300
Kontr. Nr. 6975/42

St 45 ✓ & St 10 Nr. 18351-70
& St 1 Nr. 839-43 *1942*

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Nummernverzeichnis

Über St 100 "Cephaq" chem.-pharmat. Industri vorm. Scho-berka Airt.

Dir. Josef Langer, Prag
V.V.Nr. 347

St 100 & St 1 Nr. 3551-3650 Februar 1940

Nummernverzeichnis

Über St 10 Aktion der Dynamit Nobel A.G. in Braticlav

Malvino Zentner, Melbourne
V.V.Nr. 2109

St 10 & St 5 Nr. 4571-80 April 1940

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BOHEMISCHE UNION - BANK

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Nummernverzeichnis

Über St 1.126 Brava Aktien

Bank u. Aktienkommissionsgesellschaft Max Bloch, Prag V.V.Nr. 978 Kenskr.Nr. 25477/42	✓ St 1	4 St 1 Nr. 7521
Dr. Otto Sandt, Prag V.V.Nr. 141 Kenskr.Nr. 25477/42	✓ St 50	4 St 25 Nr. 60353-75, 60626-50. <i>Nov. 1943</i>
Eugen Burton, Philadelphia V.V.Nr. 333 Kenskr.Nr. 25477 42	✓ St 250	4 St 25 Nr. 20501-25, 22376-400, 32151-75, 34026-50, 14601-25, 32126-50, 34051-75, 36976-37000, 17451-75, 12376-12400. <i>Nov. 1943</i>
Dr. Erwin Klausner, Prag V.V.Nr. 1350 Kenskr.Nr. 25477/42	✓ St 125	4 St 100 Nr. 116701-800, 4 St 25 Nr. 154051-75.
Otto u. Helene Sinek, Prag V.V.Nr. 5712	✓ St 150	4 St 100 Nr. 181001-180, 4 St 25 Nr. 52801-25, 51226-50. <i>Nov. 1943</i>
Verl. Paul Scholler, Prag Kenskr.Nr. 2244/42	✓ St 25	4 St 25 Nr. 136476-500, <i>Nov. 1943</i>
F.V. Voticky, Prag V.V.Nr. 1923 Kenskr.Nr. 25477/42 <i>found in the post box St. No. 2.6 B</i>	✓ St 200	4 St 100 Nr. 128401-500, 129901-500 <i>Nov. 1943</i>

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Nummernverzeichnis

Über St 1.126 Brava Aktien

Verl. Rudolf Weinmann ✓
V.V.Nr. 2300
Konstr.Nr. 6989/42

St ✓ 250 & St 100 Nr. 224901-600, 221101-200,
& St 25 Nr. 69876-900, 52776-800,

Nov. 1943

Theodor Kohn, fr. Währ. Ostrau ✓
D.R.A. Nr. 52 v. 4.3.43

St ✓ 75 & St 25 Nr. 47901-25, 51901-850,

Nov. 1943

Nummernverzeichnis

Über St 30 ✓ "Galicia" Galizische Naphta-A.G. Aktien
& 21 100.-

Petschek & Co. in Liquid. Prag ✓
Konstr.Nr. 15419

St 30 & St 10 Nr. 112501-20, 159851-40,

Nov. 1943/40

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BÖHMISCHE UNION BANK

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Nummernverzeichnis

Über RM 9.940.- Glasstofffabrik Lebnitz A.G. Aktien

**Frag Neusiedler Vereinigte
Zellulose und Holzstoff Fabriken
A.G., Prag
B.Nr. 151/40-1a-IV**

RM 9.940.- 4 RM 1.000.-Nr. 6974-82
4 RM 50.-Nr. 7166-177,
4 RM 20.-Nr. 7925-27.

Spr. 1+3

Nummernverzeichnis

Über RM 40.500.- Aktien d. Heinrichthaler Papierfabrik A.G.

**Olga Collins
V.V.Nr. 026**

RM 40.500.- 4 1.000.-Nr. 251-279, 4922-27
4 100.-Nr. 2568-2601, 4166

Spr. 1+3

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Nummernverzeichnis

über St 200 Jagodine Aktien

Petschak & Co. in Liquid. Prag ✓ St 200 & St 1 Nr. 16701-800, 19351-75,
Konskr. Nr. 15500 676-700, 726-50, 23775-751.
Apr. 1944

Nummernverzeichnis

**über St 25 Kun-Scheine d. Kohlengewerkschaft
Frauenlobschacht in Ladowitz**

Hans Feinmann,
V.V.Nr. 1970

✓ St 25 & St 1 Nr. 76-100,

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Nummernverzeichnis

Über St 33 Versorgungsakt. d. Konfektions Aktiebolaget H. Dongtson

Verl. Rudolf Maurowitz, Prag
V.V. Nr. 300
Konskr. Nr. 7699/42

St 33 4 St 10 Nr. 641-670
4 St 1 Nr. 952-954. *Ky 7:1*

Nummernverzeichnis

Über St 10 Karl Kern Bauges. Aktien.

Dir. Rudolf Dojko, Prag
V.V. Nr. 584
Konskr. Nr. 15479/42

St 10 4 St 1 Nr. 19491-500. *St 1931*

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BÖHMISCHE UNION-BANK

Nummernverzeichnis

Über St 190 Erste Krestische Zucker Aktien

Jolia Duhon, Bacoil ✓
V.V.Nr. 936
Konstr.Nr. 15418/42
St ✓ 40 & St 10 Nr. 69541-550, 69811-820,
70151-60, 70781-90,
Dir. 1940/41

Dr. Erwin Klausner, Prag ✓
V.V.Nr. 1250
Konstr.Nr. 15418/42
St ✓ 25 & St 10 Nr. 69451-70, *Dir. 1940/41*
& St 1 Nr. 499, 536, 835, 2043, 2283,

Dir. Ludwig Neumann, Prag ✓
V.V.Nr. 135
Konstr.Nr. 15418/42
St ✓ 20 & St 10 Nr. 96571-200
& St 1 Nr. 5968, 6769, 6704-65, 6882-83
6990, 7025, 7062, 7242,
Dir. 1940/41

Fa. Sbor, Gustav Sborovits ✓
& Sohn, Prossnitz
V.V.Nr. 736
Konstr.Nr. 15418/42
St ✓ 10 & St 10 Nr. 31721-730 *Dir. 1940/41*

Max Sborovits ✓
V.V.Nr. 736
Konstr.Nr. 15418/42
St ✓ 55 & St 10 Nr. 33871-90, 35511-20, *Dir. 1940/41*
35781-90, 36061-10,
& St 5 Nr. 23061-65

Karl Stern, Sr. Prag ✓
V.V.Nr. 860
Konstr.Nr. 15418/42
St ✓ 20 & St 10 Nr. 76851-860, 76861-70,
Dir. 1940/41

Verl. Emil Rich, Prag ✓
V.V.Nr. 7004
Konstr.Nr. 2176/42
St ✓ 20 & St 5 Nr. 23141-60, *Dir. 1940/41*

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BÖHMISCHE UNION-BANK

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Nummernverzeichnis

über St 10 Maschen Motors Company in einem Zertif. d
d 7 5.-

Ing. Herbert Bondy ✓
V.V.Nr. 736
Konstr.Nr. 15480/42

St 10 in einem Zertifikat Nr. 1739

Nummernverzeichnis

über RM 12.000.- Minerva Maschinenfabrik A.G. in Toppau Axt.

Rudolf Weiss, Prag ✓
V.V.Nr. 99

✓ RM 12.000.- & 1.000.- Nr. 1215-21 *Kp 122*

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BÖHMISCHE UNION - BANK

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Nummernverzeichnis

über St 6 Orientalische Eisenbahn Aktien ex VI. Liquid. Rate

Dr. Ing. Richard Hoiger
D.R.A. Nr. 114 v. 22.5.44

St 6 d St 1 Nr. 670,981-85

Nummernverzeichnis

über St 2 Palestine Land Development Company Ordinary Shares
in Zertifikaten

Verf. Felix Zweig, Olmütz
V.V. Nr. 2027
Kanzl. Nr. 15348/42

St 2 d St 1 Nr. 356,1604 *1/2 1/2 1/4*

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Nummernverzeichnis

Über St 25 Pressburger Kabelaufabrik Aktien

Johann Martinek, Pilsen
Konstr. Nr. 12250/42

✓ St 25 & St 10 Nr. 35361-80
& St 5 Nr. 12716-20

Nummernverzeichnis

Über St 10 Aktien Rubenson & Co. Aktiebolag - Vorzugsaktien

Verl. Rudolf Haurowitz, Prag
V.V. Nr. 300
Konstr. Nr. 15400/42

✓ St 10 & St 5 Nr. 9966-9973

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Nummernverzeichnis

Über St 5 Sanatorium Dr. Schweinhart Aktien *in Falow*

Robert Brach, Olmitz
V.V.Nr. 8126

St 5 & St 1 Nr. 1361-5,

Nummernverzeichnis

Über St 50 Serbisch-Böhmische Zucker / Čuprija Aktien / *in Div. 1913/47*

Steffi Losogeld, Prosenitz
V.V.Nr. 3507
Konstr.Nr. 15466/42

St 25 & St 1 Nr. 5652-61, 9421, 50044-50,
7193, 8746-50, 2651

JUDr. Franz Schmelka, Kanada
V.V.Nr. 4639
Konstr.Nr. 25466/42

St 25 & St 1 Nr. 15076-100

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Nummernverzeichnis

Über St 75 Silleiner Cellulose Aktien *in B. 1944*

Felix Kahler, Prag ✓
V.V.Nr. 2543
Konskr.Nr. 15447/

St 25 & St 1 Nr. 1226-1250 ✓

Clara Lehnhoff ✓
V.V.Nr. 979
Konskr.Nr. 15447

St 25 & St 25 Nr. 18851-875 ✓

Lilly Horawetz, New York ✓
Konskr.Nr. 15447

St 25 & St 25 Nr. 18776-800 ✓

Nummernverzeichnis

Über RM 5.000.- Schering-Aktien *in B. 1944*

Petschek & Co. in Liquid. ✓
Prag II

RM 5.000.- & 1.000.- Nr. 36052-56 ✓

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BÖHMISCHE UNION-BANK

Namensverzeichnis

Über St ² ~~1~~ Steana Romana Aktien *in Nr. 34*

Karl Miska, Prag
B.Nr. 691/43
Konstr.Nr. 13762/42
V.V.Nr. 7514

St [✓] 22 & St 1 Nr. 509460-487, 1713661-62

Namensverzeichnis

Über St 10 Timber Holding Holz Industrie Aktien *in Nr. 1926*

Bankgeschäft Josef Stein & Co.
Wien
B.Nr. 733/33 I-H
Konstr.Nr. 15493

St 10 & St 5 Nr. ⁴²⁹³¹ ~~42935-940~~

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BOHMISCHE UNION-BANK

Nummernverzeichnis

Über RM 3.950.- / St 79 & RM 50.- / Treppauer Zucker Aktien *24. 11. 1929*

Zwangsverwaltung des Vermögens
Redlich-Fries, Brünn
V.V.Nr. 703

RM 3.950.- d. St 79
 & St 25 Nr. 13801-029
 & St 1 Nr. 2845-66, 2952-71,
 6095-100, 6211,
 7204-26, 8115-16,
 1612, 15245.
10142

Nummernverzeichnis

Über St 4.000 Ungarisch chem. Papier- und Papierwarenfabrik A.G.
Budapest, Aktien mit Bescheinigung Nr. 4141
24. 11. 1929

JUDr. Max Max Halphen, Prag
V.V.Nr. 499
Kenskr. Nr. 15446

St 4.000.- & St 100 Nr. 325001-325500
 & St 25 Nr. 408776-409275

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RG 260 Box 432
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BOHMISCHE UNION - BANK

24

Nummernverzeichnis

Über St 157 Aktien der Eisenindustrie A.G. Zentica *in Tatra 137*

Julius Hofmann, Pilsen
B.Nr. 1672/40
Konstr.Nr. 15455

St 10 & St 1 Nr. 21805-14

Dr. Therese Hofmann-Wahle, Pz
Konstr.Nr. 15455

St 54 & St 1 Nr. 18419-20, 18432-35, 19002-13,
21101-105, 21352-54, 21397-98,
23376-81, 23491-900.

Franz Hofmann, Prag
V.V.Nr. 2147
Konstr.Nr. 15455

St 53 & St 25
& St 1 Nr. 17376-17400,
18201-205, 18446-59,
18476-80, 1731-32,
2373-74, 18251, 18411-8

Geheime Staatspolizei, Prag
Verwahrbuch Nr. 53
Konstr.Nr. 15446

St 20 & St 1 Nr. 3371-72, 3487-94, 3499-3500,
6415-16, 6466-67.

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BÖHMISCHE UNION BANK

25

Nummernverzeichnis

über Lg 3.300.-- 6% Skoda Oblig. engl. Tranche
Kupon 1.6.1945

Emil Benedict,
Pr. Prag XII, N. York
VV Nr. 881

Lg 500.-- St 1 á 500 Nr. 273955

Helene Dub, fr. Brunn
VV Nr. 6621

Lg 100.-- St 1 á 100 Nr. 264511

Gestapo, Sperrdep.
Oskar Hájek, Prag

Lg 500.-- St 5 á 100
Nr. 270399-403.

Viktor Glauber, 6919
Prag XII, VV Nr. 811

Lg 300.-- St 3 á 100 Nr. 259979-981.

Prof. Dr. Felix Haurowitz
Prag, VV Nr. 300

Lg 500.-- St 5 á 100 St,
Nr. ~~264501-2~~ 264501-2, 264505,
271217, 271228,

Verl. JUDr. Emil
Mautner, Prag,

Lg 200.-- St 1 á 100 Nr. 270632,
St 2 á 50 Nr. 252406-7.

Theodor Pam,
Manchester,
VV Nr. 848

Lg 1.200.-- St 2 á 500 Nr. 273943-44,
" 2 " 100 Nr. 264516-17.

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BOHMISCHE UNION - BANK

26

Nummernverzeichnis.

über Fl 125.000.- 4% Oest. Gold Rente C.C. Mantel

Hana Kafková, London S.W.5 ✓
V.V. Nr. 195

St 123 4 Fl 1.000
Nr. 745-46, 1849, 186702, 7888,
56895, 57791, 56748, 56562, 68591,
57885, 57856, 57120, 56901, 71694,
41208, 41203, 41201, 41183, 41187,
72629-633, 75298, 75439, 75487-89,
70014-16, 71299, 71689, 46115-119,
94998-996, 94552, 94524, 57630,
57640, 57655, 177153-155, 141133,
141876, 156118, 132635, 170201,
106705, 122581-575, 1262, 2339,
2392-93, 4691, 5348, 6018, 6019-21,
60287, 58211, 58167, 111230, 72833,
110681, 107688, 69088, 60288,
149024, 155947, 155948-951, 155990-
995, 156172, 156253, 156256-257,
156262-263, 156327, 156329, 156367,
156368-372, 5150, 6727-29, 118113,
127319, 127289-288, 45040, 28627,
51262, 51040-41, 51258,

St 10 4 Fl 200
Nr. 49048, 128375, 128605, 26061,
39297, 106851-854, 106857.

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BOHEMISCHE UNION BANK

24

Nummernverzeichnis

über Fl 295.000.- 4% Oest. Gold Rente C.C. Kapten Nr. 61

Eduard Goldmann, Politz a/M.
V.V.Nr. 828

✓ Fl 10.000 St 10 d 1.000
Nr. 77-81, 968-72,

Hans Janowitz, N.York
V.V.Nr. 2374

✓ Fl 30.000 St 30 d 1.000
Nr. 43262, 8958, 8191, 7921, 56918,
94163, 94162, 94554, 94160, 94159,
94158, 77201, 166744, 138077,
111423, 60527, 60525, 60598, 60595,
60318, 60201, 59942, 59940, 95650,
95649, 61082, 60877, 60868, 60594,
60536.

Ing. Richard Jeric, fr. Prag
V.V.Nr. 99

✓ Fl 10.000.- St 10 d 1.000
Nr. 7114, 10830-31, 10834, 1452,
151065, 151067, 151069-071,

Oswald Kosek, Prag XVI,
V.V.Nr. 194

✓ Fl 50.000 St 37 d 1.000
Nr. 107297, 120436, 126163-165,
55175, 76024, 95996, 105351,
107296, 87082-83, 96370, 101264-
266, 110451-452, 169304, 178627,
104930-934, 104922-925, 104929,
104916-918, 104920-921, 33572,
170051
St 65 d 200
Nr. 35950-954, 35963-977, 82147,
36544, 36473, 20217, 20220, 104452-
451, 91229, 54055-57, 91233,
117643-47, 130684-5, 115183, 73038,
73040-42, 73045-65

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Fortsetzung auf Blatt 2

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BÖHMISCHE UNION - BANK

Blatt 2.

28

Nummernverzeichnis

über 4% Oest. Gold Rente C.C.M. Kupon Nr. 61

Felix Kahler, fr. Prag
V.V.Nr. 2543

✓ Fl 115.000 St 102 & 1.000
 Nr. 170972, 120053-55, 116135-136,
 96744, 111453, 73520, 99536, 67588,
 71439, 72908, 72911-12, 72917, 76922,
 112057, 123110, 123112, 169555-64,
 170053, 175808, 177149, 178821-22,
 100579-83, 126681-80, 177402, 126682,
 75322, 119120, 119122, 177408, 119121,
 119119, 179880, 21368-71, 155374-75,
 164150, 60811, 63878, 69034, 69041,
 187877, 124330, 121211, 91861, 69055,
 119618, 91862, 91863-64, 91866-868,
 86252, 91869, 121823, 75812, 177370,
 187976, 118328-29, 86251, 177371,
 56752, 91865, 46234, 177372, 114403-
 04, 91870, 187993, 110780, 110782-
 784, 86222, 87139, 86220-221, 53401,
 87140,

St 65 & 200
 Nr. 100368, 65035, 140524, 125910-911,
 100978, 125912, 125650, 101086, 8991,
 103807, 125913, 65036, 87196, 104472-
 474, 65037, 87196, 93034, 100373,
 8992, 135568, 135569, 130196, 100374,
 102064, 8993, 103635, 100372, 103808,
 101687-090, 121883, 46941, 125920-21,
 101870, 102063, 125922, 52795, 102622,
 125923-928, 40884-885, 49636, 125929,
 125930-931, 103809-811, 103636,
 58715, 102626, 126920, 125932-934,

Loge "Praga" I.O.B.B., Fl 40.000
fr. Prag II,
p. Adr. Gestapo, Prag II,

St 40 & 1.000
 Nr. 13245-246, 35934-935, 35507, 35518,
 35527, 35534-535, 35537, 167746-47,
 150467-69, 150773, 167742, 169335,
 178758-759, 35538, 35539-40, 35536,
 87547-49, 108686, 115533, 121754-55,
 121760-764, 144699, 151382-383, 155910

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Seite 263*

Fortsetzung auf Blatt 3

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BÖHMISCHE UNION - BAN

29

Blatt 3

Nummernverzeichnis

über 4% Oester. Gold Rente C.O., Kupon Nr. 61

Dr. Fritz Schönberger,
fr. Pexis 7, dt. Zürich

Fl 30.000

St 29 à 1.000
Nr. 21360, 57502, 59793-94, 60605-
607, 63043-046, 71497, 72602, 76756,
77702-705, 88849, 100777, 103033-34,
118413-415, 150421-423, 175754-55,
175760,

St 5 à 200
Nr. 29475, 47267, 47272, 120778-79,

Dr. Ewald Stein, Prag II,
V.V. Nr. 611

Fl 10.000

St 10 à 1.000
Nr. 126131-137, 940064-66

Nummernverzeichnis

über Fl 10.000.- 4% Oest. Gold Rente C.C. grosse Stücke
Kupon Nr. 61

Vexl. Bohdan Steindler,
S.H.d.V.A.b.R.P. Prag
VV Nr. 3179

Fl 10.000 St 1 à 10.000 Nr. 1.000

*Journal in Leipzig, 4. Aufl. FED
St. Nr. 26 B*

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By JN NARA Date 5/10/99

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BOHEMISCHE UNION BANK

30

Nummernverzeichnis

über $\text{K} 1.000.-$ $\frac{3}{2}\%$ Karlsbader Stadtanleihe, Kp. 1.1.1936

Gerda Grünberger,
Paris, VV Nr. 2698

✓ $\text{K} 1.000.-$ St 1 $\text{K} 1.000$ Nr. 489

Nummernverzeichnis

über $\text{K} 16.000.-$ $\frac{3}{2}\%$ Dux-Bodenbacher Eisenbahn Prior.
Kp. 2.1.1946

Verl. Bohdan Steindler,
S.H.d.V.A.b.R.P. Prag
VV Nr. 3179

✓ $\text{K} 16.000.-$ St 8 $\text{K} 2.000$
Nr. 404/7, 633/4, 732/4,
833/5, 1065/8-10, 1249/10.

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BÖHMISCHE UNION-BANK

31

Nummernverzeichnis

über 2.700.- 8% Tsch.Staatsanleihe 1922/1952
Ser.B Kup.1.4.1940

Liessl Kraus, Jerusalem ✓ 700.- St 1 & 500 Nr.562
VV Nr.2704 " 2 " " 100 " 930-31,

František Wiener, ✓ 2.000.- St 1 & 1.000 Nr.5745
Paris, VV Nr.5784 " 2 " " 500 " 830, 1296,

Nummernverzeichnis

über 2.100.- 8% Tsch.Staatsanleihe 1922/1951
Ser.A Kup.1.4.1940

Liessl Kraus, Jerusalem ✓ 100.- St 1 & 100 Nr.484 ✓
VV Nr.2704

František Wiener, ✓ 2.000.- St 2 & 1.000 Nr.6467, 7268 ✓
Paris, VV Nr.5784

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32

Nummernverzeichnis

über $\text{S} 7.000.-$ 7 $\frac{1}{2}$ % Prager Stadtanleihe v.J.1922
Kupon 1.5.1938

Eric Collier, Kelenst-
Sotic, Kenya, VV Nr. 961

$\text{S} 7.000.-$ St 7 A $\text{S} 1.000$
Nr. 2454-456, 3381, 4863, 4879,
5714.

Nummernverzeichnis

über K 55.000.- 5% Oester. Konvers. Anleihe,
gekennzeichnet, Kupon 1.6.1940

Otto Heller,
in Ausland

K 55.000.- St 5 A K 10.000
Nr. 749, 2590, 4975-977,
St 1 A K 5.000 Nr. 6167

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BÖHMISCHE UNION - BANK

34

Kummerverzeichnis

über RM 5.200.- 4% Sudetendeutsche Kommunalanleihe R 6
Kup. 2.1.1946

Max Bloch, Prag RM 1.000.- ✓ St 1 & RM 1.000 Nr. 833

Dr. Alexander Bozdšch,
Rubr. Dr. Kurt Boschan,
fr. Prag RM 4.000.- ✓ St 2 & RM 2.000 Nr. 319, 320,

Dr. Erwin Klausner, Prag I, VV Nr. 1250 RM 200.- ✓ St 1 & RM 200 Nr. 3554,

Nummernverzeichnis

über RM 2.100.- 3% Sudetendeutsche Kom. Anleihe R 1
Kupon 1.2.1945

Josef Bergmann, fr. Brünn, D.R.A. Nr. 169 v. 29, 7.44	RM 2.100.- ✓	St 1 &	RM 1.000	Nr. 10200,
		✓ St 1 "	" 500	" 17222,
		✓ St 2 "	" 200	" 23531, 23554,
		✓ St 2 "	" 100	" 34141-142,

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BOHEMISCHE UNION-BANK

34

Nummernverzeichnis

über RM 5.300.- $3\frac{3}{4}\%$ Sudetendeutsche Kommunalanleihe R 2
Kupon 1.2.1945

Albert und Grete Engel, Paris, fr. Karlebad	RM 4.300.-	St 1 & 2 " 3 "	RM 2.000 1.000 100	Nr. 713 " 2308-9, " 12.132-134,
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Hans Schneider, London VV Nr. 5785	RM 1.000.-	St 2 &	RM 500	Nr. 5043-44,
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Nummernverzeichnis

über RM 8.300.- $3\frac{3}{4}\%$ Sudetendeutsche Kom. Anleihe
Reihe 5, Kupon 1.3.1945

Gestapo Prag: Subd. Verwahrbuch Nr. 9	RM 4.000.-	St 1 & 2 "	RM 2.000 1.000	Nr. 1814 " 4835-36,
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Albert und Grete Engel, Paris, fr. Karlebad	RM 4.300.-	St 1 & 2 " 3 "	RM 2.000 1.000 100	Nr. 1801 " 4802-3, " 14008-10,
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BÖHMISCHE UNION-BANK

35

Nummernverzeichnis

über RM 1.000.- 4% Sudetendeutsche Landesbk u. Girozentrale
Pfandbfr, R 4, Kupon 1.4.1945

Josef Bergmann, ✓
fr. BRÜNN
D.R.A. Nr. 169
v. 29.7.1944

RM 1.000.- ✓ St 5 & RM 200 Nr. 26594-98,

Nummernverzeichnis

über RM 600.- 3 1/2% Sudetendeutsche Kom. Anleihe, R 3
✓ Kupon 1.6.1945

Dr. Erwin Klausner, ✓
VV Nr. 1250

RM 600.- ✓ St 1 & RM 500 Nr. 6537 /
" 1 " " 100 " 12074 /

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36

BÖHMISCHE UNION - BANK

Nummernverzeichnis

über Hfl 70.- 3% Schuldversch. d. Koka, Neue Ausgabe
ohne Kuponbogen, nicht gestempelt
mit Div.anspruch 1944

Petschek & Co. in Liq.
Prag II,

Hfl 70.- St 1 & Hfl 70 Nr. B 101382

Nummernverzeichnis

über Hfl 4.000.- 4% Ruhrverband Anleihe v. J. 1930/II
Kupon 1.10.1945

Wilma Mahler,
VV Nr. 840

Hfl 4.000.- St 4 & Hfl 1.000 Nr. 5691, 6062-63,
6065,

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By JN NASA Date 5/10/99

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34

BÖHMISCHE UNION - BANK

Nummernverzeichnis

über Lg 20.-- 3 1/2% Province of Buenos Aires Loan 1906
"assented Bonds", nicht gestemp.
Kupon 2.1.1938

MUDr. Walter Kahn,
fr. Prag, dtz. Ausland

Lg 20.-- St 1 Nr. 44727

Nummernverzeichnis

über 1.000.- 7% Jugosl. Hypothekenbank Gold Pfe 1927
Kupon 1.10.1941

Clara Lenhoff, Buffalo
N.Y., VV Nr. 979

1.000.- St 2 à 1/2 500 Nr. 457, 536

*Found in Shapiro's list FED
Sh. No 216 B*

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BÖHMISCHE UNION BANK

38

Nummernverzeichnis

über K 14.400.- 3% Ung. Eisernes For Anlehn C.C.
Kupon 1940

Dr. Georg Bucher,
o/o Nat. Bk Ltd Old
Broad Street, London
VV Nr. 450

✓ K 14.400.- St 5 & K 2.400
Nr. Ser. 886/2827, 887/2831, 887/2832-
35,

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By JN NARA Date 5/10/99

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39

BÖHMISCHE UNION-BANK

Nummernverzeichnis

über Pfg 171.690.- 4 1/2% Prior.Oblig.Foronthaler Lokalbahn,
Kupon 1.7.1921

Vexl. Albert Kugel,
Haag

Pfg 171.690.- St 97 & 1770.-
Nr. 10101, 10104, 10106-8, 10111-
112, 10114, 10116-17, 10119-28,
10131-40, 10142, 10144, 10145-56,
10158, 10160-62, 10164-70, 10172-
76, 10178-87, 10189, 10192,
10194-200, 10297-98, 10501-02,
10504-17.

Nummernverzeichnis

über RM 191.57 3% Koka Teilschuldversch. Ser. C
mit Zinsanspruch ab 1.7.1937

Anton Spitz, Prag XIII.
Russische Str. 48

RM 191.57 St 1 Nr. 2397

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Nummernverzeichnis

Kp. 1. II 1938

über St 175 4% Steg Prior.

Dr. Otto Gellner,
Prag XII, VV Nr. 1685

St 50

Nr. 11244, 29553, 29554, 39000-01,
53151, 57511-23, 60839, 83643,
97565-72, 97578, 101374, 104397,
111790-93, 125025, 127552-55,
129001, 146489, 148986-87, 151580-
583, 152758

Dr. Erwin Klausner,
Prag I, VV Nr. 1250

St 125

Nr. 3335, 64633, 81396-98, 84801-03,
104700-02, 104717-23, 108435-37,
111714-16, 120299, 5986, 14972,
20591, 21669, 37861-66, 37895-97,
37923-37, 37969-78, 38034-48, 38078-
083, 43440-44, 46568-73, 48686,
59444, 62706, 68617-19, 73398, 74776,
74796-98, 79531, 83391, 89740, 89741-
45, 98285-6, 99950-51, 105780,
108568, 118744, 127106, 131909-10,
136489,

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No. 26B*

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Authority: WDD 165076
By: J. RASA Date: 5/10/99

RG 260 BOX 432
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Nummernverzeichnis

über K 20.000.- 5% Oest.Konvers.Anleihe
nicht gekennzeichnet, Kup.1.12.1939

Olga Taussig, Jerusalem
D.H.A.Nr. 252 v.9.11.44

K 20.000.- St. 2 & K 10.000
Nr. 18023, 18024

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th. No 26 B*

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Authority: ND 165076
By: JW NASA Case # 5099

RG 260 BOX 432
262

CWA

24.9

DRAFT

ALLIED INTERIM RESTITUTION POLICY

1. Many applications are being received for the return of works of art, cultural objects, equipment and materials. In many cases the return of the equipment and materials is urgently needed for the rehabilitation of essential industry in the liberated territory.

2. Pending settlement of the whole problem of restitution of German looted property located in Austria it is proposed that interim measures for the return of certain properties be put into force forthwith to assist the Allied Nations with the rehabilitation of their industrial and economic life, without prejudice to any final reparation or restitution settlement.

3. Restitution of property defined in paragraphs 4 c and 4 d below will be effected only when the return of such property is certified by the appropriate representative of the claimant country to be urgently required for the rehabilitation and reconstruction of his country. The restitution shall not be delayed on the ground that items subject to restitution are needed to meet the military or civilian requirements in any zone of occupation provided that in the case of transportation equipment restitution may be so phased as not to return available transportation below that required for military deployment and for purposes of occupation, including the removal of industrial plant and equipment for reparation.

4. Items subject to restitution shall be:

a. All currencies of the UNITED NATIONS occupied by GERMANY.

b. Works of Art and Cultural Works of either religious, artistic, documentary, scholastic or historic value including, as well as recognized works of art, such objects as rare musical instruments, books and manuscripts, scientific documents of a historic or cultural nature and all objects usually found in museums, collections, libraries, and historic archives, identified as having been looted or acquired in any way through commercial transactions or otherwise by Germans from United Nations countries during German occupation.

c. Heavy and power-driven industrial and agricultural machinery and equipment, rolling stock, locomotives, barges and other transportation equipment (other than sea-going vessels) and communication and power equipment identified as having been looted or acquired in any way by Germans from United Nations during German occupation.

d. Other goods, valuables (excluding gold, securities, and foreign currencies other than those mentioned in paragraph 4 a), materials, equipment, livestock and other property found in storage or otherwise in bulk form and identified as having been looted or acquired in any way by Germans from United Nations during German occupation.

11 Dec 45

RG
Entry USA - 6 x 1000000
File Block of Central - Germany
Box 213

DECLASSIFIED
Authority: NND 75-119
By: TD NARA Date: 9/29/99

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e. In the case of property mentioned in c and d which was produced during the period of occupation, restitution shall be made only if the claimant government submits adequate proof that the property in question was acquired by GERMANY through an act of force.

5. The occupying powers should invite Allied Governments entitled to restitution to submit lists of property claimed to have been taken from their countries during the period of German invasion or occupation. Such lists will include wherever possible all relevant information which will aid in the identification and location of such property. Each Zone Commander should receive from his government the lists submitted by claimant Allied Nations.

6. After examination of these lists the zone Commander will indicate to his Government which of these countries should be invited to send missions into his zone for the purpose of:

(a) substantiating claims for the restitution of property mentioned in paragraphs 4a to d.

(b) receiving information regarding the locations of property which has been the subject of restitution claims by their government.

(c) identifying and receiving any such property to be restored or distributed.

7. The zone Commander will recommend appropriate time and the size of the Mission. After approval, details can be arranged by the respective governments direct with the zone Commander. The zone Commander will furnish such missions facilities necessary to the proper discharge of their functions in his zone.

8. The Missions will visit Austria as representatives of the claimant Government and not as representatives of firms or any individuals of such countries.

9. The zone Commander will take steps to deliver all paper currency of UNITED NATIONS countries invaded or occupied by GERMANY, now in his zone, to the Government of the country of issue without the necessity of proof that it was looted or otherwise acquired from that country during the period of German invasion or occupation.

10. The zone Commander will take steps in his zone to uncover and secure possession of property covered by paragraphs 4b, 4c and 4d, mentioned in lists submitted by claimant governments, and to restore such property to the government of the country from which it was taken.

11. Claimant governments will be required to give receipts for items received by them in accordance with provisions of this program. These receipts shall contain a brief description of the item received and its condition, and a waiver of any further claims of reparation or otherwise based upon the removal of items concerned by the Germans or the exaction of funds used by the Germans to pay for it.

12. The zone Commander will keep a complete record of items returned or distributed in accordance with the provisions of this program. He will submit to the Control Council monthly reports on the progress of the restitution program.

Box 213
File Stocking & Control - Hungary
Entry USA - 6 x removal orders
RG
260

DECLASSIFIED
Authority: 15-119
Date: 4/24/99
By: TS

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13. The cost of administering this program of restitution shall be counted as part of the costs of occupation.

RG
Entry/SA - 6 x Terminal Assets
260
File/Blocklist of Terminal Assets
Box 213

DECLASSIFIED
Authority: NND 119-5119
By: TMM/ARA Date: 4/24/99

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Most Policy

R E S T R I C T E D

17 April 1946

CORC/P(46)143
(DRDR/P(46)33)

ALLIED CONTROL AUTHORITY

COORDINATING COMMITTEE

Quadripartite Procedures for Restitution

PART I

General Provisions

1. Scope of Document

The present paper deals with methods and procedures to be observed by the respective Zone Commanders in the four zones in implementing the agreed definition of restitution in their zones in order to permit the governments whose territory has been occupied by German forces to receive as soon as possible the property subject to restitution.

2. Property Subject to Restitution

Restitution will apply to all property covered by the definition of the term "Restitution" adopted by the Control Council on 21 January 1946 (CONL/P(46)3 Revise) and in accordance with the interpretation of this text agreed upon by the Reparations, Deliveries and Restitution Directorate on 8 March 1946 (DRDR/P(46)14 Revise). Both documents are attached hereto as Appendices A and B respectively.

3. Nations Eligible for Restitution

No nation shall be eligible for restitution unless its territory was occupied in whole or in part by the German armed forces or the forces of her allies and unless it is a United Nation, or shall have been specified by the Allied Control Council.

4. Method of Implementing Definition of Restitution

The respective Commanders of the four zones will take the following action within their respective zones necessary to achieve the objective of restitution including but not limited to:

- a. Search and investigation to locate property which is specifically alleged to be subject to restitution in a claim or which from data obtained from German or other sources might become the subject of such a claim.
- b. Custody and preservation of such property if found.
- c. Provision for such missions of claimant nations as may be invited by the Allied Control Council to visit the location of such property for purposes of identification, examination, supervision of packing and shipping and signing of necessary receipts and other documents.
- d. Maintain records and data which will be the basis of reports to the Allied Control Council as to the status and disposition of claims submitted and processed as hereinafter provided.

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BY: SP
NARA Date: 9-17-99

R E S T R I C T E DPART IISubmission and General Form of Claims1. Who may submit claims

Only such claims as are submitted by or on behalf of governments of claimant countries and signed by an accredited representative of that government will be accepted for processing. All claims submitted by or on behalf of individual, natural, or juridical persons will be rejected and given no consideration.

2. Claimant Nations

The term "claimant nation" is applied to any one of the nations which participated in the Declaration of 5 January 1943 and to such other nations as may hereafter be specified by the Allied Control Council whose territory was occupied in whole or in part by the German armed forces or the forces of her allies and which presents a claim for property subject to restitution as defined in Part I, paragraph 2 above.

3. Form and Substance of Claim

a. Claims may be submitted in a form which sets forth as much as possible of the following data:

- ✓ (1) Description of item claimed for restitution.
- (2) Maximum available identification data such as factory serial number, specifications and any special marks or characteristics of the item.
- (3) Last known location of claimed items within claimant country prior to removal to Germany and approximate date of such removal.
- ✓ (4) Last known location of claimed item in Germany.
- (5) Last known resident of claimant country who was owner or custodian of claimed item prior to its coming into control of the enemy within the territory of claimant country.
- ✓ (6) Whether or not the property was in existence at the time of the occupation of the claimant country.

b. Each claim must include a statement, setting forth so far as possible, the facts and circumstances surrounding the removal of the claimed item from the territory of the claimant country.

4. Where Claims Are to be Submitted

Claims are to be submitted to any or all Zone Commanders.

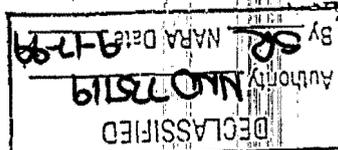
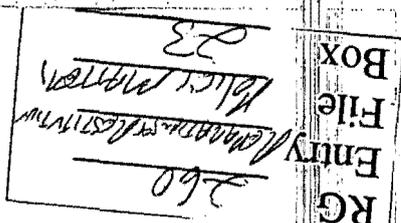
5. Number of Copies of Claims

All claims will be submitted in quadruplicate for each Zone Commander concerned.

6. Languages of Copies of Claims

Copies of claims for the Zones may be submitted in the language of the respective occupying powers and may be submitted in German at the choice of the claimant nation.

- 2 -

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R E S T R I C T E DPART IIIProcessing of Claims1. Missions from Claimant Countries.

a. Missions which are already representing the respective allied countries in Germany or which may later be invited by the Allied Control Council should be expected also to engage themselves in restitution matters. For this purpose, they should be empowered to sign officially for their governments.

b. It is recognized that claimant countries have the right to dispose of restitution matters through a mission and that the Allied Control Council may invite the countries to exercise this right under such conditions as it may prescribe. But this does not confer any right upon any country to dispatch any separate mission for the purpose of restitution.

c. Visits of personnel of such missions or experts proposed by them into the respective zones will be in accordance with such regulations and upon such conditions as may be established by the Commander-in-Chief of each of the zones. When admitted to each zone by the Zone Commander, such missions may be permitted access to the data from German or other sources referred to in Part I, paragraph 4, sub-paragraph (a) hereof, when and if convenient to the Zone Commander. Where the missions encounter unforeseen difficulties in accomplishing their work, it is expected that they will seek the aid of the Allied Control Council.

2. Responsibility for Custody and Disposition of Property Subject to Restitution

The respective Commander-in-Chief of each Zone will take such action as to the protection, custody, release, dismantling, packing, and transporting of property in his zone subject to restitution as he deems appropriate.

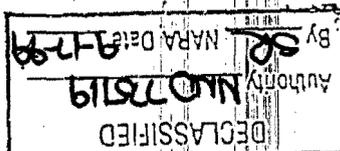
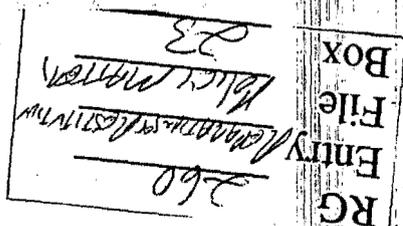
3. Receipt for Property Released

An accredited representative of the claimant nation shall execute a receipt for all property released. The same form of receipt substantially as set forth in annexed Exhibit "C" shall be used in all the four occupied zones in Germany. The receipt will be written in the language of the occupying power concerned.

PART IVReports1. Data to be Submitted by Zone Commander-in-Chief

Every month each Zone Commander will submit to the Allied Control Council a general report giving information about the progress of work on restitution in his zone.

- 3 -

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The data shall cover all claims received to the date of the report including those received by the Commander-in-Chief of the Zone directly from claimant countries prior to the institution of this procedure. The report should take account also of: claims filed, claims under dispute, claims rejected, claims partially delivered, claims entirely delivered, appraised 1938 value in Reichs Marks of objects actually delivered to be shown against the respective countries.

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By: [Signature]
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17 April 1946

Appendix "A" to
CORC/P(46)143

ALLIED CONTROL AUTHORITY

CONTROL COUNCIL

DEFINITION OF THE TERM "RESTITUTION"

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1. The question of restitution of property removed by the Germans from Allied countries must be examined, in all cases, in light of the Declaration of January 5th, 1943.

2. Restitution will be limited, in the first instance, to identifiable goods which existed at the time of occupation of the country concerned and which have been taken by the enemy by force from the territory of the country.

Also falling under measures of restitution are identifiable goods produced during the period of occupation and which have been obtained by force.

All other property removed by the enemy is eligible for restitution to the extent consistent with reparations. However, the United Nations retain the right to receive from Germany compensation for this other property removed as reparations.

3. As to goods of a unique character, restitution of which is impossible, a special instruction will fix the categories of goods which will be subject to replacement, the nature of these replacements, and the conditions under which such goods could be replaced by equivalent objects.

4. Relevant transportation expenses within the present German frontier and any repairs necessary for proper transportation including the necessary manpower, material and organization, are to be borne by Germany and are included in restitutions. Expenses outside Germany are borne by the recipient country.

5. The Control Council will deal on all questions of restitution with the Government of the Country from which such objects were looted.

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By SR NARA Date 9-7-99

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17 April 1946

Appendix "B" to
CORC/P(46)143

ALLIED CONTROL AUTHORITY
COORDINATING COMMITTEE

INTERPRETATION OF ARTICLE 2, OF THE DEFINITION
OF THE TERM RESTITUTION, CONL/P(46)3 Revise

1. In consideration of paragraph 2 of CONL/P(46)3 Revise, it appears that where an article has been removed by force at any time during the occupation of a country, and is identifiable, the right to its recovery is an absolute one. The word "force" covers duress which may occur with or without violence. In this concept are also included looting, theft, larceny and other forms of dispossession whether they were carried out by an order of the German authorities, or by officials of the German civil or military administration, even when there was no order of the German authorities, or by individuals.

Also included are acquisitions carried out as a result of duress, such as requisitions or other orders or regulations of the military or occupation authorities.

2. In the third sub-paragraph of paragraph 2, it appears that by "all other property removed by the enemy" it was desired to include all property which was removed in any other way. This implies that restitution of property may be claimed whatever may have been the means or the reasons of dispossession.

But the property removed in such manner does not entail an "absolute right" to restitution, which may be granted only within the limits consistent with reparations.

3. These "limits consistent with Reparations" must be understood in the following manner: If property claimed on account of restitution is indispensable for the operation of a whole factory allocated on account of reparations, this property may be retained and not restituted.

Restitution will be made only if the removal of the equipment does not seriously diminish the production capacity of the plant and does not destroy the completeness of the equipment to such an extent that when this plant is delivered on account of reparations it loses all value owing to the fact that restitution has been made.

If restitution of the object itself is not granted, the right of the claimant nation is satisfied by means of compensation to be taken from German property in objects of equivalent value, as far as possible by equipment, manufactured goods and raw materials.

NOTE: The U. S. and U. K. delegates agree with the above interpretation provided that:-
"Compensation in lieu of restitution must not create additional expenditures by the U. S. and U. K. in support of their respective zones."

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17 April 1946

Appendix "C" to
CORC/P(46)143

RECEIPT AND AGREEMENT FOR DELIVERY OF IDENTIFIABLE
PROPERTY OTHER THAN CULTURAL OBJECTS

(place) _____

(Date) _____

1. Receipt of items described in schedule "C", attached hereto, from the Zone Commander, (United States, British, U.S.S.R., French) in Germany, is hereby acknowledged on behalf of the Government of _____ by the undersigned _____ who is a duly accredited representative of said Government, authorized to receive said items on its behalf and to execute this receipt and agreement.

2. Said Government hereby accepts the item(s), described in said schedule "C" attached; by the acceptance of said items, said Government hereby waives any further claim as reparation or otherwise based upon the removal of the item(s) concerned by the Germans or the exaction of funds used by the Germans to pay for it and also agrees to save harmless the (United States, United Kingdom, U.S.S.R., France) and all its agents and representatives from any claim for loss, damage or deterioration suffered by any item at any time whatever.

3. Should the Zone Commander, (United States, British, U.S.S.R., French) in Germany, determine that any item or items described in said schedule "C" were mistakenly delivered (which determination must be made within one (1) year from the date hereof such items or items will be disposed of according to the instructions of said Zone Commander. In the event of such determination, said Government will take whatever steps may be necessary to make any such item available to said Zone Commander.

4. Said Government further agrees that the "Appraised Value" of the item(s) described in attached schedule "C" as therein set forth in a fair and proper value of the said item(s).

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Appendix "C" to
CORC/P(46)143

Schedule "C"

Claim and Item No.	Description	Quantity	Appraised Total Value in 1938 RM
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(Signature)

Representative of Zone Commander

(Signature)

Representative of Recipient Country

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CORC/P(46)143

R E S T R I C T E D

ALLIED CONTROL AUTHORITY

COORDINATING COMMITTEE

Quadripartite Procedures for Restitution

Note by Allied Secretariat

1. By Conclusion (50) (c) of CORC/M(46)5 the Coordinating Committee referred the definition of "Restitution" to the Reparations, Deliveries and Restitutions Directorate for application.
2. The attached paper provides a procedure for restitution in compliance with Conclusion (50) (c) of CORC/M(46)5.
3. The Reparations, Deliveries and Restitutions Directorate has approved the attached paper and has forwarded it to Zone Commanders for application.
4. This paper is circulated for the information of the Coordinating Committee.

H. A. GERHARDT, Colonel

T. N. GRAZEBROOK, Brigadier

L. J. CALVY

A. A. KUDRIAVTSEV, Major

Allied Secretariat

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MARRIAGE RESTITUTION
WILLIAMS

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NARA Date: 9-17-99

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By <u>SR</u> NARA Date <u>10-28-99</u>

SECRET

ECEFP D-37/44
(Cf. D-17 through D-21,
D-30, D-31) August 12, 1944

SUMMARY: REPORT ON REPARATION, RESTITUTION, AND
PROPERTY RIGHTS - GERMANY

I. Interest of the United States in German Reparation.

The problem of German reparation is immediately related to the broader question of a general peace settlement, through which the United Nations hope to attain certain political, economic, and security objectives. While not in itself a major means of achieving these objectives, a reparation program can, depending upon its nature, greatly help or hinder their attainment. This Government has approached the problem of German reparation with a view to reaching a solution which would facilitate the attainment of these objectives. The "direct" interest of the United States in German reparation, i.e. in the amount of reparation which this country may receive, is small. The claims of other nations which have suffered severely from German aggression are direct and substantial. The main concern of this Government with respect to German reparation is that the program aid in the attainment of (or interfere as little as possible with) its economic, political, and security objectives and policies.

Broadly stated, the general economic and political objectives of this Government are as follows:

1. The preservation of peace by a system of collective security and disarmament of the aggressors.
2. The early return to a multilateral system of international trade and finance through the removal of excessive barriers to the movement of goods and funds.
3. The rapid reconstruction and rehabilitation of war-torn areas.
4. The maintenance of high levels of employment and standards of living.
5. With respect to Germany: 1/
 - a) The control of German economic war potential. This, however, is not assumed to imply a large-scale and permanent impairment of all German industry.
 - b) The elimination of German economic domination in Europe.
 - c) The eventual integration of Germany into the world economy.

1/ Based on General Objectives of United States Economic Policy with Respect to Germany. (ECEFP D-22/44)

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4. Apportionment of Reparation.

It is recommended that the principal basis for the apportionment of reparation among claimant states should be the amount of damage to and loss of non-military property caused by or incident to hostilities.

This basis of admissible claims does not necessarily favor property owners over other classes of claimants such, for example, as those suffering personal injury since reparation payments will be made to governments, not to individuals. Governments may dispose of the proceeds of reparation and make such compensation to their injured nationals as they see fit.

A precise audit of property loss will be impossible. The total of admissible claims will have to be reached on the basis of reasonable estimates as determined by the appropriate Allied authorities.

It is recognized that the relative impact of property losses on different countries may not be accurately reflected by even the most careful computations. The hardships imposed depend on the circumstances surrounding the loss and on the wealth of the country concerned.

As a supplementary basis for the apportionment of reparation it is recommended that occupation costs levied by Germany also be allowed as an admissible claim but at a lower weighting than property losses. Occupation costs for this purpose should include clearing balances built up in Germany during the period of occupation. Some occupied countries have suffered relatively little physical damage but have undergone many other types of injury at the hands of the Nazis. It is felt that it will be difficult to deny the claims of such countries for some compensation.

In recommending the foregoing two bases for reparation claims, it is intended that all other claims should be excluded.

5. Restitution and Replacement.

The principal recommendations with respect to this subject may be summarized briefly as follows:

a) In

a) In principle there should be an unlimited obligation on Germany to restore identifiable looted property, even though in practice official efforts to locate such property will have to be confined to a limited number of categories.

b) Restitution should be restricted to identifiable property in existence prior to German occupation. Looted property should be restored to the existing governments of the territories where the property had its situs and not to the former owners individually.

c) Looted property should be returned in the condition in which it is found. The return of such property should not count as a credit against Germany's reparation obligation nor should it be deducted from the reparation claim of the recipient.

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d) All property transferred to Germany during the period of German occupation (except for current output) should be presumed to have been transferred under duress and accordingly treated as looted property.

e) The right to restitution is not absolute. The Allied authorities should have the discretionary right to prevent or postpone restitution of vital equipment (such as, o.g., rolling stock) whenever such equipment is deemed essential to assist the revival of a seriously disorganized country.

f) It has been suggested that, in addition to restitution and reparation, countries having suffered property losses be entitled to "replacement", meaning the receipt of an equivalent piece of property for property lost or destroyed. It is believed that the "replacement" category would be a source of confusion and that it would serve no purpose that could not be served equally well by reparation in kind. It is, therefore, recommended that no claims for replacement be allowed except in the cases of (1) gold and (2) works of art and other cultural treasures, these exceptions being justified by the peculiar importance attached to those categories of goods.

g) Replacement of gold means that stocks of monetary gold found by the Allied authorities in Germany should be prorated in proportion to gold losses among the Allied countries whose gold stocks were looted. In no case, however, should there be transferred to any country gold in excess of its losses.

6. Labor Services (Tentative).

No final conclusion has been reached on this subject and it is receiving further study. In principle it is agreed that under appropriate conditions and to a limited extent labor services can be a proper and useful form of reparation. The chief problems relate to the method of selection of the laborers, their treatment and length of service, and the valuation of their services.

One suggestion receiving consideration is that there be two classes of laborers, one to consist of extreme Nazis such as members of the Gestapo, S.S., etc., and the other to be recruited, on a voluntary basis if possible, from the general German public. It is contemplated that the former class, which would receive punitive or semi-punitive treatment, would be selected on the basis of previous political affiliation or activity and not, like the latter class, on the basis of the needs of claimant countries for labor services. The latter class should be protected by more or less normal labor standards.

7. Reparation Commission.

It is believed that questions of policy such as those discussed in this summary are outside the proper scope of a Reparation Commission. The Commission should be an administrative body whose function, broadly speaking, would be the supervision and management of the program of reparation and restitution. Within the broad limits of policy laid down by the Allied

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governments, it would be granted wide discretionary powers to determine the amounts of reparation to be paid periodically, to schedule deliveries in kind, to make adjustments in the schedules of payments, to determine whether Germany is complying with the provisions of the reparation settlement, etc.

The Reparation Commission should act in cooperation with the supreme Allied control authorities in Germany, which authorities should have the power to review and veto any of the Commission's acts.

The Commission should consist of representatives of all claimant states, but equal plural votes should be provided for the United States, the United Kingdom and the Union of Soviet Socialist Republics.

IV. Resume of Recommendations with Respect to Subjects Closely Related to Reparation.

1. Treatment of Property.

a) German Property Abroad.

Each member of the United Nations should reserve the right to retain and dispose of all German property and rights within its territories, and to use the proceeds to pay off reparation claims, and possibly pre-war debts owed by Germany or its nationals to the country in question or to its nationals. The value of property so retained or disposed of, regardless of the claims which it goes to satisfy, should be counted as payment against the reparation claim of the holding country. Germany can be left to compensate its nationals for property so retained.

The problem of obtaining control over German property in neutral countries is a much more difficult one, since from a strictly juridical point of view there is no way of compelling the neutrals to transfer ownership. The matter thus becomes one for treatment on the political level.

b) Allied Property in Germany.

The German Government should be required to return to the owners Allied property in Germany where such property was sequestered by German authorities or seized in any other manner. Such return shall not be deemed to prevent German authorities from subsequent exercise of the customary governmental rights over private property. In the event that industries in which foreign owners have an interest are required to be dismantled for impairing the value of their assets, consideration shall be given to the question of appropriate compensation. Where the property consists of liquid funds, such return should not carry with it the right to transfer the funds out of the country except in accordance with the exchange regulations established by the Allied authorities.

Countries should have the right to present reparation claims for damage to or destruction of property in Germany belonging to them or their nationals.

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2. Pre-War Debts and Claims.

American citizens have outstanding substantial amounts of pre-war claims against both the German Government, and German nationals. These claims consist of short-term, long-term, and commercial obligations. While the problem has not been thoroughly investigated, it is believed both politically impossible and economically undesirable to leave American creditors of Germany entirely to their own devices in protecting their interests. The matter should receive further study.

It is recommended, however, in view of the urgent need of reparation for reconstruction purposes, that pre-war debts and claims receive a priority below that of reparation.

3. Compensation for Injuries to Persecuted German Minority Groups.

It is considered appropriate for several reasons that the German Government be required in some way to compensate the minority groups persecuted by it. The moral basis for such compensation is self-evident. Moreover, it is now recognized that minority baiting and persecution is a potent weapon in the hands of totalitarian demagogues both for gaining political power at home and for spreading anti-democratic doctrines abroad. Finally, it is felt that since Germany was responsible for a situation in which many thousands of former German nationals needed to be rehabilitated or resettled, she should contribute to the solution of that problem and not be permitted to leave the entire burden to the outside world.

The restitution of property located in Germany is, on a number of grounds, regarded as an unsatisfactory answer to the problem:

- a) Most of the individuals involved are either dead or outside the country and many would not find it worthwhile to return in order to regain their property;
- b) Large-scale transfers of funds abroad in full satisfaction of these claims would be out of the question;
- c) The full return of property to members of these groups at a time when the general German public was passing through a period of great difficulty would tend to create strong social tension in Germany.
- d) Lack of proof by claimants, and the varying circumstances under which property was lost or sold, would make the administrative problem of restitution extremely difficult.

A two-fold contribution by Germany is, accordingly recommended:

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(1) Resettlement Aid, i.e. payments in cash or in kind, to an international agency, to aid in the settlement of individuals belonging to persecuted minority groups. Such payments would be akin to reparation, but their amounts would be related to the needs of the resettlement schemes rather than to the property losses of the individuals concerned.

(2) Indemnity for Property Losses. In addition to the foregoing payments, Germany should also be obliged in lieu of restitution, to provide an indemnity, up to some moderate maximum per person, to individuals who have suffered property losses since the inception of the Nazi regime through discriminatory measures. Transfers of such indemnities abroad should be subject to the availability of foreign exchange but should receive a priority equal to that of other reparation payments.

The foregoing recommendations apply to German nationals, or former nationals, situated outside Germany 1/ who have been subjected to discriminatory laws by reason of their racial, religious or political status.

While the racial and religious categories are susceptible of fairly precise definition and do not involve unmanageable numbers, a moment's reflection will show that the political category offers formidable difficulties in both respects. In spite of this fact, it is considered both impolitic and unjustifiable to deny compensation to those Germans who have suffered loss because of their political opposition to Nazism while granting it to persons discriminated against on other grounds. The problem of defining the political category so as to keep within reasonable bounds the number included is now receiving further attention.

1/ and to stateless persons resident in Germany on or before September 1, 1939.

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ACTION

BRIEFING

INFORMATION

Inter-Office Memorandum

Date:

JUL 26 1977

For: Mr. John Heard, Chief
Document Management Branch

From: Donald E. Syvrud *D Syvrud*

Subject: Freedom of Information Request No. 77-06-37 - George T. McJimsey

Mr. McJimsey has requested Treasury documents for the period March 1941-November 1941, on the Lend-lease program for Great Britain and documents for the period June 1944-October 1944 on the Morgenthau Plan for postwar Germany.

After examining the documents from OASIA files which seem to bear on these questions, it appears that the following are relevant and within the time frame specified. I hereby authorize declassification of the following documents:

#69-A-4707

Box 84

- Folder: "Germany: Suggestions of other Agencies"
- Folder: "Germany: Policy Toward; General-Vol. I"
- Folder: "Germany: Policy Toward; General-Vol. II"
- Folder: "Germany: Policy Toward and Negotiations", June 1944-October 1944 materials only
- Folder: "Germany: Reparations Vol. I", June 1944-October 1944 only

Box 83

- Folder: "Opinion", June-September 1944 only
- Folder: "Germany: Policy-Morgenthau Plan-Misc. Data"
- Folder: "Morgenthau Plan Ch. I-IV"
- Folder: "Morgenthau Plan Ch. V-X"
- Folder: "Morgenthau Plan Ch. XI-XVII"

Initiator

Reviewer

Reviewer

Reviewer

Reviewer

Surname

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Initials/Date

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By IE NARA Date 10-23

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from Laura

ECEFP SUBJECT FILE
2. BUFFER STOCKS:
Economic Objectives with Respect
to Germany, Japan, Rumania, etc.

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Authority NND760089
By IE NARA Date 10-23

RG 353
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ECEFP SUBJECT FILE
2. BUFFER STOCKS:
Economic Objectives with Respec
to Germany, Japan, Rumania, etc

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Stinebower - ECA
FROM : Mr. Carr - ECA
SUBJECT:

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DATE: July 18, 1944

It is desired to bring to your attention in connection with the revision of D-22 the following excerpt from the minutes of the July 7 meeting of the Executive Committee on Economic Foreign Policy:

"12. Mr. Rosenson pointed out that the Germany document stipulated for a "reasonable settlement of German debts to governments and nationals of the United Nations, whether such debts are in the form of blocked balances, clearing accounts, or any other forms, and of proper claims which may be advanced by foreign workers and other displaced persons in Germany". The reparation report merely recognizes the existence of pre-war debts, places them in a low priority position relative to reparation payments and recommends that the question be given further study. With reference to the question of claims which may be advanced by foreign workers and other displaced persons in Germany, Mr. Rosenson recalled that the subject of social security claims had already been discussed in the Executive Committee and that it had been decided that the minutes of the discussion should constitute an appendix to the reparation report.

13. Action: The Committee agreed with Mr. Rosenson's view that the Germany document (D-22) should be made consistent with the reparation report by inserting, as indicated below, the word "identifiable", in the following phrase contained on page 7 of the Germany document:

"Replacement of identifiable objects stolen by Germany and of identifiable productive facilities dismantled or moved by her...."

14. Mr. Rosenson called attention to the fact that the Germany document provided for the return of property to, or the economic rehabilitation of, minority groups whereas the reparation report provided, not for the return of property, but for indemnity up to some moderate maximum per person. The Reparation Committee had decided

DECLASSIFIED
 Authority NND 760089
 By IE NARA Date 10-23

RG 353
 Entry 204
 File 5.19J
 Box 77

ECEFP SUBJECT FILE
 2. BUFFER STOCKS:
 Economic Objectives with Respect
 to Germany, Japan, Rumania, etc.

DECLASSIFIED
 Authority NND 760089
 By IE NARA Date 10-23

RG 353
 Entry 204
 File 5.19J
 Box 77

ECEFP SUBJECT FILE
 2. BUFFER STOCKS:
 Economic Objectives with Respect
 to Germany, Japan, Rumania, etc.

-2-

against the full return of property within Germany to minority groups mainly for two reasons. The first was the tremendous administrative difficulty involved in executing such a program because of loss of proof by claimants, absence of claimants, and varying circumstances under which property was lost. The second was the belief that the full restoration of property to the groups in question at a time when the German public in general was passing through a period of great difficulty would have unfortunate social consequences.

The Committee agreed that the Germany document D-22, should be revised in this respect to conform to the point of view expressed in the Reparation Report."

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 ECA:ADStone:MD

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DECLASSIFIED

Authority VND 775057

By ANT NARA Date 7/14/99

"External Assets" File
Res of the Property Division
BOX 6, File 1
RG 260
360/44/20/01-3

CONFIDENTIAL

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)

Property Division
Property Control and External Assets Branch
APO 633
Wiesbaden, Germany

8 February 1949

SUBJECT: Possible Exemption of Persecutees
from Provisions of Control Council Law No. 5

TO : Office of Political Affairs

Attention: Mr. James W. Gantenbein

Reference is made to a communication from your Office, dated 9 November 1948, requesting our comments on airgram No. 271 of October 29, 1948 from the Department of State to the Legation at Vienna the contents of which were quoted therein. That airgram indicated that consideration was being given to the question of the status of German assets in Austria, owned by surviving members of a persecutees family which had neither left Germany, nor at present intend to leave. Some of the property of the family was transferred to Austria during the Nazi regime. In addition, the family owned a saw mill, located in Kirchberg, Tyrol, Austria, which was "aryanized" in January 1944 by order of the Nazi Gauleiter of Tyrol.

As for assets which became German external assets in the course of events over which the persecutee family had no control, we feel that there does appear to be some evidence to indicate that such assets may be excepted from liquidation as ordinary German external assets. We refer to an agreement, dated 10 July 1946, between Chancellor Figl on behalf of the Austrian Government and General Clark on behalf of the U.S. That paper indicates that the U.S. is prepared to renounce its share in German assets in Austria. It further points out that the U.S. agrees to turn over to the Austrian Government German external assets now physically located in the United States Zone. It would appear from this that German assets in the U.S. Zone of Austria which would be subject to restitution to persecutees could be regarded as within the jurisdiction of the Austrian Government. Apart from this, it appears that, inasmuch as the persecutee at no time exercised a choice which resulted in his removing his property from Germany, it should not be regarded as external property. Since the property was taken against his will, justice would seem to require such a view. The legal principal here involved seems to be analogous to the concept of trespass. Thus,

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N.B.
another copy of this
letter (in same file) notes
that letter was not sent -
it was referred to Cassoday
for attention to last 2 Ps

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Authority VND 775057
By ANT RARA Date: 7/14/99

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a person thrown by force on to another person's land is not regarded as a trespasser thereon. By similar reasoning, since the property in the instant case was removed against the will of the persecutee, it would be reasonable to regard it as being in the same place in which he had last owned it.

Further, it has been noted in a recent exchange of cables (WX-80512 from Department of Army to OMGUS, dated 3 December 1948 and GC 6983 OMGUS to Army dated 6 December 1948) that exceptions for persecutee assets are being favorably considered.

This may well be the time to consider the advisability of amending ARTICLE II of Control Council Law No. 5 in such a manner as to exclude from the operation of said Law, assets of bona fide persecutees who have not departed from Germany nor at the present time intend to leave, inasmuch as it is felt that it was not the intention of the Law to adversely affect the assets of persons falling into that category. If the Department of State agrees, we would be pleased to initiate a staff study with a view to making the necessary changes in the Law on a tripartite basis or, if no agreement can be reached with the British and French, on a unilateral basis.

We would appreciate receiving your comments regarding this matter.

Fred E. Hartzsch

FRED E. HARTZSCH
Chief

Telephone: Wiesbaden - 21341
Extension - 496

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Authority VND 775057
By ANI NARA Date 7/14/99

"External Assets"
file Box 6
260-268
Recs of the
360/44/20/01-3
Legal Division

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

FILE NO
SUBJECT Possible exemption of persecutees from provisions of Law No. 5

NO	TO	FROM	DATE	(Has this been coordinated with all concerned?)
1	PD	Prop Contr. Nov Ext. 48 Assets Br., PD	26	Attention: Mr. Frank Miller

There is attached hereto a copy of a communication from the Office of Political Affairs, dated 9 November 1948, quoting airgram no. 271 of 29 October 1948 from the Department of State to the Legation at Vienna. Therein the Office of Political Affairs invites the comments of this Office with respect to a conflict between ACC Law No. 5 and Austrian Restitution Legislation. Under the terms of the latter, the surviving members of a Jewish family resident at Munich would be entitled to restitution of certain of its assets in Austria which had been "aryanized" during the Nazi regime. Article II of Law No. 5, however, provides that all rights, titles and interests in respect of any property outside Germany which is owned or controlled by any person of German nationality inside Germany are vested in the GEPC. Thus, despite the fact that the surviving members of the Munich family appear to have been bona fide persecutees, their assets would receive the same treatment as those of any other German national, inasmuch as there is in Law No. 5 no provision exempting assets of persecutees.

Article III of law No. 5 vests all rights, titles and interests in respect of any property outside Germany which is owned or controlled by any person of German nationality outside Germany in the GEPC. The term "any person of German nationality outside Germany" is defined as applying only to a person who has enjoyed "full rights of German citizenship under Reich Law at any time since 1 September 1939 and"

While there is no similar definition for the term "any person of German nationality inside Germany" (Article II) it would seem just and equitable that German nationals inside Germany who were bona fide victims of the Nazi Regime should not be considered as persons of German nationality in Germany. In this connection, it is my understanding, that apart from the suffering all types of persecution, members of the Jewish, by virtue of certain laws passed during the Nazi regime, were actually made "2nd class citizens". In any event, it would be difficult to classify them as having enjoyed "full rights of citizenship".

It is, therefore, suggested that before replying to OPA, we obtain an opinion from the Legal Division as to whether or not the provisions of Law No. 5 could be interpreted so as to exempt the assets of bona fide persecutees of the

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(pub w/ last 2 pgs)

220607

FILE NO
SUBJECT

RESTRICTED

NO TO FROM DATE

Nazi Regime. If this suggestion meets with your approval would you be good enough to submit this problem to Legal?
Please advise.

1 Incl. a/s

Tel.: Wiesbaden 21341
Ext. - 496

Handwritten:
Karl
H. SOETEK

(Page No.)

THIS SPACE WILL NOT BE VISIBLE WHEN FILED

220608

RESTRICTED

RG
Entry 56
File Accsn 69-A-4707
Box RESTITUTION
84

DECLASSIFIED
Authority 11NOV78025
By SZ NARA Date 10-28-99

DEPARTMENT OF THE ARMY *German Restitution*
STAFF MESSAGE CENTER
INCOMING CLASSIFIED MESSAGE

SECRET
PRIORITY

PARAPHRASE NOT REQUIRED

From: CINCEUR Berlin Germany sgd Clay
To: Dept of Army Wash DC for CAD
Nr: CC 6884

27 November 1948

Subject is Restitution from Berlin. Reurad WX 88362, which sets forth the basic restitution policy governing restitution both to the East and West, provide that restitution shall be made to the Soviet satellite countries, except under specific well-prescribed circumstances.

There are a large number of restitutable items located in Berlin. Some of these items would normally be restitutable to the East and some to the West. At the present time we are unable to reconstitute anything from Berlin to the West because of the Soviet blockade. Certain of the Eastern satellite countries, and notably Yugoslavia, have requested restitution of items from Berlin and have precluded any refusal because of transportation technical difficulties, by offering to provide their own transportation. If the policy laid down in urad WX 88362 were strictly followed there would be no reason for not making delivery of these restitutable items from Berlin to Yugoslavia.

With your concurrence, we propose to tell the Yugoslavians and other Soviet satellite countries that it is the US policy to avoid discrimination wherever possible and that we are unwilling to reconstitute to one country from Berlin until it is possible to reconstitute to all countries, that we do not believe that one country should be entitled to receive restitutable items from Berlin merely because it is able to make an arrangement with the Soviet Union which other countries are not in a position to make, that accordingly we regret that we will be unable to make any restitution deliveries from Berlin until the lifting of the blockade makes it possible to treat all countries alike.

ACTION: CAD

INFO : ID, OUS, PO

CM IN 5310

THIS DOCUMENT CONTAINS INFORMATION (27 Nov 48)

DTG: 270930Z dwn/D

AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF THE ESPIONAGE ACT, U.S.C. 50, 31 AND 32. THE TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

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THE MAKING OF AN EXACT COPY OF THIS MESSAGE IS FORBIDDEN

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Entry 56
File Accsn 69-A-4707
Box RESTITUTION
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DECLASSIFIED
Authority 11N0978025
By SZ NARA Date 10-28-99

CLASSIFIED
INCOMING
MESSAGE

SECRET

DEPARTMENT OF THE ARMY
STAFF COMMUNICATIONS OFFICE

German Restitution

SECRET

PARAPHRASE NOT REQUIRED

From: OMGUS Berlin Germany sgd Hays
To : Dept of Army for CSCAD Wash DC
Info: Hq EUCOM Heidelberg Germany
Nr : CC 8278

8 Apr 49

Subject is Disposition of Precious Metals Other than Gold.

It is requested that you authorize us to return to German economy all precious metals we hold, other than gold deposited pursuant to Military Government Law 53, unless restitution claims or presumptive foreign ownership is involved.

ACTION: CAD

INFO : ID, ARMY COMPT, BUD, OAS, CSA

CM IN 15340

(8 Apr 49) DTG: 081214Z ros/D

THIS DOCUMENT CONTAINS INFORMATION AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF THE ESPIONAGE LAWS, TITLE 18, U.S.C. SECTIONS 793 AND 794. THE TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

10

DA SCO FORM 22-2
15 JAN 1949

SECRET

COPY NO.

U. S. GOVERNMENT PRINTING OFFICE : 1948 - O-811947

220610
220611

DECLASSIFIED
Authority NND 751100
By C60 NARA Date 8/4/97

Renseignements sur l'attitude des négociants en Objets d'Art

Une récente conversation entre les Lieutenants CADORET et BLOCH et Monsieur CAYEUX de SENARFONT a révélé ce qui suit :

Une réunion du Syndicat des Négociants en Objets d'Art s'est tenue au début de Janvier, Après la séance officielle, les principaux membres se sont réunis en séance secrète, Le but de cette dernière était de déterminer l'attitude à tenir vis à vis des récents décrets financiers sur les bénéfices illicites et les ventes aux Allemands.

La situation des Négociants en Objets d'Art est très délicate, en effet, 80% de ceux-ci ont traité directement ou indirectement de grosses affaires avec les Allemands.

Ces ventes ne figurent pas dans leurs Comptabilités.

Le secret de leurs opérations est difficile à conserver étant donné que certains de leurs transactions sont déjà connues et que les objets d'art pourront être trouvés en Allemagne.

D'un commun accord, ils décidèrent de ne donner aucun renseignement, de n'établir aucune déclaration et de nier tout trafic étant effrayés par les pénalités encourues.

Le but de la Section dans le cadre de la Récupération artistique était de se procurer des photographies d'oeuvres d'Art parties en Allemagne et les noms des personnes ayant participé à ces ventes, Elle avait réussi à obtenir des dossiers (Affaire JANSEN, etc) et serait arrivée à établir un relevé assez complet des ventes faites au bénéfice des Allemands.

Or, les décrets parus semblent aller à l'encontre du but recherché. La législation actuellement en vigueur ne possède pas les moyens d'investigation nécessaires pour déceler et connaître l'étendue des



Handwritten notes: 239, 279, 280, 190+

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DECLASSIFIED
 Authority NND 751100
 By CEW NARA Date 8/5/97

transactions et se trouve, de par l'attitude même des négociants en objets d'art, désarmée, Il est, en effet, impossible d'obtenir spontanément les renseignements utiles.

En outre, devant le danger qui les menace, les négociants en objets d'art ont tenté de se blanchir.

Certains ont organisé des expositions :

- au bénéfice d'oeuvres Alliées (Galerie FARLANI pour la Stage Door-Canteen).
- particulière (exposition Jean OBERLE, montée par MASENTA, à la Galerie Charpentier)
- Ventes en faveur des F.F.I. (SCHELLER,....)

Ces faits troublent l'opinion publique et ne faciliteront pas la tâche de la Justice en fournissant aux marchands complois; un argument militant en leur faveur.

Quelques uns; en ce moment; vont même jusqu'à racheter les oeuvres qu'ils ont vendues pour les restituer à leurs propriétaires, D'autres, se prévalent de l'aide qu'ils ont reçue, attestant de leur patriotisme; de dons qu'ils ont fait en faveur de la résistance, etc....

Actuellement, se sentant couverts, ils affichent une attitude triomphante.

Désiderata - pour information et demande de directives.

- Destinataires :
- 1 Ex. : Monsieur SOUREILLE
 - 1 Ex. : Lieutenant-Colonel MANUEL
 - 3 Ex. : Archives Section Etudes Culturelles.

R 6239
 Entry 73
 Box 80
 F. Scheffer

~~SECRET~~

RG

Entry

File

Box

56

Accsn 69-A-4707

RESTITUTION

84

DECLASSIFIED

Authority 11NOV8025By SZ NARA Date 10-28-99

INCOMING TELEGRAM

Department of State

TELEGRAPH BRANCH

CONFIDENTIAL

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Action
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FROM: Frankfort

TO: Secretary of State

NO: 8131, April 9, 7 p.m.

SENT DEPT 8131, RPID INFO LONDON 711 FOR ISG.

On Feb 14, 1951 a del rep several Jewish organizations including Jewish Restitution Successor Organizations called upon High Commissioner to discuss disposition DM funds acquired by JRSO. Since that date various conferences have been held with JRSO in attempt to arrive at solution this problem.

When restitution program was originated 1947 Mil Govt was faced with problem of disposition of those confiscated properties for which no (rpt no) known claimants survived. To prevent enrichment as result of extermination program, it was decided that such claims shld be filed by successor organization which truly represented Jewish people as group. JRSO was formed by leading Jewish organizations after consultation with State Dept and OMGUS for exclusive purpose of serving as instrument for carrying out estab US policy concerning heirless Jewish assets in Ger. By the terms of its New York certificate of incorporation and its appointment in Regulations 3 under Law 59 JRSO was obligated to use its proceeds for relief, rehabilitation and resettlement of Jewish victims of Nazi persecution or such other charitable purposes as approved by Mil Govt.

Since appointment of JRSO 1948, it has been possible to recover only few million marks which have been applied thru 2 IRO voluntary agencies operating in Ger for relief of Jewish persecutees still in Ger. As previously reported settlement was concluded on Feb 13, 1951 according to which Land Hesse will pay JRSO about 20 million DM's during next 2 years, as consideration for assignment of JRSO claims in Hesse. JRSO presently endeavoring to conclude similar agreements with the other Laender in US zone and it appears that JRSO may in reasonable future be able to recover total of around 50 million DM. As most displaced persons removed from Ger before any substantial restitution proceeds cld be realized and amounts now (rpt now) needed in Ger are limited, JRSO now (rpt now) raising question as to how these funds may be used fulfill philanthropical objective for which it created.

JRSO states charitable organizations which have formed JRSO and borne US dollar expenses connected with its activities are to large

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Accsn 69-A-4707

RESTITUTION

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Authority 110978025By SZ NARA Date 10-28-99

CONFIDENTIAL

-2-#8131, April 9, 7 p.m. from Frankfurt

are to large extent supporting or assisting survivors Nazi persecution now (rpt now) living outside Ger. JRSO further states these organizations would of course welcome free convertibility of JRSO DM receipts into US dollars so they may receive some amelioration of their past and present financial burdens and that even without convertibility it would be of great assistance if these funds cld be used for purchase and shipment from Ger of medical equip, prefabricated houses, other goods essential for relief and rehabilitation Jewish persecutees now (rpt now) in Israel. It is stated such permission wld also facilitate emigration of considerable number of tubercular DP still confined in Ger because Israel does not (rpt not) have facilities essential for their care.

We have explained to reps JRSO that we do not (rpt not) consider conversion of JRSO DM into US dollars feasible in foreseeable future and have further explained difficulties faced by US in consideration of their proposals for financing of exports with blocked DM because approval wld be contrary to position previously taken by US in discouraging FEDREP from authorizing unrequited exports from Ger. We drew their attention to fact that utilization of fon owned DM balances to finance exports has been specifically excluded from all licenses heretofore instituted over such accounts and that present plans for further relaxation of controls did not (rpt not) contemplate any change in this policy. On other hand, we feel that it wld hardly be justifiable to require small amount of heirless Jewish funds recovered to remain blocked, while many of Jewish survivors of Nazi persecution remain desperately in need abroad particularly as JRSO feels that it cannot afford loss that sale of these blocked marks wld entail. Considerable merit to the argument that the successor organization cannot fairly be placed same category as any commercial enterprise or other agency operating in Ger.

In view considerations above and political significance of satisfactorily solving this problem we are prepared subject your approval propose to Brit and Fr in HICOM that JRSO be permitted utilize its funds in Ger for purchase goods and their shipment abroad under controls deemed necessary such goods to be used for relief rehabilitation and resettlement of Jewish persecutees. Provided HICOM approval obtained FEDREP will be informed that in this particular instance there wld be no (rpt no) allied objection to approval such export applications for JRSO.

MCCLOY

JAK:VIM

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220614

RG 56
Entry Accsn 69-A-4707
File RESTITUTION
Box 84

DECLASSIFIED
Authority ANN0978025
By SZ NARA Date 10-28-99

INCOMING TELEGRAM

Department of State

TELEGRAPH BRANCH
CONFIDENTIAL SECURITY INFORMATION

*Restitution
1434
December 11, 1951
11:23 p.m.*

4-1
Action
GER
Info
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FROM: Bonn
TO: Secretary of State
NO: 625, Dec 5, 7 p.m.

SENT DEPT 625, RPTD INFO THE HAGUE 5, LONDON 180 (FOR TCGD)

Subject: Dutch-German negots on restitution German RM securities.

Negots were started early Oct in The Hague and continued recently in Bonn. As Dutch now officially advised us, dels reached tentative agreement on fol financial settlement: Germans will recognize RM 70 million prewar indebtedness on account of "looted" RM bonds to be dealt with under London debt settlement. In compensation for "looted" RM shares of stock Germans will pay and transfer "within reasonable time" (which was explained to us to mean about one year) DM 15 million and further pay DM 30 million into blocked account subj to existing foreign exchange regulations. Final negots will take place in Holland early Jan. Dutch emphasized friendly and cooperative atmosphere in which negots took place.

Although Dutch did not explain basic figures from which negots started, our as well as French, British first reaction is that envisaged total appears not unreasonable. Will keep you advised of future developments.

SMD:JM

MCCLOY

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Authority: NND978025
By: SR NARA Date 10-28-99

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~~CONFIDENTIAL~~ *of Restitution*

DEPARTMENT OF THE ARMY
STAFF COMMUNICATIONS OFFICE

CONFIDENTIAL

PARAPHRASE NOT REQUIRED

From: OMGUS Berlin, Germany sgd Hays
To: CSUSA for CSCAD
Info: HQ EUCOM
Nr: CC 8481
Reurads WX 84505 February and WX 87600 April and ourad
FMPC 484 March. Subject is meritorious claims and termination
of restitution. 3 May 49

As stated in FMPC 484, we are much concerned over State Department's suggestion that definition of meritorious claims be broadened and our thinking in this matter has been in the exact opposite direction. As previously stated in our FMPC 484, it had been our intention to continue with the present rigid definition of meritorious claims for a very limited period of time after which we would announce that no more non cultural claims would be received. To expand definition of meritorious claims as recommended by State would put us back in business to the extent that it would be necessary for us to reconstruct both German and Mil Govt restitution agencies which were largely disbanded as of 31st December 1948 and which have subsequently been further reduced with the diminishing workload resulting from small number of new claims received.

In paragraph 2 of WX 84505 your statement fully supports our contention that it would be impossible to continue the restitution program until every looted item has been restored and that the closing of US Mil Govt program does not affect possible rights of future claims under future treaty with Germany.

As to Italian claims, we have as requested reviewed the claims filed prior to the deadline of 30th April 1948, and it is our opinion that these claims were satisfactorily processed, that no other action should be taken with respect to these claims and that no further benefits would result to the claimant nations by the reprocessing of these claims. As to claims submitted as being of a meritorious nature and filed subsequent

CM IN 671

(4 May 49)

THIS DOCUMENT CONTAINS INFORMATION AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF THE ESPIONAGE LAWS, TITLE 18, U.S.C., SECTIONS 793 AND 794. THE TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

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DA SCO FORM 22-3
15 JAN 1949

220616

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Authority MNO978025
By SR NARA Date 10-28-99

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DEPARTMENT OF THE ARMY
STAFF COMMUNICATIONS OFFICE

Nr: CC 8481

Page 2

to 30th April 1948, we have again reconsidered these claims and we must point out that we consider such claims should have been filed prior to 30th April 1948, that the claims are definitely not of a meritorious nature, that substantially all of them are for items for which no declarations were filed by the Germans and for which we have no information as to their location or existence, and that for these reasons have been rejected.

For your information, we rejected on 11th April 1949 some 267 Italian claims which were submitted as meritorious claims for reasons stated above and the Italian Consulate was informed of our action.

We must emphasize that at no time during the restitution program have we undertaken the task of locating properties where we do not have specific information as to their location and existence nor do we agree that an exception should be made with respect to the investigation of these claims. To accept such claims at this time would create a flood of requests for similar treatment from other nations and would in effect be starting a witch hunt for which personnel are not available.

In view of the above comments and the fact that all missions have operated under a single policy in the US Zone, we recommend and strongly urge that the present definition of meritorious claims remain unchanged, that no exception be made in respect to the Italian claims, that termination date suggested by State be advanced to 30th June 1949, and that the rights of claimant nations to indemnity against unsatisfied claims be considered a subject for possible consideration within the framework of the future German Peace Treaty.

Note: FMPC 484 is CM IN 7138 (2 Mar) CAD.

ACTION: CAD

INFO: CAD(STATE), CSA, PO, OAS

CM IN 671

(4 May 49) DTG: 031040Z dgk/B

THIS DOCUMENT CONTAINS INFORMATION AFFECTING THE NATIONAL DEFENSE OF THE UNITED STATES WITHIN THE MEANING OF THE ESPIONAGE LAWS, TITLE 18, U.S.C., SECTIONS 793 AND 794. THE TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

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U. S. GOVERNMENT PRINTING OFFICE : 1949 - O - 830430

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Entry	Accsn 69-A-4707
File	RESTITUTION
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 Authority 11NOV978025
 By SR NARA Date 10-28-99

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MESSAGE

RESTRICTED

DEPARTMENT OF THE ARMY
 STAFF COMMUNICATIONS OFFICE

German Restitution

RESTRICTED

PARAPHRASE NOT REQUIRED

From: OMGUS Berlin Germany sgd Hays
 To: CSUSA for CSCAD
 Info: EUCOM
 Nr: CC 8407

23 Apr 49

Reference your WX 87374. Subject is restitution to Rumania. As indicated in last paragraph of reference cable, previously furnished information applicable to all restitution missions may be used as basis for reply to Roumanian note. Following information is suggested as further basis.

Although no quadripartite agreement was ever reached regarding restitution to Roumania, US unilaterally started restitution to this nation in 1946. This action was eventually supplemented by restitution provisions contained in peace treaty signed in Paris on 10 February 1947 and which went into effect in September 1947. Therefore we consider ample time was given for filing of claims until 30 April 1948, deadline for filing of claims by all claimant countries. Processing of Roumanian claims and deliveries was not completed until November of 1948 while shipments to all nations except France and Czechoslovakia were completed by 31 December 1948. It is obvious that Roumanians were accorded equal consideration with other claimant countries.

Under date of 5 November 1948 our restitution branch received letter from Chief of Roumanian restitution mission noting termination of work of their mission and expressing thanks for consideration received.

Investigations of restitution claims were in all cases accomplished under supervision of responsible US authorities. It was established policy of US Military Government not to allow independent searches and investigations by foreign restitution missions. Similar treatment was

CM IN 18479

(23 APR 1949) THIS DOCUMENT CONTAINS INFORMATION AFFECTING THE MEANING OF THE ESPIONAGE LAWS, TITLE 18, U.S.C., SECTIONS 793 AND 794. THE TRANSMISSION OR THE REVELATION OF ITS CONTENTS IN ANY MANNER TO AN UNAUTHORIZED PERSON IS PROHIBITED BY LAW.

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DEPARTMENT OF THE ARMY
STAFF COMMUNICATIONS OFFICE

Nr: CC 8407

Page 2

accorded all claimant countries. Noncultural properties delivered to Roumania are conservatively estimated at more than one million reichsmarks.

ACTION: CAD

INFO: CAD(STATE), PO, OAS, CSA

CM IN 18479

(23 APR 49) DTG 230724Z mlf/B

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RESTITUTION
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DECLASSIFIED
Authority NND 978025
By SZ NARA Date 10-28-99

WAR DEPARTMENT *Comm: Restitution*
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OUTGOING CLASSIFIED MESSAGE

SECRET

PARAPHRASE NOT REQUIRED. HANDLE AS SECRET CORRESPONDENCE
PFR PARAS 511 and 60a (4), AR 380-5.

Civil Affairs Division
Lt Col Jorgenson, 6432

29 September 1947

OMGUS Berlin Germany

INFORMATION

HQ EUCOM Frankfurt Germany

Nr: WARX 87275

From CSCAD Econ. Reurad Sept CC 1595. Internal restitution
is subj.

1. Proposal along lines your Para 4 is acceptable provided ceiling on restitutable profits is reasonable.
2. In view of agreement among three powers, can draft law be carried out on trizonal rather than bizonal basis?
3. Will heirless property be handled by separate organizations pursuant draft law being worked out with British? We had hoped agreement would be possible at least with British on this matter.
4. Even if quadripartite agreement on a restitution law not obtained, and separate measures enacted in east and west, suggest you consider seeking quadripartite provision for registration restitutable properties. Nothing further.

End.

CC 1595 is CM IN 2488, 14 Sep

ORIGINATOR: CAD

DISTRIBUTION: OUS, CAD (State), PO

CM OUT 87275 (Sep 47)

DTG 291802Z

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German Restitution

THE JEWISH AGENCY FOR PALESTINE

Mr. William H. Taylor
 Assistant Director
 Division of Monetary Research
 Treasury Department
 Washington, D.C.

August 26, 1946

Dear Bill:

I enclose two copies of a memorandum on restitution and related questions. This memorandum was prepared for Max Lowenthal, who informs me that he discussed the matter also with you. Lowenthal and some of the State Department boys have accepted the point of view embodied in this memorandum in general (and Lowenthal in detail), but I don't know how far that will carry with General Clay.

I hope to give you some added material on the same general problem, but relating to particular transfer questions in the near future, if you are interested. Mr. Kaplan, Treasurer of the Jewish Agency, informed me by telephone on Saturday that Bernard Bernstein has gone to Germany as "expediter" on these matters.

Cordially,

/s/ OSCAR GASS

Oscar Gass

OC7as

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8/27/46

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By <u>SZ</u> NARA Date <u>10-28-99</u>

MEMORANDUM

Basic Principles in Restitution, Compensation, Indemnification and Transfer of Jewish Claims on Germany.

DEFINITIONS

1. By Restitution is meant the restoration of specific property (land, buildings, equipment, securities, deposits, cash, etc.) identifiable as formerly owned by Jewish individuals, corporations and unincorporated bodies, of which the Jewish owners were deprived by processes more or less completely confiscatory in substance.
2. By Compensation is meant the payment of equivalent value for property of which the Jewish owners were deprived by processes more or less completely confiscatory in substance. (The adjustment of a single claim may involve both restitution and compensation; a Jew may receive restitution of the same house as was taken away from him and compensation for the damage done to the house while it was out of his custody).
3. By Indemnification is meant payment for personal wrongs suffered as the result of the Nazi program of persecuting, enslaving and exterminating the Jewish people. Such wrongs include forced employment at less than normal rates of compensation, imprisonment, torture, maiming, killing, etc.
4. By Transfer is meant the conversion of claims on Germany into assets valuable for resettlement outside of Germany, whether these assets be real goods or foreign exchange.

BASIC PRINCIPLES

5. The primary objective of the program of restitution, compensation and indemnification is to make resources available for the resettlement of persecuted and uprooted Jews. Since the first choice of these Jews is resettlement outside of Germany, such resources should be made available - to the greatest extent practicable - in a form useful for resettlement work outside of Germany.
6. To the extent consistent with this primary objective, it is also an objective of the general program to recompense individuals who have suffered damage to property or person in a measure proportionate to the damage suffered.
7. The general program of restitution, compensation and indemnification must not lay claim to capital assets or current output required for (a) reparation, (b) external restitution of assets seized from occupied countries or (c) the current subsistence of the German population.

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In view, however, of (a) the proven ability of Germany, for many years, to devote over 40% of its total assets to war purposes, (b) the reduction in German capital requirements resulting from the "level of industry program", and (c) the acceptance of the principle that the German standard of living must not be higher than that of formerly-occupied Europe, the German economy should be able to supply substantial capital assets immediately and substantial current output over time to accomplish the program of restitution, compensation and indemnification.

8. The claims to restitution, compensation and indemnification alike are claims against the German community (or State when such shall be organized). Confiscation of property and injury to persons alike were possible only by the exercise of State authority, in accordance with State policy, and by the initiative of State agents.

9. Where specifically identifiable former Jewish property can be located, it is right to seize such property immediately and vest title to it in an appropriate Custodian charged with the accomplishment of this program. But the seizure of such specifically identifiable property may cloak the true processes involved in this program more than reveal them. If a Jew claimed restitution of a submarine production yard, that claim would not be a barrier to its demolition or transfer as Reparations. If a Jew claimed restitution of a stock of cotton somehow preserved since confiscated from him, that claim would not be a barrier to its use for the necessary current subsistence of the German people. The true principle is that all German capital and current resources required for higher priority programs are not available for this one, but the residual of resources above these highest priority programs should be made available in the measure of the outstanding just claims. Once this principle is recognized, fiscal and monetary ingenuity will suffice to find methods to meet all awards in a reasonably short time.

10. Because of the primacy of the resettlement objective, individuals now in Germany or who have left Germany since V-E day should receive first priority in the handling of claims and in the availability of the proceeds of awards for transfer abroad.

11. Again because of the primacy of the resettlement objective, all individual claimants in Germany (or having left Germany since V-E day) should receive full award and transfer rights of some modest amount before any individual receives more. It is suggested that an appropriate modest amount might be a total of \$2000 in kind and in cash. It is also recommended (as further specified below) that an administrative procedure be worked out to permit group resettlement authorities (in particular the Joint Distribution Committee and the Jewish Agency for Palestine) to receive awards and transfers pari passu with the highest priority individual claimants.

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German Restitution

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12. All individual claims - both with respect to property and personal injury - shall be transmitted to other individuals only as far as spouse and direct ascendants and descendants.
13. The claims of individuals who are heirless, within the circle defined in 12 above, shall escheat to a Custodian of Jewish Claims. The same Custodian shall also inherit the claims of German Jewish communities - unless such communities shall have survived 50% or more intact.
14. Because of the primacy of the resettlement objective and because individuals who have suffered personal wrongs (as opposed to property loss) are likely to find it most difficult to stand on their own feet when deprived of all resources, claims for indemnification shall receive priority in administrative attention and transfer rights over claims to restitution and compensation.
15. The carrying out of this program of restitution, compensation and indemnification will require the establishment of an American officer as general Custodian for Jewish Claims. It will be his task to establish within his own organization an administrative procedure (a) to adjudicate claims of individuals in Germany and elsewhere, (b) to assemble and realize heirless claims available for resettlement work by appropriate Jewish bodies and (d) to facilitate the transfer abroad of the proceeds of awards in so far as possible. The Custodian must be an American officer, carrying out Occupation policy. He cannot be a representative of Jewish agencies because no such representative could be given the large administrative and quasi-judicial powers that are required to do an effective job.* He cannot be a German because it is at least dubious whether a German would have the degree of fidelity to the basic objectives that is required.
16. The Custodian of Jewish Claims shall have no responsibility for actual resettlement work. The two operating Jewish bodies in this field are the Jewish Agency for Palestine and the Joint Distribution Committee. They have agreed as to the sharing of funds available for this purpose and should be given full discretion and responsibility. Funds available for group resettlement should be turned over to them as quickly as possible (as suggested also in point 11 above).
17. In all questions of restitution and compensation, there shall be a non-rebuttable presumption of duress in Jewish property transferred after 1938 and a rebuttable presumption of duress in transfers between 1933 and 1938.
- * But he might very appropriately have an advisor or two who represented Jewish agencies.

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RESTITUTION, COMPENSATION AND INDEMNIFICATION

18. Justice - and accepted principles of both American and German law - requires that there be full compensation for any loss, damage or deterioration of Jewish property that occurred after the date of its removal from the effective control of its Jewish owner.

The appropriate private law analogy is that of the position of a thief who steals a car that is struck by lightning while in the thief's hands. The thief can not then argue an "act of God" as a justification for not recompensing the true owner for the full value of the stolen car.

19. Even where former Jewish property (given up under duress) is now in the hands of an innocent "holder in due course", such property should be vested immediately in the Custodian of Jewish Claims. The present German "holder in due course" can be compensated by the German community (or State) according to its own principles of equity.

20. Indemnification should be paid in cash, out of the German public treasury, and should bear a reasonable - not a token - relationship to the wrongs suffered.

TRANSFER PROBLEMS

21. To be of greatest value in resettlement, the assets made available through restitution, compensation and indemnification should be available for transfer abroad either in real goods or in foreign exchange. The facilitation of such transfer should be recognized as a major economic objective of the Occupation program.

22. Transfer of the proceeds of restitution, compensation and indemnification must be coordinated with the transfer of (a) savings from income currently being earned by Jews now gainfully occupied in Germany and (b) uncontested Jewish property in Germany.

It is most important, as an incentive to work now in Germany, that Jews be given some formal assurance that they will be able to take part of the proceeds out of the country. Otherwise we will continue to lack an important weapon with which to fight idleness and the consequent demoralization.

A minimum per capita amount of uncontested Jewish property of Jews now in Germany should be available for transfer upon emigration.

Jewish resettlement institutions holding uncontested Jewish property should be given every facility to use such property for transfer.

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PERSONS NOW IN GERMANY

23. First priority should be given to the settlement of the claims and transfer of the assets of persons now in Germany or who have left Germany since V-E day and to organizations engaged in the resettlement of these persons.
24. Any Jewish emigrant leaving Germany should be allowed to take with him, without question, a small amount of emigrant's effects (clothing, furniture, tools, equipment, etc.) and cash. The per-capita amount of total property to be taken out without question should, for the present, not exceed \$2,000 (20,000 marks). This should be a total derived from all sources - uncontested property, current savings, restitution, compensation and indemnification.
25. Of the maximum of \$2000 allowed, for the present, to be taken out of Germany without further question by any Jewish emigrant, not more than \$250 is to be in foreign exchange. This amount of foreign exchange is to be derived from conversion of any marks he may hold at the rate of 10 marks to the dollar (or any other rate to be determined in accordance with fair value). A larger quota of transfer in foreign exchange should be permitted later, when the German foreign exchange position improves.
26. Individual emigrants from Germany shall have the right to pool their assets to purchase real goods that will be of value in their resettlement. No question shall be raised about the availability of any piece of real goods for inclusion in such emigrants' effects so long as its value does not exceed \$1,000 (\$10,000 Marks). If the value does exceed \$1,000, it shall be the duty of the Transfer Division of the Custodian of Jewish Claims to undertake to "clear" such items for inclusion in emigrants' effects providing that, after consultation with other appropriate Occupation officers, it is found that removal of such articles from Germany external restitution of looted assets, or the minimum subsistence requirements of Germany.
27. Individual emigrants shall have the right to deposit their assets with Jewish resettlement agencies for transfer.
28. The appropriate officers of the Occupation administration shall, from time to time, make findings intended to facilitate the transfer of emigrants' assets above \$2,000 per capita. Certain classes of used or damaged tools and equipment may, for instance, be declared available for export to satisfy emigrants' claims. All such rulings shall be governed by the desirability of meeting transfer requirements as rapidly as possible, compatible with other high priority economic objectives.

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Germany & Restitution

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HEIRLESS PERSONS AND COMMUNITIES

29. Because of the availability of the claims of heirless persons (as defined in point 12 above) and destroyed communities (as defined in point 13 above) for resettlement work, these claims should receive consideration in administrative handling and transfer immediately after those of persons now in Germany and organizations concerned with the resettlement of persons now in Germany.
30. Title to all such claims should vest immediately in the Custodian of Jewish claims.
31. It shall be the duty of the Custodian to assemble, adjudicate and realize such claims. He shall then transfer the proceeds to the American Jewish Joint Distribution Committee and the Jewish Agency for Palestine, according to a formula to be agreed upon by them, for use in the resettlement of displaced persons.

PERSONS OUT OF GERMANY OR DECEASED WITH HEIRS OUT OF GERMANY

32. It shall be the duty of the Custodian of Jewish Claims to establish expeditions procedures for the submission and adjudication of such claims.
33. The Custodian of Jewish Claims shall also be charged with making the best arrangements possible for the crediting of the claimants with the proceeds of awards and the transfer of those proceeds abroad.
34. The crediting of claimants resident abroad and the transfer of the assets shall take place pari passu for all claimants to restitution and compensation.
35. Priority shall be given to the award and transfer of (a) claims to indemnification and (b) claims of all kinds where evidence of need is submitted.

Washington, D.C.
August 23, 1946

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PARAPHRASE NOT REQUIRED. HANDLE AS SECRET CORRESPONDENCE
 PER PARAS 511 and 60a (4), AR 380-5

From: OMGUS Berlin Germany sgd Hays

To: AGWAR for WDSOA Econ

Info: EUCOM

Nr: CC 1595

13 September 1947

Reference urad WX 84921 internal restitution is subject. In accordance therewith we have resumed negotiations in an attempt to obtain a quadripartite law. There were 2 meetings in the Finance Directorate on Sept 5 and 9 during which progress has been neither promising nor indicative of the situation. The Soviet delegate who had previously handled the negotiations on the restitution law has been absent from Berlin; at the meeting on the 5th the Soviet representative was one who was not in a position to make any binding commitments; at the next meeting the Director of the Soviet Finance Division who had just returned from Moscow was present and it was necessary to rediscuss all the points and he did not appear ready at that time to make any concessions. As a result, matters which previously appeared to be of minor importance were discussed at length. Another meeting is scheduled for 15 September; when it appears that agreement on the remaining points cannot be reached in the Directorate, it is our plan to forward the unagreed questions to CORC for determination. It is hoped that all such questions will be submitted on 3 to 1 basis with the British, French and US agreeing.

The one encouraging development was the position taken by the British delegate to accept our compromise of leaving the disposition of heirless property to each Zone Commander in view of this, we are immediately commencing

CM IN 2488

(14 Sep 47)

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Page 2

From: OMGUS Berlin Germany sgd Hays

Nr: CC 1595

13 September 1947

work with the British on bizonal law so that it will be ready for release in the event that quadripartite agreement becomes impossible.

The difference still under discussion in the Directorate are:

1. The US, British and French agree to leave the question of disposition of heirless property to the Zone Commanders; the Soviets maintain their position of escheat to the State. In view of change of British position, we have not taken up possible compromise suggested unad.
2. The US, British and French agree on question of power of avoidance. Soviets agree only in case the "transaction was effected at a deliberately low price which did not correspond to the real value of the property"; otherwise claimant must prove duress, without presumption.
3. The US, British and French agree that all persecutees should be treated equally under the law, regardless of present residence outside Germany or new nationality in another country; the Soviets indicated that this law should be limited at least to exclude former Germans who have now acquired new nationality elsewhere.
4. The method of accounting for rents, use, and

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From: OMCUS Berlin Germany sgd Hays

Nr: CG 1595

13 September 1947

profits between the restitutor the claimant. The positions of the other delegates are not entirely clear at this point as the discussions had not concluded at the end of the last meeting. French, British and Soviets have expressed liking for a plan whereby indemnification would be based on a set percentage of capital, with other profits, to which the restitutor would not be entitled, being treated the same as a helpless property. They prefer this to US proposal because they do not wish any excess war profits to be given to any individual. Since this might be a basis of compromise on this point, would appreciate your views soonest on whether this would be acceptable.

END

ACTION: CAD

INFO: USW, CAD (State), P&O

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(14 Sep 47)

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Civil Affairs Division
 Lt Col A L Jorgenson 75140

To: OMGUS

Info: HQ EUCOM

Nr: WARX 87600

22 Apr 49

Fr CSCAD cite EUR. Reurad Mar FMPC 484. Meritorious claims and termination of restitution is subj.

As you know US has had representations fr various govts, particularly France, Yugo, Italy, Poland re termination restitution in US Zone. State Dept while advising these govts that further cont full scale program would impose unreasonable burden on US not warranted by anticipated results, has found contd processing "meritorious claims" useful as provg proof US desire accord maximum recognition restitution interests of claimant govts. Meritorious pro particularly advantageous in connection with State desire defer reply to French proposal for lump-sum settlement unsatisfied restitution. Usefulness of meritorious claims device is of course limited and agree desirability early termination all non-cultural restitution. Recm 30 Sept as apropr final deadline for filing meritorious claims non-cultural items. Italian Govt has contd apply heavy pressure through Wash Embassy re restitution. While State entirely spts your pos re requests exam by Italian representatives of reparations inventories and plants allocated as reparations for restitutable mat, Italian participation in insp German plants, etc, compl rejection Italian request incg broader definition meritorious claims is politically difficult, particularly in view fact some ofl German looting data not given to Italians untl just before filing deadline or thereafter. State therefore renews strong recm broadening definition along lines suggested WARX 84505. If you consider such action applicable to all claimant countries impossible because of pers shortages, State request as minimum reconsideration of Italian case and sp trmt retroactively of rejected claims

CM OUT 87600

(Apr 49)

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filed after 30 Apr deadline if they involve circumstances peculiar to Italian situation, such as late eval of RUK and ROGES files, etc. Request early reply.

NOTE: FMPC 484 is CM IN 7138, 2 Mar 49

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CM OUT 87600

(Apr 49)

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 PER PARAS 511 and 60a (4), AR 380-5

FROM: OMCUS Berlin sgd Heys

TO: Chief of Staff Dept of Army Wash 25 DC for CSCAD
 For Lynch Executive Officer

INFO: HQ EUCOM

Nr: C 5534

14 August 1948

Reoureds July CC5364 and CC5456, disposition of
 securities and currencies.

1. Proposed operations under phase 3 will result in the recognition of established title to securities deposited under Military Government law 53 which are not subject to external or internal restitution and in which no person subject to Control Council law 5 has any interest. It is proposed that securities with regard to which title has thus been recognized will be released for removal outside of Germany in cases where the recognized owner is not a resident of Germany.

2. In this connection there is below, the draft of a joint press release which has been agreed upon with the British and French. Since our CC 5456 proposed treatment of 53 currencies owned by persons not subject to Control Council law 5 similar to that proposed for securities under phase 3, proposed press release discusses currencies as well

"1. Pursuant to an agreement between the United States, UK and French Military Governments, all persons not subject to Control Council law number 5 who own non-German currencies or who own securities expressed in other than German currency which are presently held by the Military Governments pursuant to Military Government law number 53,

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(15 Aug 48)

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Nr: C 5531

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are invited to submit applications for the recognition of their title to such currencies or securities. All German financial institutions carrying accounts of such securities for such persons are requested to notify the account owners accordingly.

"2. It is pointed out that, among others, there are subject to Control Council law number 5 all German Nationals in Germany and all those German Nationals now outside of Germany who have been residents of Germany or any other territory since 1 September 1939 which at the time of their residence was under the control of the German Reich and who enjoyed full rights of the German citizenship at any time since 1 September 1939.

"3. Persons desiring recognition of title to currencies or securities will be required to submit evidence to demonstrate their exclusive ownership of the currencies and securities involved and their exemption from external and internal restitution claims.

"4. External restitution claims are those filed by governments eligible for restitution to recover property removed from such countries during their occupation by Germany. Exemption from external restitution may be shown by submission of proof that the property has been owned exclusively since 1 September 1939 and was not removed from a country occupied by the Germans during the German occupation. Internal restitution claims are those filed by persons for recovery of property taken from them under duress in Germany for racial, religious and political reasons at any time after 30 January 1933. Exemption from internal restitution may be shown by submission of proof that the currencies or securities have been owned exclusively since 30 January 1933.

"5. The three Military Governments have further

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Nr: C 5534

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agreed to permit removal from Germany of currencies or securities, title to which has been recognized, when the recognized owner is not a resident of Germany.

"6. Applications for recognition of established title to currencies or securities delivered pursuant to Military Government law number 53 and deposited in the United States Zone of occupation and for permission for the removal from Germany may be filed with the Office of the Finance Adviser, Office of Military Government for Germany (US), APO 742 until 31st December 1948. In the case of securities deposited with financial institutions in the British and French Zones of occupation applications should be submitted to British or French Military Governments, respectively."

3. Cut off date of 31 December 1948 proposed for phase 3 may be subject to revision if French cannot agree to a joint cut off date for phase 2.

4. With respect to the definition of persons subject to CC law number 5 contained in para 2 of the press release, it was felt that specific reference to the group of persons named in regulation number 1 under CC law number 5 as specifically subject to such law would unnecessarily complicate the press release. We will, of course, in considering all applications, treat persons specified in regulation number 1 as subject to the law.

5. London already has agreed to joint press release above and comments from Paris have been promised by 15 August. In view of the above and of proximity of cut off date, appreciate your comments by 19 August for meeting on 20 August.

NOTE: CC 5365 is CM IN 6280 (30 Jul 48) CAD
CC 5456 is CM IN 1419 (8 Aug 48)

ACTION: CAD

INFO : CAD (State), PO, ECSA, OAS
CM IN 3003 (15 Aug 48)

DTG 140855Z mec

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Accsn 69-A-4707
RESTITUTION
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DECLASSIFIED
Authority: ANN 978025
By: SR NARA Date: 10-28-99

German Restitution

*Rest
my*

OMBUS Berlin Germany

Civil Affairs Division
Maj Gorman 6492

INFORMATION:

26 September 1947

EG EUCOM Frankfurt Germany

Number: WARE 57155

From CSCAD EGON. Reurad Aug CC 1117.

1. Your resume of situation re securities and currencies has been exceedingly helpful and is greatly appreciated. In view of complexity and importance of matter, request that you continue to keep us fully informed all developments.

2. Reurad para 5, it has not been intended that Moscow talks should deal primarily with restitution, and discussions were cancelled apparently due to misunderstanding. Steps are again being taken to initiate talks with Soviets at Moscow, altho there is little hope for successful outcome. See States telegram to Moscow rptd to USPOLAD Berlin as no 1947 or 25 Sept.

3. Restitution of looted securities. We understand from urad that you now proceeding with inventories and that you expect shortly to begin restitution of identifiable looted securities. In this connection, it is hoped that French claim will be handled as expeditiously as possible. As you know, State is exceedingly anxious to satisfy both, in view of large sums and Nationalities of interest ~~participating~~ involved and also because prompt restitutive would contribute considerably to European self-help program which this govt favors. See in this connection no 545 Sept from Bob Hague to Dept, rptd to USPOLAD Berlin as 44.

We assume that your program of unilateral restitution identifiable securities will begin as soon as administratively feasible and without regard to fact that discussions in RD and R directorate are continuing. We share your desire that these discussions eventually result in agreement on uniform quadripartite program and agree with you that, failing that, you should seek broadest agreement Brit and French. It may be found that if Soviet agreement is not forthcoming US proposal for meeting unsatisfied claims from pool of unidentifiable looted securities will have to be abandoned as unworkable for anything less than whole of Germany. However, any decision this regard will have to be reserved pending further developments.

4. Foreign securities of Bona Fide German ownership. We agree that possible restitutability of some securities constitutes strong objection to wholesale transfer foreign securities to IARA countries. At same time, the dubious prospects of satisfactory quadripartite restitution program or of quadripartite program on German-owned foreign securities makes it desirable that transfer be made soon as possible of at least those securities which are known to be Bona Fide German owned. Request your comments on propriety of such unilateral transfers without awaiting outcome of Moscow talks or resolution of pending question of GEPC title directive. Recognize that existence of securities in Germany make GEPC claim appear stronger than with respect other types external assets but not really stronger because only basis GEPC claim is theory securities merely evidences of assets.

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Combination of restitution of identifiable looted securities and transfer of securities of known ownership would reduce problem considerably and greatly facilitate eventual decisions re disposition securities in borderline category. While usefulness of cut-off date for restitution looted securities is appreciated in connection with disposition non-looted securities, we believe that this matter should be deferred until it is known how effectively and rapidly restitution is progressing.

5. Foreign currencies uncovered in Germany. Please advise when you have completed operations presently aith. Instructions being deferred re disposition currencies concerning which evidence avail as to country from which removed.

6. Reur para 8 A. Agree you explore possibilities releasing securities and currencies in Germany to non-German owners living outside Germany. Re last sentence your para 8A (1) and para 8A (2), question of disposition.

Securities and other assets in US of non-enemy residents of Germany currently being discussed by Office of Alien property, Treasury and State. Separate cable on this and on disposition of securities in Germany of such persons will follow.

7. Reurad para 8B (1), disagree that vesting under German law is essential re currencies and securities issued by or in US, UK, France and USSR, which are not looted, and which were formerly held by Germans, since currencies and certificates are on our theory merely evidences of assets themselves. German held claim against issuing agency is external asset in country of issue and it is this claim that is excepted by art 9 CC law 5. Accordingly, currencies and securities issued by or in US, UK, France and USSR are subj to transfer these countries without further action in Germany re divesting of title. So far as US concerned, title will be vested by APC after transfer to US.

8. Reurad para 8B (2) and (3). For present, you should withhold from disposition under Jan WX 90078 and Jan WX 80647 currencies deposited by non-Germans and non law 5 Germans, as recommended para 4 urad CC 9607. You should also withhold disposition currencies deposited by foreign owned German Corps. Further comments this problem forthcoming.

9. Reur para 9. We do not believe that any direct and effective steps can be taken without increasing trend towards cancellation of securities in various countries. At same time vigorous restitution program combined with early movement of Bona Fide German owned securities should serve to remove at least some of the causes of this trend.

T. D. People
Glasser, Masterson (3), Richards (3), Beell, Willis, Wood,
P. Gowitz, R.L. Jones, H.R. Pollak

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Term: Restitution

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 PER PARAS 511 and 60a (4), AR 380-5

From: OMGUS Berlin Germany sgd Keating

To: AGWAR for WDSGA

Nr: CC 9306

26 May 1947

Subject is Quadripartite Restitution Law.

1. Quadripartite discussions in Property Control Committee of Finance Directorate on the first 31 out of 47 articles indicate the following basic objections by French and Soviets to American Proposal. British concur in principle with our proposal. Section references below are to 18 October draft which has been sent to Washington, Principles of which are incorporated in the Quadripartite Proposal. Articles 32 to 47 are all of procedural nature and should lead to no disagreements affecting basic policy.

2. Reference: Provisions as to successor organizations and barring of escheat to state. (Section 6) Soviets insist on escheat to the land or Province and no successor organizations. They state that they cannot agree to any compromise but it is hoped they might agree to * of such property for use by the land for relief, resettlement and rehabilitation of persecutees in general. French agree with Soviets but tentatively offered compromise to extent that one successor organization could be designate by the Zone Commander either for each land or one for whole zone. In that case obligation to furnish relief to persecutees would be transferred from land to that organization.

3. Reference: Power of avoidance. (Section 3A). French and Soviets object to non-rebuttable feature of the article desiring to leave to courts determination of duress. French also insist that proof of payment of fair value should
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From: OMGUS Berlin Germany sgd Keating

Nr: CC 9306

rebut presumptions (sections 3 and 3A). Soviets and French would probably accept using 8 November 1938 (date on which Jews were prohibited from to owning property) as the date after which power of avoidance would be absolute; that would leave only a rebuttable presumption on transfers prior to what date.

4. French and Soviets insist on inclusion of words which would bar assignments so as to limit claims by successors in interest to cases when the persecutee has died or disappeared.

5. Other differences are minor and not basic to our position and can probably easily be resolved.

6. Expect paper with points of difference clearly delineated will go to Finance Directorate early in June.

7. While we would be prepared to accept a compromise along lines suggested above with reference to power of avoidance, we cannot accept either Soviet or French proposal relative to escheat to the State. Therefore, we propose to make one last effort to get our views accepted in Finance Directorate in June. At same time, we shall try to obtain British agreement to a uniform law for our two zones to be promulgated in June if Quadripartite Agreement is not reached in Finance Directorate.

End

Note: * Being serviced.

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Authority 11NO978025
By SR NARA Date 10-28-99

TO:

~~Mr. Sommerfeld~~
(2) Mr. Sommerfeld (Restit.)

3439

I am not impressed with
the arguments against
enforcement of an M.G. Jan
through the German courts.
Nor am I bothered by the
fact that Germans in the U.S.
Zone would be subject to a law
not applicable to other Germans.

I agree

SCS

MR. SOMMERFELD

- Mr. Dackman
I need to
identify

to
reaction

St. 11 living

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German Restitution
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From: CINCEUR Berlin, Germany sgd Clay

To: War Department for WDSCA

Nr: CC 8726

8 April 1947

The Restitution Law in final form has been reported to Berlin by the Landerrat, which, however, does not recommend enactment. Landerrat states in its view law is objectionable in certain of its more rigorous aspects but recites particularly the desirability of dealing with the problem by a uniform law for all of Germany. It is apparent that we cannot secure the law in its present form as a voluntary measure by German Government in the US Zone, and hence it must be promulgated by Military Government. The promulgation of this law by Military Government would represent a unilateral action and it would impose measures on the German population in the American Zone which are not being imposed in other zones.

If the law had been adopted by the Landerrat, which is equivalent to state enactment of legislation, it would be accepted as a German measure and in view of its character as state legislation would perhaps not raise to the same extent the question of application throughout Germany. However, in promulgating the law as a Military Government law we would be requiring German courts to enforce a measure which has neither been accepted as state legislation nor is made applicable to Germany as a whole. This raises doubt as to the German courts being able to do a satisfactory job and may lead to necessity for American Tribunals being established to assure proper

CM IN 1414 (9 April 47)

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From: CINCEUR Berlin, Germany sgd Clay

Nr: CC 8726

8 April 1947

execution. You will be better able to judge our ability to secure appropriations and personnel for this purpose over the several years it would be required than we are here. If the Quadripartite Law could be achieved, it would have more opportunity for success since such a law would be applied throughout Germany and the German courts in the US Zone would not be charged with the execution of a measure affecting the comparatively small population in the American Zone which does not affect the much larger German population outside of the American Zone. We have no means of knowing at this time what our chances are to obtain Quadripartite approval nor as to the time required to secure such approval. However, in view of our inability to secure a German enacted law in the desired form in the US Zone except by order which means, therefore, a Military Government Law, we wish to obtain the views of the War and State Departments before making a final decision to promulgate the law in its present form. It is requested that the views of the War and State Departments be furnished us as soon as possible.

End

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