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THE NEW YORK TIMES
NEWS BUREAU.

CABLED - Duplicate

May 3, 1933

Birchall - The complaint that the American Consulate in Berlin failed to afford protection to American citizens against Nazi persecution as made to the American Jewish Congress by Adler and Sonders (see New York Times April 20) does not accord with the facts in the case as they are known here.

The pair were arrested at a Pension on the Kurfuerstendamm where they had gone several times to inquire for someone not known there. Sonders went into the Pension; Adler waited outside. Sonders spoke little German and his English was so broken that he was understood with difficulty. His manner aroused the suspicion of the proprietor who called the police. They were detained until next day. When being found harmless they were released and complained to the Consulate.

Their story was heard by Consul Geist, executive officer, and by Messersmith, consul general, and by direction of the latter was put into affidavit form. It was then pointed out to them that since they had been released nothing more could be done except to make representations to the higher authorities. Meantime they could safely remain in Germany if they wished. They preferred to depart.

The Consulate has put forth no defense of its action in this case or in any other, for among Americans here cognizant of the facts none is needed. Both Consulate and Embassy officials have been working from 12 to 18 hours daily during these trying times and no effort has been spared by either to afford full protection to all American citizens who have sought it.

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