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INTERVIEW WITH JUDGE THOMAS HERLIHY, JR.
Wilmington, Delaware
June 23, 1971

Interviewed by: Myron Blackman

JH: Judge Herlihy
MB: Myron Blackman

JH: My name is Thomas Herlihy, Jr. My father was Thomas Herlihy, Sr.; and my mother was Christina Wilhelmina Bamberger Herlihy. My father was born in Durk, Ireland; and my mother was born in Schmalkalden, in Kerl, or in Teriozies, Germany. I was born in Wilmington, Delaware, on July 31, 1904. I lived in a predominantly Irish community; but, because of my mother's German background, our household was basically German. At the age of 11, I entered the German school of Zion Lutheran Church, which was then located at Sixth & Jackson Streets in Wilmington, Delaware. The pastor of the Zion Lutheran Church at that time was Sigmund George Von Bosse. He was very much interested in German societies and German culture and a strong German at heart. In this community at that time, we had a very large German group. We had a German Lutheran church which I have already indicated was Zion. We had a Catholic church which was Sacred Heart and a German Baptist Church which finally became inactive. However, there was also German Societies which was very active in the community. There were the Turners of course at Eighth & French Streets. There was the Deutsch House on Sixth Street between Walnut and French. And there was a German Saengerbund. My mother was very active in the German group which later acquired a place at Grubbs Landing on the Delaware just below Claymont, Delaware. Because of the fact that my mother was of the opinion that I should have some background in German, I entered the German school at Zion in the fall of 1915. This was my first encounter with Pastor Von Bosse. He was tall, slender, had dramatic features, and was very active. He liked sports, but his

JH: (Cont'd)

sole interest was in the German civilization, culture, literature, and music. He was a strict disciplinarian in class. He had a stick, and anybody who missed his lesson, why he didn't hesitate to use it. The background of the class and the school was the teaching of German script, reading in German, German songs, and German poetry. We opened in the morning with a German ~~friar~~ ^{prayer}; then we sang the _____ and started into the regular classwork of reading and writing in German. The school ran from 9 o'clock in the morning until 12 every Saturday morning. At Zion Lutheran Church at that time there was a German Sunday School and an English Sunday School. One service was in German, and one service was in English. This had only come about in recent years. Up until about five years before Von Bosse came to the church, all services and all activities were in German. The zeal and the patriotism of Von Bosse began to increase with the declaration of war in August of 1914. The whole attitude, the atmosphere of the church was slanted towards the German people and support of the German activities in the war. It was at his instance and the instance of a few others that he started the regular German days at the Turners where the affairs would be singing of German patriotic songs and war songs and the buying of the gold cross which was similar to the iron cross by which the German soldiers were decorated for valor. This was done to raise money for the assistance of the German government in its fight with the allies at that time. At the start of the war in 1914, the German community seemed to be wholeheartedly supporting the German cause; but, with the stepup of the activities in the Atlantic in connection with submarine warfare and the other activities of the German nation, the sentiment in the Wilmington area began to turn more away from the interest in the success of the German arms. This became very acute. . . . This situation became very acute in the spring of 1917. At that time, Pastor Von Bosse was actively engaged in advancing the cause of the German people. I've already mentioned his activities in establishing the German days at the Turners Hall and raising the funds, but his whole program was to encourage the support of the German government in its activities in the war. This became, as I indicated, very serious and acute in the spring of 1917. On April 6, 1917, the United States declared war against Germany; and, at that time,

JH: (Cont'd)

Von Bosse decided to make an issue of it in the local papers. The Journal, which was then separate and apart from the Morning News, and separate and apart from the Every Evening, took a strong position against his vehement advocacy of the German people. Headlines were in the papers for at least a week denouncing him and also, at the same time, giving him space in his reply. This was very disconcerting to the German people. Most of the German community in this area were of the German liberal type and were opposed to the oppressive militarism. For example, while my grandfather had served in the Army of Saxony, he was absolutely opposed to raising his sons to serve under an oppressive king. And he gave this as one of his reasons for coming to this country. He was a very staunch American. He never missed the opportunity to vote, and he could not tolerate any criticism of the American people or the American government. I cite him as an example because this was the reaction of people similar to my grandfather against Von Bosse. The situation became so tense that the Church had to put pressure on the pastor to limit his expression of support. There was a movement to have him taken in hand by the American government, and he was absent for a time but returned to the community for a short period. And then he disappeared. Subsequently we learned that he had escaped through Mexico to go back to Germany. This was a very significant occurrence with the German people. It was my opinion that most of the Germans in this community were very much in favor of becoming an active part of the American scene. As a matter of fact, I traced the disintegration and the dissemination. . . I had better use the disintegration of the German community as such to this incident that occurred with Von Bosse because many of the old-line Germans stood up against him and denounced him. The community, the German community began to lose its identity as such. Most of the services at Zion were entirely in English. Many of the people from Zion went to St. Stephens Lutheran Church, St. Stephens Evangelical Lutheran Church, as I did, where the services were entirely in English. The Catholic Church continued its services in English for some time; and, as I've already indicated, the German Baptist Church folded. The German people through the years have met regularly in what they call an Octoberfest at Brandywine Springs. I think up until the fall of 1917, thereafter they did not gather again. The ~~Saengerbund~~ continued to be active as a

JH: (Cont'd)

singing group, and the Turners have continued their activities for gymnastics. But they took in a number of nonGermans; and, as a matter of fact, the Turners have established a hall on S. Clayton Street in Wilmington which is still active to this day although it is not entirely the same type of German society it formerly was. There wasn't any doubt in my mind that Von Bosse in his talks was part of the German group whose main objective was the inculcation of the Germanic culture in American society. And the position of this group is somewhat difficult now to. . . Excuse me, let me put, strike that and put it this way. I am not in a position where I can identify any of the members of this group locally. I know they had connections in other communities. Following the conclusion of World War I, there was as I've already indicated this decline of the German community as such. The Deutsch House ran regular affairs for some time in the late twenties and early thirties, but they became more and more a group consisting of nonGermans as well as Germans. Von Bosse returned to America and visited Wilmington during the period of the early thirties. He talked to various groups here. He did not have the same vehemence or ardor in his presentation of the German cause. My connection with the German community assumed official capacity in 1933 when the German consul in Baltimore who was the only non-National serving as a German consul in the North American continent. And the Wilmington area was under his jurisdiction. There was no German representative here in this community; and, because of the fact that I had been connected through my mother with various groups, I undertook the representation of the government. This also brought me into contact on several occasions with Von Bosse, but I did not notice that he had any in particular open enthusiasm for espousing the German cause as before. The German people here at the time of the coming of Hitler to the power in Germany by and large reacted against him. As I indicated, the German group here in Wilmington was primarily a liberal group. To illustrate what I'm talking about, in the fall of 1937 the German Deutsch House was having its regular Octoberfest; and it invited the mayor of the City of Wilmington to talk. And he was unable to attend; and, knowing that I had some connection with the German group, he suggested that I go down and give the address of welcome to the group on behalf of the mayor, on his behalf as mayor. My mother wrote the speech in German, and I went down to give the speech. Now I may be mistaken; it may have been in the fall of 1938.

JH: (Cont'd)

However, I want to relate this incident because this was really the last gasp of a certain element in the German community in an attempt to identify itself with the German people or the German nation. The meeting started, and I was disturbed at the outset because the Nazi flags were around the room, the hall; and I was told that on some occasions some of the members had gone as far as to wear the brown shirt. I hope we'll overlook this personal reference, but it came my turn to speak and I had about finished my talk when I just became disconcerted because of the decorations, the Nazi decorations. I then switched from the main theme of my talk to outline that in this community that the German-Americans had always sought in the long run to identify themselves as Americans and to avoid being a hyphenated American, German-American, group. And I said it was only a question of time when all traces of the German community would be lost, and that we would not have an ethnic group such as we have in the Polish section south of Wilmington which would run from approximately Linden Street to the city line and north of Maryland Avenue to probably Broom, which is basically a Polish neighborhood. Nor did we have a German group occupying an area similar to the Italian group which was living near and close by St. Anthony's R. C. Church. I pointed this out that the German group no longer was identified with any particular section of the city. They had become very active in civic affairs, were basically good citizens and many of them devoted to the various governmental activities in which they were involved. I can recall that somewhere along the line, this must have been conveyed back, my talk must have been conveyed back to the German consul in New York. And I received various indications that I was out of line with their activities. I didn't have any objections. However, I continued to serve in the capacity of representative of the German government down to July 1, 1941, when we were ordered to desist, not to carry on any business with the German people. I had undertaken to make clear my position to my associates in the state government because at that time I was in the Attorney General's office and I didn't want to be considered in any way an active in the German cause. I did not hear through this period of course anything about Von Bosse. I subsequently learned that once again he left the country and was gone for the period of the war. The information I had received that he had used the same route through Mexico in leaving as he did during the period of World War I.

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MB: So Von Bosse was a native German?

JH: No, he was born in this country. His father was the pastor of St. Paul's Lutheran Church in Philadelphia which was basically a German church. And he had been educated in Germany. I think that this is where he acquired his zest for spreading German propaganda or information for the purpose of improving the position of the German civilization in this country.

MB: Would it be possible that. . . Well, when did Von Bosse come to the church in Wilmington?

JH: If my memory serves me correctly, he came to Zion Lutheran Church about 1914 or 1913.

MB: Directly from Germany?

JH: No. I think he had attended one of the Lutheran seminaries in this country. And I think he had had some pastorate in another place, but right now I don't recall where that was.

MB: Because I'm wondering if he might have had some connection with the German government.

JH: Well, I was never able to demonstrate, oh, excuse me. I'll put it this way. I am not able to demonstrate that he did or he did not. I will say that he certainly was a very strong advocate of the German cause, and this aroused a lot of _____ on the part of the community such as we had here in Wilmington because we had a citizenry which was predominantly supporting the Allied cause. And this stirred up a great deal of anti-German feeling against both those people who supported Germany and also the Germans themselves.

MB: Did this feeling take any particular form?

JH: Well, there were indications of some demonstrations against him. It became obvious that his parishioners were not pleased with his position. And some of my friends who recall those days said that his name was Sigmund George Von Bosse and they'd say Bon Bosse, meaning he was very bombastic you see and they ridiculed him. They, of course, were aware and had tolerated his activities before the entry of the United States in the war. And they also tried to play down his activities of coming to grips with the Evening Journal because they

JH: (Cont'd)

felt that only accentuated the tension in the community as far as the German populace was concerned. I can just give you one idea that just crossed my mind: I don't want to seem to ramble on this. But, right at the outset of the war--no, I'm wrong about that because I entered the German school in the fall of 1915. We started singing apart from the usual songs like the _____. We started singing the German war songs, and I can recall that after Hindenburg had won that great victory at Tannenberg they used to sing a German song about him. And that we sang about every other Saturday morning. So he played up the war fever end of the thing, or rather he played up the war part of it to stir up a sort of war fever. I'll put it that way. I think that basically it was his extreme disciplinarian, that was old world German discipline. You didn't dare challenge him in any way. And when he entered the room, we all had to stand and click our heels and stand at attention. We didn't dare move or anything else. He would not tolerate any disorder in the classroom at all, strict silence. He was the teacher and he was the pastor, and you were given to understand that you just could not in any way challenge him. It was just interesting also that I can know there was this growing feeling in my own mind as a boy that, while I had started out in the early days being sympathetic to the German cause and followed all the activities on the Western and Eastern fronts, this began to wane as the days approached April 6. I can recall the propaganda or whatever that built up around the sinking of the Lusitania, what affect it had on me and the war efforts directed at the American coast and the attempt to break the blockade of the Allies in the Atlantic. And this of course then. . . . Of course the newspapers played up what was happening in Belgium and what was happening in the areas occupied by the Germans, and this naturally on a boyish mind had a great deal. And I know that my mother more or less showed some of that same reaction. She naturally had a strong feeling for her fatherland. And I remember this. As I said, war was declared on Friday, April 6, 1917. The next day was German school. Well, we were always called very early to go to German school. That next day my mother never called us to go to German school. That was the end; we never went again. That ended it. And, of course, I had quite a few relatives who served in the American army; and I think her whole attitude changed too. And I also felt that later on when the younger German group that came here to Wilmington and had been more or less imbued with the Nazi doctrine that she reacted against them too. I just singled that out as something that was close to me

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JH: (Contd)

to show the shift from a strong feeling for Germany to almost the counter, emphasizing the feeling and regard for the land which her father had chosen as her homeland.

MB: Does April, 1917, approach the 4054(?) of Von Bosse?
Did he try to indoctrinate you, the students in any
way (inaudible) ?

JH: He did not direct it against America as such. He did emphasize the German nationalism very much, and I think that was illustrated by the way he would require us to sing like. . . There was a song that came out after Tannenberg, _____, and we all used to get up and shout Von Hindenburg; and we used to put our hands up like nationalists, which is now familiar right now, ha, ha. When I see that _____, I think "Oh, boy." But that's the way Von Bosse would get us to show the enthusiasm for support.

MB: After the war was past, was there any anti-German feeling against the community rather than against Von Bosse?

JH: Strange as it may seem, I think that most of the people in this community who knew the Germans as such did not direct any of their enmity towards them. Now for example, I should mention names. There was a well known real estate, uh, a man who was well known in the real estate business, Kurtz; I would say that his business and his position in the community was not in any way affected. And his brother was a lawyer. His brother was William Kurtz, and it was through him--he was getting up in years--that I became the representative of the German government in 1933 while Hindenburg was still in power because he couldn't carry on the work any more. Now then there was a man by the name of Hammele who was another one and the Kleitzes. They all reacted the other way. They took a position strongly against Von Bosse. The Kleitzes were a family which had a very substantial wholesale jewelry business here, and they were very active in civic affairs and so forth. Frankly, the hard core of the Germans who went along with Von Bosse went underground. They didn't show themselves actively any more, and I think that some of them came a little bit to the fore just after Hitler came to power. And we had

JH: (Cont'd)

some trouble with some of them when they went across and came back from Germany, and they seemed all enthusiastic about the Hitler government. But I think that the pressure put immediately upon them was sufficiently demonstrated by those who were opposed to Von Bosse and were opposed to what he stood for as well as opposed to Hitler and what he stood for.

MB: So there was no (inaudible) violence done to the Germans in the name of patriotism?

JH: Well, now, as I say, from a point of view of looking at this historically and from an academic point of view, probing into it, I think you have to take the position that the Germans who were here in this city were not at heart the Prussian type of Germans in that sense. There were Prussians, but even the Prussian group here were not that deep-seated as far as their Prussianism and Germanism to really become active and to stir up any more trouble than what Von Bosse had already done by his stand in the newspapers and his talks.

MB: Just to continue with Von Bosse, was there, when he left the United States and went back to Germany, do you know of any people or any connections he might have kept up with some German friends?

JH: In Wilmington?

MB: Yeah.

JH: Right offhand, I don't; but I certainly can find out. There are just one or two people who recall those days, and I may be able to help you out on that.

MB: Because I was wondering, when he came back , you said he spoke to some people, I was wondering what he spoke to them about.

JH: Well.

MB: (inaudible)

JH: No.

MB: (inaudible)

JH: He became, when he returned to the States, he was given the charge of a large Lutheran orphanage in Pennsylvania. And, as I recall, at most of the affairs I attended where he was present, he would talk about the affairs of the orphanage. Now, normally when he got into groups in the pre-war days, he always brought in subjects related to the German way of life and he stressed that. Now in the talks that I heard him give during the thirties I don't recall any references of that nature. And, yet, I still felt that he was at heart still the same type of basically the hard-headed German that he was when he was a pastor here. And that was shown because he became-- they were suspicious of him from the point of view of the Nazis' influence or connections; and of course he left the country under the same circumstances as he did in World War I.

MB: When did he leave the country _____?

JH: To my knowledge, he left sometime, I think it was in '40 to my recollection.

MB: And was the United States government investigating him or. . .?

JH: I cannot tell you. I don't really know the answer to that.

MB: Because when you say under the same circumstances . . .
(inaudible).

JH: The information was that he went through the same route; he went to Mexico and then went back to Germany from there.

MB: Was there any indication why he left?

JH: I do not know. Of course, the question is answered in this way because of his previous activities, the presumption would be that it was for the same reasons. Only instead of being for the German government under the kaiser, it was now the German government under Hitler.

MB: I have one question about the German community. You said that. . . I was just wondering, what was the nature of these groups before the war? What was the nature of these various groups? Was it just to keep some kind of touch with the fatherland?

JH: No, I don't think so. You know the Germans. . . Let me strike that; it's not good at all. The German nature is such that they like to sing; they like to dance; they like to have communal affairs in which they show a great deal of enjoyment out of life. I mean, especially the Germans that come from South Central Germany and Bavaria and Munich and that area. And like from the section of the country my mother came from, Thuringia and Saxony and that area, they really enjoyed the idea of getting together, singing, having a good time, and just being free and easy. That was the Oktoberfest that they ran at Brandywine Springs; that was typical. And when they had a celebration up at the _____, it was high activity. I mean there was almost a vibrancy there that just was contagious when you joined it. And I went to visit to see what Munich was like, and naturally I went around to Hofbrau (?). And I don't know whether that's the place Hitler was. And we got in there, and there was the same type of noisy German group and singing. And of course there were a lot of American G.I.'s there at the time I was there. That was of course about ten years after the war, and the American Army of occupation was there then. But there was just so much enthusiasm, and I could never understand how Hitler ever got his start, coming out of Austria and out of Munich because my mother always said--and this is a word, if you've ever had any German--"_____." This expressed the German attitude here. They liked the joy of living. And that's why they had these various clubs and groups. They had an athletic group--the Turners, as I said. And they had the singing society, the Seegerbund. And then the German Deutsch House where they gathered for their affairs and dances.

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MB: Well, then, it just seems that Von Bosse misjudged the nature of this group.

JH: Entirely. He just did not understand that there were Germans who could strip themselves of this love and direct connection with Germany. I will tell you that right now. Definitely. He just could not get that through his head. I saw that, just as a young boy I grasped that. And, actually, I guess he figured we had enough. . . We never, at these affairs, sang any American songs of any kind. Entirely German folk songs and military songs and war songs. Like _____, you know. This tune now has been used by the Communists. That was a great

JH: (Cont'd)

song that they used to sing. I don't think he grasped that there was a sincere desire of many of the Germans here to forget Germany, like my grandfather. He'd simply say, if you heard anybody talking about America, he'd say, "Look, there's nothing to prevent you. Go back." I remember him saying that. And I think that that typified most of the Germans I knew. They were here, and I could, well, look at it. I've pointed out that there's an ethnic group in one section. . . In one section of the city the Poles, an ethnic group; in the Italian section. . . Of course, the Irish are more or less. . . The Irish tend to more where I was born. That is more or less, that's breaking up. The Irish don't have the same hold in any particular section of the community as they once did. I just feel that in this section of the country there was another group. I mean right here in Delaware. And, by the way, I forgot to mention they did have two German newspapers. One of them was a really liberal paper. It was almost to the extent. . . And, too, one of the Germans that lived up the street from my people. . . There were very few non-Irish in our neighborhood. But there was a German family living up the street, and he was a German Socialist of the most active kind. And he ran for, every time any election. He ran for any office that was open that he could get his name in on the Socialist ticket. And this typified now. . . Most of the Germans didn't go that far. But they were more of the--and I've used this word probably indiscriminately--liberal. But they were basically liberal.

MB: (question is inaudible)

JH: I hesitate to say yes. But I could name names and the persons who were connected with this German newspaper. But it is my opinion that they were Socialists.

MB: And did they come out against the war or for the war? For the United States, I mean?

JH: I don't recall. I don't remember now.

MB: (inaudible)

JH: Not right offhand. I'll probably think of something after we discontinue it. I'd like to emphasize this point. At the time of the occurrence of the Von Bosse incident with the newspapers and his pro-German statements, I am satisfied that there developed in the community a strong anti-German feeling. I'm of the opinion that this did not continue for too long a period of time because, as I've already explained, the German group here consisted of many German families who had no strong connections or feelings about their fatherland as Von Bosse did. And I say that here in Wilmington--while it may have been intense for a period of three or four months following the declaration of the war--this anti-German feeling towards the Germans in the community subsided. Now I have this standard of comparison. I was also, because of my opportunity to observe the German group in Baltimore and because of the fact of my connection with the German consul there, I saw the intensity of the pro-German feeling among the Germans of that community. I am certain that I also observed a strong anti-German feeling directed at these Germans. If you can recall, it was in World War I. . . . It was the port where the first German submarine, cargo submarine, landed in this country, making a trip all the way from Germany. And it landed in Baltimore. This same group that I'm talking about remained basically loyal to Germany in World War I, and they continued down through the post-war period until Hitler's coming to power. And I am satisfied from some incidents that I saw occur in the Deutsch House in Baltimore that they were pro-Nazis. This engendered a lot of, a great deal of anti-German feeling towards the German people in the community. Here in Wilmington while, I believe for a short period during world _____, the feeling was intense against the Germans, I don't think it continued for any length of time and I believe that following the war it subsided entirely. In the meantime, as I've already indicated, the German community as such lost its basic identity. And in World War II the feeling for the Nazis was definitely confined, and there was no attempt to openly parade their pro-Nazi sympathies in public except on the occasions when they had affairs at the Deutsch House on ~~West~~ 6th St. [East] I did see a very interesting occurrence, now that I think of it. One evening I walked along ~~West~~ 6th Street, and [East] it was about 9 o'clock in the evening. And a group of boys in that neighborhood were really bombarding the doors

JH: (Cont'd)

of the German House with stones. And I don't know whether they were just doing it, but it seemed strange to me they were singling out that particular place. But that's the only thing of that nature that I saw.

MB: This was during World War II?

JH: This was during World War II.

MB: Okay, thank you.

(END OF INTERVIEW)