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AMERICAN CONSULATE GENERAL

Berlin, Germany, April 19, 1933.

SUBJECT:

With further reference to the displacement of Jews and other persons from public office and from the professions, and with respect to the establishment of party dominance in practically all aspects of German life.

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON.

Handwritten signature: Harry Wick

SIR:

I have the honor to refer to my despatches No. 1196 of March 21, 1933, 1205 of March 25, 1210 of March 28, 1214 of March 31, 1216 of April 3, 1222 of April 7 and 1234 of April 11, with reference to the displacement of Jews and other persons from public office and from the professions, and with respect to the exercise of party influence in practically all aspects of German life. I now have to transmit in this despatch further information along this line bringing to date the developments since my despatch No. 1234 of April 11.

PHYSICAL PERSECUTION OF JEWS:

Although the reports with respect to the physical persecution of Jews are becoming more rare, what are

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undoubtedly well authenticated cases are still coming to the attention of the Consulate General. In a letter dated April 13, 1933, addressed to the Embassy Consul General Hathaway gives an account of what he believes to be a reliable report of the attack on Josef Schneider, an unmarried German Jew, living in Munich, who was arrested by men in brown uniform on April 4 and after being severely beaten was taken to the Brown House in Munich and from there to the police headquarters where he was told that he was a political criminal and a Communist. In spite of his protest that he had served four years in the German army, that he was not a Communist, he was further severely beaten so that he fainted several times. He was detained by the regular police in Munich until April 8 when he was released as there was no base for a charge against him. He came into his home in a state of collapse and two doctors, one Jewish and one Christian, were called in to see him on the morning of April 9, and on the following morning he was taken to a surgical clinic where he died as a result of the beating and treatment he had received. Consul General Hathaway states that there has been no mention in the press of the case and that those who know of it fear to breathe a word ~~unless~~ they be subjected to attacks.

The newspapers of April 12 in Berlin carry the account of an attack on a Jewish lawyer, Dr. Weiner,

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in Chemnitz who was arrested in his home in Chemnitz by men in S.A. uniform who stated that they came to take him to the police station. The alleged arrest took place on the evening of Monday, April 10. On the morning of April 12 his body was found in the neighborhood of the city, killed with a shot through the head. On account of the prominence of the victim and the fact that the circumstances of his arrest were known, it was impossible to keep the affair quiet; hence the rather complete statement with regard to the case which appeared in the German press. The newspapers all carried a practically identic statement of the case to the effect that no warrant had been issued for the arrest of Dr. Weiner and that it must have been made by persons improperly wearing the S.A. uniform. It was clear that murder for robbery was not involved as the victim's watch and over 400 marks in currency were found on the body. The account in the morning issue of the "Berliner Tageblatt" of April 12 closes as follows: "The clearing up of this affair must be brought about as soon as possible. The reputation of Germany in the world makes this imperative. A high reward will be offered."

Up to the present there is no news that anyone has been arrested in connection with this affair. It will be noted that as usual the responsibility is placed by the press on persons improperly wearing the uniform of the National-Socialists.

A Mr. Isaac Kahn, an American citizen residing in Berlin where he acted as the buying agent of a St. Louis firm, received a threatening letter from one August Reinicke living in Osterwieck, giving him until 12 o'clock on April 6 to pay him a certain amount of money and indicating that if he were not paid by that time S.A. men in Berlin would visit him and beat him up. Mr. Kahn as an American citizen brought the threatening letter to this Consulate General, and Consul Geist immediately accompanied him to the Police Presidency where the circumstances were recounted to Police Vice President Dr. Mosle and the threatening letter left with him. The Police Vice President stated he would take the necessary action and Mr. Kahn would be given proper protection. Two days afterwards the Consulate General received what was practically a threatening letter from Mr. Reinicke and shortly after its receipt Mr. Kahn came to the Consulate General with another letter from Mr. Reinicke making even more serious threats than those in the first letter. In this second letter Mr. Reinicke threatened to come to Berlin himself to accompany the S.A. men who would attack Mr. Kahn, and he stated that he himself would like to help put the noose around his neck. Consul Geist immediately went to the Police Presidency where he again saw Police Vice President Dr. Mosle, and protested vigorously against this repetition of the threats to Mr. Kahn. He stated

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that obviously the Police Presidency in Berlin had brought the Consulate General into the affair when Mr. Reinicke's offense had been against the public order, and that there was no necessity for mentioning the Consulate General. The Police Vice President agreed that this had been an indiscretion and improper. Consul Geist then vigorously protested against what was the apparent inadequacy of the measures taken by the police in Berlin and in Osterwieck, and insisted upon Mr. Kahn being given proper protection, which the Police Vice President stated would be given.

Mr. Kahn, however, did not feel that it was safe for him to remain in Germany and left Berlin the same day for Amsterdam. Mrs. Kahn has since left also and both of them have returned to the United States. Newspaper publicity was not given to the case by the local American correspondents until Mrs. Kahn had also left the country as both Mr. and Mrs. Kahn feared that any publicity given to the case in the foreign press would lead to physical injury to her. In this connection it is interesting to note that Mr. Kahn's brother and brother-in-law, who are simple Jewish peasants in Bavaria, have been in a prison or concentration camp for some weeks, having been taken from their families without any apparent cause.

That the physical persecution of Jews is still going on in various parts of Germany cannot be doubted. It may be that the incidents reported are the acts of individuals belonging to the National-Socialist

organizations

organizations and wearing National-Socialist uniform, and carried out without orders from their leaders, but it is equally evident that the perpetrators of these acts are not being brought before the judicial authorities.

ARREST, CONFINEMENT AND ALLEGED MALTREATMENT OF POLITICAL PRISONERS OTHER THAN JEWS.

In this connection despatch No. 959 of April 10 from Consul General Dominian at Stuttgart is interesting as it sets forth the type of political prisoners confined in the South-Western German jails and concentration camps. The list of political prisoners attached to the despatch is particularly important and must be carefully scrutinized in order to get an idea of the high type and importance of some of the persons who are in confinement. The Department is aware that barracks in various parts of Germany are being utilized as places of confinement for political prisoners and that special concentration camps have been erected in various parts of the country more particularly for Communists.

Information has recently come to me from reliable sources in Berlin that some of the political prisoners in Berlin concerning whose safety there had been some doubt and who were therefore visited by correspondents in their places of confinement and publicity given to these visits, are now being removed to concentration camps and places of confinement outside of the city where their treatment compares most unfavorably with

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that which they received in Berlin.

FURTHER REMOVALS FROM OFFICE.

The newspapers of April 13 carry an item to the effect that the Oberburgomaster of Duesseldorf, Dr. Lehr, has been arrested and confined to jail, and at the same time Mr. Odenkirchen, one of the city officials, was arrested ~~and~~ ^{and} committed suicide by hanging in his cell. Dr. Lehr has enjoyed a wide reputation in Germany as an administrator and it was generally felt that he would be one of the Oberburgomasters who would not be disturbed by the recent changes even though he is not a National-Socialist. He is accused of having speculated with city funds.

In the Ministry of the Interior Staatssekretaer von Bismarck has been replaced by Staatssekretaer Grauert who will be the active head of this Ministry for Minister Goering.

The indignities to which formerly high-ranking administrative officers are subjected are shown by an item in the "Berliner Tageblatt" of April 16, morning issue, to the effect that the former Oberburgomaster of Bochum, Mr. Ruer, who has been living in the Hotel Bristol in Berlin and who has been re-arrested, asked that he be allowed to travel to Bochum at his own expense. This was not permitted and the State Prosecuting Attorney indicated that the former Oberburgomaster would be sent to Bochum with a number of other prisoners in a

so-called

so-called "Sammeltransport".

In a previous despatch the Department has already been informed that Dr. Theodor Lewald has been compelled to resign as the chairman of the Deutsche Reichsausschuss fuer Leibesuebungen which is the principal German sport association, this on account of the fact that he has a certain amount of Jewish blood. He has, however, been allowed to retain his position as the head of the German committee for the Olympic Games to be next held in Germany. This treatment of Dr. Lewald is an indication that no one irrespective of his services is free from the action being taken against Jews and those with a modicum of Jewish blood. Dr. Lewald is past 70 years of age and has had along and distinguished and unusually useful career, and on his 70th birthday President von Hindenburg awarded him the highest honors that it is in the power of the German Republic to give. While he has been allowed temporarily to keep his position as chairman of the German Olympic Games in order to avoid criticism of the present Government in foreign countries, there seems to be little question but that in the course of time he will also be removed from this post.

FURTHER ACTION IN THE UNIVERSITIES.

The so-called cleansing process in the universities continues not only of Jewish professors but of those who it is believed are not in complete sympathy with the Government. The "Berliner Tageblatt" of April 13,

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night issue, carries a list of sixteen professors who have been relieved of their posts and the majority of these are men who have enjoyed the highest reputation, not only in Germany but abroad and have in some cases stood at the head of their particular field.

The regulations are now being worked out and will shortly be issued which will regulate the admission of students to the universities and higher schools. It is the intention to apply a very strict numerus clausus to Jews, and the number of Jews who will be admitted to the higher institutions of learning will undoubtedly be very much restricted. As these higher institutions of learning are the only pathway to the professions this method is being chosen as one of the most effective means to shut out the further admission of Jews to the professions.

Professor James Franck, one of the leading physicists of Germany, and a Nobel prize winner, has resigned his professorship in the University of Goettingen. Professor Franck is a Jew and would probably not have been removed from his professorship on account of his outstanding position in the rest of the world. He, however, has had the courage to resign and to make the following statement in his letter of resignation:

" I have requested the Board of Governors to accept my resignation. I will try to continue to do scientific work in Germany. We Germans of Jewish origin are being treated as foreigners and enemies of the Fatherland. One wants our children to grow up with the

feeling

feeling that they will never be allowed to prove that they are good Germans. Those who served in the war are to receive permission to continue to serve the country. I refuse to take advantage of this privilege although I can appreciate the viewpoint of those who today consider it their duty to remain in their posts. "

The creation of a special chair in the College de France for Professor Einstein has caused some bitter comment in Germany, and as an example of the naive comment in the German press there is quoted below a translation of an article in the "Berliner Tageblatt" of April 13, 1933, night issue:

" A new chair for mathematical physics has been created in Paris. The French Chamber accepted this proposal without discussion; the proposal was made at the instigation of Painleve and Herriot. The new chair is intended for Professor Einstein. It must be added that Professor Einstein would never have had to accept a professorship abroad if he had limited his activities to the scientific field in Germany where otherwise he, like other scientists, was given all opportunities. If Professor Einstein believed it necessary to leave Germany of his own accord this can only have been in connection with his political views; for the scientist Einstein there have been no difficulties in Germany except those which the politician Einstein himself and personally has made for the scientist Einstein. "

The extreme sensitiveness to criticism is brought out by the following translation of a brief item which appeared in the "Taegliche Rundschau" and which requires no comment:

" It is absolutely necessary that the university professors who are on forced leave should be immediately deprived of their passports. Otherwise one or the other of these gentlemen will be sitting very soon in Paris, Oxford, or at the School of Economics in London, and from their professors' chairs will carry on

anti-German politics. Now that the dismissals have taken place the consequences as regards foreign policy must be taken. It must be remembered that several of the professors on forced leave of absence, as for instance Kelsen, Lederer and Bonn, have excellent foreign connections. "

PARTIALLY CHANGED ATTITUDE OF THE CATHOLIC CHURCH.

The newspapers of April 18 carry an item covering an order of the Archbishop of Cologne which shows a considerably changed attitude on the part of the Catholic Church. According to the "Vossische Zeitung" of April 18, night issue, the Archbishop of Cologne has issued a statement as follows:

" Members of the National-Socialist movement and party have no cause to be alarmed with regard to their receiving the Sacrament, provided, however, that otherwise no reasonable doubts exist regarding their worthiness, and that they are determined to never agree to any anti-church or anti-religious views or acts. The mere fact that a person belonged to the National-Socialist party is no reason why a Christian burial should be denied to him. "

He goes on further to state that the members of the party appearing in uniform can be admitted to the services and to the Sacrament even when they come in considerable numbers. The bringing of flags into the Church shall, however, be avoided "through a previous friendly understanding".

TREATMENT OF AMERICAN STUDENTS IN THE UNIVERSITIES.

The treatment of American students in the various universities seems to differ. Christian students seem to be welcome in all of the German universities, but the Jewish students have almost generally been made

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to feel that they are no longer welcome and unusual difficulties are being placed in the way of those who wish to register. The number of foreign students who will hereafter be admitted to the German universities and higher schools is to be determined by a law which will apply to all of Germany and that it will be specifically aimed to keep down the number of Jewish students from foreign countries is quite clear. A considerable number of Jewish students in the German universities have already returned to the United States and the indications are that more will find their position so intolerable that they will prefer to give up their studies here. There is transmitted herewith the affidavit executed by Samuel W. Rosenstein which indicates the difficulties which Jewish students are having in registering. There are also transmitted herewith the affidavits of Charles R. Jaffe and Victor Greenberg, two Jewish students at the University of Halle, in which they describe very unusual treatment which they have received from Professor Stieve of the Department of Anatomy of the university. It is particularly significant that this professor has informed his class that "the American students should not sit down until all the German students have taken their places". It is difficult for someone who is not in Germany to understand this mentality and that it should have affected persons in the universities, but that this

mentality

mentality exists is borne in on this Consulate General in many ways every day.

There is transmitted herewith the original of an article which appeared in "Der Stuermer", a new newspaper appearing in Nuernberg and which is edited by Julius Streicher who was the head of the committee appointed by the National-Socialist party to carry out the boycott against Jewish stores, lawyers and doctors. This article which directly affects the Foreign Service of the Department is translated below for the Department's information:

" Anyone who knows anything at all about the Jewish problem will understand why the atrocity and boycott propoganda could be carried on so unhindered in the United States. That which we call America is no longer the country of those Germanic immigrants who created the "new world" with their courage, industry and preparedness to die. To-day America is dominated by Jews even in the highest Government positions just as are the banks and stock exchanges. This statementsfinds its confirmation in the fact that the foreign representatives of America are almost without exception members of the Jewish race. Just recently two Jews have been appointed Ambassadors to France and Poland. The new American Ambassador in France is Mr. Jesse Isidor Straus. The following personalities among the former foreign representatives of America were of Jewish origin: Marcus Otterbourg (Minister in Mexico), Salomon Hirsch (Minister in Turkey), Rabbi Joseph Saul Kornfeld (Minister in Persia), J. Abraham Elkus (Ambassador in Turkey), Henry Morgenthau (Ambassador in Turkey), Lewis Einstein (Minister in Costa Rica, afterwards in Czechoslovakia), David E. Kaufmann (Minister in Bolivia, afterwards in Siam), Abraham E. Ratshesky (Minister in Czechoslovakia), Ira Nelson Morris (Minister in Sweden), Hermann Bernstein (Minister in Albania), Mordechai Manuel Noah (Consul in Tunis), August Belmont (Charge d'Affaires in Holland), Simon Wolf (Consul General in Egypt), and Henry Morgenthau who will shortly go to Greece as Minister. "

Further

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Further developments in this situation will be brought to the attention of the Department.

After completing the dictation of this despatch the Consulate General received a telephone message from Rostock from Mr. Samuel W. Rosenstein, an American Jew who came here to study at a German university, stating that he had been refused registration at the University of Rostock on the ground that he was a Jew.

Respectfully yours,

George S. Messersmith,
American Consul General.

Enclosures:

- 3 newspaper clippings,
- 3 copies of affidavits.

A true copy of
the signed original.
[Signature]