

247

1496

AMERICAN CONSULATE GENERAL

Berlin, Germany, August 9, 1933.

SUBJECT: Further information with respect to the attack on Mr. Philip Zuckerman, a naturalized American citizen.

THE HONORABLE

THE SECRETARY OF STATE

WASHINGTON.

*Subscribed*

SIR:

I have the honor to refer to my strictly confidential despatch No. 1454 of July 26, 1933, in which I reported to the Department on the attack on Mr. Philip Zuckerman, a naturalized American citizen, which attack took place in Leipzig on July 16. In this despatch I also set forth the steps which I have taken so far in this case.

As the attack on Mr. Zuckerman took place in Leipzig, it is without the jurisdiction of the Prussian authorities, and the inquiries in Leipzig have therefore been taken care of by Consul Busser in that city. I am transmitting herewith two letters dated July 24 and July 27, in which Consul Busser reports on his action so far as the police authorities in Leipzig are concerned. The Department will note from these letters that the Police President in Leipzig has informed Consul Busser that he has not been able so far to identify any of

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the persons who attacked Mr. Zuckerman and has emphasized the difficulties in the case. I am not surprised that this should be so as the police are not willing to undertake energetic action in a case of this kind, where S.A. men are involved. It would be more correct to say that they are willing to do so, but that they are not able to do so. I am transmitting herewith also (enclosure No. 3) a copy of my letter to Consul Busser of July 23, in which I call his attention to the fact that the circumstances surrounding the attack on Mr. Zuckerman make it of so aggravated a nature that we cannot be satisfied with apologies or excuses, but that in this case the attackers of Mr. Zuckerman must be found and appropriately punished. I asked him to inform the Police President in Leipzig in this sense, which he tells me he has done.

In order to reenforce to action taken by Consul Busser in Leipzig I also wrote on July 27 (enclosure No. 4) to the Minister of Justice of the Reich, calling his attention to the circumstances surrounding the attack on Mr. Zuckerman, emphasizing the necessity for energetic action leading to the apprehension and punishment of his attackers.

I called this morning at the Ministry of the Interior of the Reich, which has charge of the police throughout the country, and in my conversation with Staatssekretär Dr. Pfundtner, which is covered in the memorandum herewith transmitted (enclosure No. 5), I

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took the liberty of saying that I was sure the police couldnot get any satisfactory results without the cooperation of the higher leaders of the S.A. I therefore asked Staatssekretær Dr. Pfundtner to take the necessary steps which would bring the cooperation of the S.A. into the picture, which he has agreed to do. I am confident that so far as the Ministry of the Interior is concerned, every effort will be made to arrest the attackers and to see that they are properly punished. The question is how the Ministry can do it in these times, which are still troublous. I think, however, I have convinced the Ministry that this case is a very grave one and that much is at issue, and that it will be necessary for it to take extraordinary action which will have definite results. I shall not go further into this aspect of the matter as the Department will find my conversation and Dr. Pfundtner's promises of action set forth in the memorandum hereto appended, which I believe will be of interest to the Department.

I am of the opinion that it will be necessary for us to insist on the most energetic action in this case. It is already a subject of publicity in the United States and the circumstances are such that our Government will have to give Mr. Zuckerman the fullest protection. I saw him in my office a few days ago just before his departure for Marienbad, and he was hardly able to walk although the attack had taken place on July 16. It is not unlikely that he has suffered serious internal injuries from which he may never altogether recover. Although his wife is not an American citizen

citizen and we can take no action with regard to her, it is interesting to note that she was obliged, as the result of the attack made on her at the same time, to go to a hospital where her baby of some months had to be removed, and she is still in the hospital. The injuries which she received also made it necessary to make the operation such that she will never be able to have any children, which is a matter of great concern to both Mr. and Mrs. Zuckerman. Mr. Zuckerman has indicated that he has in mind the possibility of claiming damages, and if he should endeavor to do so through a suit before a German court I doubt whether he would get any satisfaction. In view of the circumstances surrounding this whole case and the unprovoked nature of the attack, I am not at all sure that it may not develop that our own Government may feel it advisable to ask for monetary compensation for Mr. Zuckerman on account of the injuries received. This is an aspect of the problem which the Department may be asked to consider, and I am of the opinion that the circumstances would justify such action by our Government, particularly as there is a probability that Mr. Zuckerman will never entirely recover from the injuries which he has received.

I shall keep the Department informed of further developments, and I need not assure the Department that I shall actively continue our steps with the German authorities to the end that the persons who attacked him may be arrested and duly punished.

Respectfully yours,

George S. Messersmith,  
American Consul General.

Enclosure



247

Enclosures:

- Copy of Mr. Basser's letter of July 24,
- " " " " " " 27,
- " " this office's letter to the Ministry of Justice,
- " " " office's letter to Mr. Basser of July 28,
- " " memorandum of conversation with Dr. Pfundtner.

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