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AMERICAN CONSULATE GENERAL

Berlin, Germany, July 21, 1933.

MEMORANDUM

ON CONVERSATION WITH STAATSSEKRETARR
DR. MILCH, ACTING MINISTER OF AIR, WITH
REFERENCE TO THE ATTACK ON MR.
PHILIP ZUCKERMAN.

In the absence of Minister Goering on leave and who will not return for several weeks, I discussed the attack on Mr. Philip Zuckerman in Leipzig on July 16 with Staatssekretaer Dr. Milch who is one of the most trusted advisers of Minister Goering. After reciting the circumstances surrounding the case, I told Dr. Milch that I thought it was of great importance that he bring it to the attention of the Minister even during his absence on leave. I said that the newspapers already had the story from some source unknown to me andthat when they asked me for information I could not refuse to give it to them and that I hoped as rapidly as possible to also give to the press on request full details of the action being taken by the authorities. Dr. Milch stated that he appreciated that publicity was unavoidable in this case. He promised to take energetic action this afternoon still to bring it to the attention of Staatssekretaer Koerner in the Ministry of the Interior. He stated that he was in entire agreement that it must be shown that S.A. men were not above the law and that they must be punished in the same way as other offenders. He said that he hoped the Ambassador would bring the case to the attention of the Minister of Foreign Affairs, Mr. von Neurath, and that he would bring it to the attention of the Chancellor, Mr. Hitler so that it would receive the Chancellor's personal attention. He realized fully the extreme importance of energetic action being taken in this case.

As I had taken up the Schachno case with him I gave him the present status of the case and referred to my conversation with Gruppenfuehrer Ernst, who is a close personal friend of Dr. Milch. I called attention to the Gruppenfuehrer's statement that "in Germany we will do with a German as we please". I said that it is obvious that the Gruppenfuehrer and the other higher leaders of the S.A. must get a changed attitude in this respect or the most serious consequences can only fall upon the entire German people. The Staatssekretaer agreed to this and said that everything must be done to see that the S.A. do not destroy by their foolish and unauthorized acts all that the Chancellor is trying to do to bring about good feeling for Germany, and international conciliation. I told Dr. Milch that I was seeing Oberregierungsrat Dr. Diels of the Secret Criminal Police

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this afternoon and also advised him that I had discussed the case fully with the Acting Minister of Justice, Dr. Schlegelberger. I said that I also intended to take it up in the Ministry of the Interior this afternoon with Staatssekretaer Grauert in the absence of the Minister.

I am sure that we can depend upon Staatssekretaer Dr. Milch to do everything in his power to bring about rapid and adequate punishment of the persons who assaulted Mr. Zuckerman. I did not fail to make it clear to him that this was more or less a test case and that failure of the authorities to take adequate action would almost definitely convince the rest of the world that the S.A. men were not responsible to any judicial authority and could proceed as they wished against any German or any foreigner in the country, without any process of law and without any control other than that of their leaders. He agreed that this impression must be corrected in the interests of Germany.

George S. Messersmith,
American Consul General.