

# INFORMATION

ISSUED BY THE  
**ASSOCIATION OF JEWISH REFUGEES IN GREAT BRITAIN**

8 FAIRFAX MANSIONS,  
FINCHLEY ROAD (Corner Fairfax Road),  
LONDON, N.W.3  
Telephone: MAIda Vale 9096/7 (General Office)  
MAIda Vale 4449 (Employment Agency)

Office and Consulting Hours:  
Monday to Thursday 10 a.m.—1 p.m. 3—6 p.m.  
Friday 10 a.m.—1 p.m.  
Sunday 10 a.m.—1 p.m.  
(AJR Social Services Department only)

## OTTO KUESTER DISMISSED

In the last issue of "AJR Information" it was announced that it was doubtful whether Otto Kuester would retain his office as Head of the Baden-Wuerttemberg Restitution Department. At that time the termination of his appointment at the end of the year was under consideration. Now his immediate dismissal has been decided upon. The reason given for this step is a private letter to the former Head of the Hague Delegation, Professor Franz Boehm, which, due to some indiscretion, came to the notice of the Baden-Wuerttemberg Government. It is alleged that the letter contained offensive remarks against the Government and some of its members. The temporary successor of Dr. Kuester will be Dr. Robert Perlen, 70-year-old former President of the Stuttgart Superior Court. Dr. Perlen is a board member of the Jewish Community in Stuttgart.

The dismissal of Dr. Kuester has been severely criticised in German leading newspapers of various political shades. The "Neue Vorwaerts" comments on the developments under the heading "Sabotage of Indemnification." The "Frankfurter Neue Presse" is disgusted with the breach of confidence, due to which the private letter to Professor Boehm became publicly known. The indemnification problem, the paper states, had not been taken up with the necessary sense of responsibility. As it was not popular, the Kuester affair had been settled not in a generous way, but by bureaucratic methods. In a broadcast Professor Franz Boehm calls the circumstances which led to Kuester's dismissal a political event of highest importance. "Die Wiedergutmachung ist der Pruefstein unseres neuen Staats," he says.

As readers know, Otto Kuester is one of the most passionate protagonists and, at the same time, one of the most outstanding experts in the field of indemnification. His activities have always been characterised by a strong ethical approach. For him indemnification is not only a duty of the Germans, but, beyond this, indispensable as a step towards the restoration of law and order which had been destroyed by the Nazi Reich. There are not many personalities in Germany who have fought so valiantly for the rights of the Nazi victims, and it is highly regrettable that this man has been forced to relinquish his office. The former German Jews feel impelled to put on record their gratitude to Otto Kuester and hope that, also without holding an office, he will remain a trusted champion for the cause of indemnification.

## APPLICATIONS FOR ADMISSION TO OLD AGE HOMES

For many years the AJR has worked for the establishment of Old Age Homes. Its efforts have now met some success. At present negotiations about the purchase of a property in London are pending. The outcome is still uncertain, and also in case of completion it will take some time until the home will be ready for use. The home under consideration will have a capacity of about thirty-five residents. Therefore, only a small fraction of the several hundred refugees who are anxiously waiting for admission to an Old Age Home can be accommodated. On the other hand, it is hoped that gradually further homes will be established. To assess the total need it has, therefore, been decided to open a waiting list now. Applications (in English or German) should be sent to: The Association of Jewish Refugees, 8 Fairfax Mansions, London, N.W.3, and the envelopes should be marked "re Old Age Home." If an acknowledgment is wanted a stamped and addressed envelope should be included. The following particulars should be given:—

1. Name and address.
2. Date and place of birth.
3. Present accommodation of applicant.

H. G. Reissner (New York):

## TERCENTENARY OF AMERICAN JEWRY

### The German-Jewish Element

The threehundredth anniversary of American Jewry dates from the arrival of twenty-three Sefardi refugees from Brazil in New York (then New Amsterdam). It will be celebrated on and after September 12, 1954, by a community of now nearly 5,000,000 American Jews. As citizens of the U.S.A., former German Jews and descendants of such have an obvious stake in the event. Jews of German origin have both contributed to, and benefited from, the growth of American Jewry. To start with the latter: the U.S.A. gave a lease of freedom to nearly 200,000 Jewish immigrants from Germany who left during the early and middle nineteenth century on account of economic depression and/or political reaction. Since and after 1933, an additional 140,000 Jewish individuals from Germany have been admitted either as Quota Immigrants or as Displaced Persons. In the same period, the American Jewish Joint Distribution Committee also rendered financial assistance to the Zentralausschuss fuer Hilfe und Aufbau in Germany as well as to boards dealing with refugees abroad. A total of more than \$17.25 million was spent by Joint alone. During World War II, Joint appointees in neutral European countries obtained the release of at least a number of concentration camp internees. Joint tidied over, and eventually evacuated more than 20,000 refugees stranded in Shanghai. Children and Youth Aliyah to Palestine owes a great debt to the efforts of the late Henrietta Szold and the American Hadassah organisation.

The contributions of Jews of German origin to American-Jewish life and to America in general were equally impressive. While none too numerous, there were some forerunners during the late seventeenth and through the eighteenth century, mainly from Western and Southern Germany, but a few also from Berlin, Breslau and Lissa. Most had first chanced to come to Amsterdam or London and were then "dumped" overseas. One or the other went outright as an "indentured servant." Perhaps the most picturesque individual was one Hayman

Levy, born Hanover 1721, naturalized in America 1748. Dealing with the Indians, he became the leading fur trader in the Colonies and was the first employer of John Jacob Astor, founder of the dynasty of nineteenth-century American railroad magnates. During the Seven Years War, Levy owned ships engaged in privateering. He died and was buried in New York in 1789.

The immigrant "Ashkenazim" joined existing "Spanish-Portuguese" congregations in New York, Charleston, S.C., Philadelphia or Richmond, Va. "Intermarriages" between Ashkenazim and Sefardim were frequent. Ashkenazi Jews alternated with Sefardim as honorary office bearers in congregational life. All were wholehearted in support of the American Revolution. Those able to do so, including the aforementioned Hayman Levy, joined up as privates in the local Militias. Others rendered services, such as Hayyim Solomon, a native of Lissa. The British took him up as a "spy" in New York. Later on he established himself as a War Broker with the American Office of Finance in Philadelphia.

Within one or two generations, members of the professions emerged. Walter J. Judah, grandson of an immigrant from Breslau, succumbed during the yellow fever epidemic of 1798 when still a medical student of Columbia College, New York. Dr. Joel Hart, son of pre-revolutionary parents from Fuerth and Mannheim respectively, became a charter member of the New York County Medical Society. Sampson Simson, whose grandfather had immigrated from the Rhineland in 1718, was a law graduate from Columbia and, possibly, the first Jewish lawyer in New York City. He was also the founder of Mount Sinai Hospital in New York.

### Settlements in the West

The arrivals of the nineteenth century, mostly from Southern Germany and the Province of Posen, by-passed not only Western Europe, but the older Jewish centres along the U.S. Atlantic seaboard as well. A good many started out as pedlars across the Mid- and Far-Western hinterland. Gradually congregations, benevolent societies and Sunday Schools sprang up in such focal points as Cincinnati, Chicago, St. Louis, Memphis, Galveston and San Francisco. For a considerable time, the language of community administration, sermons and religious instruction remained German. Jews of German background were prominent in the establishment of B'nai B'rith Lodges. German-educated and/or born Rabbis gave the initial impetus to Reform Judaism in the United States.

Prosperity gave additional opportunities to the erstwhile pedlars and their descendants. Some settled down as local retail merchants. Others stimulated merchandising through department, mail and chain stores. Some concentrated on commodity wholesale transactions, cotton and grain in particular. The clothing industry was created largely due to capital and salesmanship furnished by German-Jewish immigrants. Non-ferrous ore mining in the Western hemisphere owes much to Jewish immigrants from the Rhine valley. German-Jewish investment bankers raised substantial amounts of long- and short-term capital for investment in railroads as well as for current trade needs. This they did based on the material support by family and business relations in Germany and Western Europe in general.

Individuals prominent in the above include Adam Gimbel from Bavaria (Vincennes, Ind.,

(Continued on page 2)

4. State of health and physical disabilities, if any.
5. Financial position (own means or income, support by relatives or National Assistance Board, etc.).
6. Special reasons for urgency, if any.

Applications submitted to the AJR prior to this announcement cannot be considered and have, therefore, to be repeated. Applicants are urgently asked to refrain from personal calls and enquiries over the 'phone; they will be notified if and when it becomes possible to consider their application.

It would be appreciated if readers brought this announcement also to the notice of interested refugees who are not members of the AJR.

Whilst everything will be done to provide accommodation for a substantial number of refugees as speedily as circumstances permit, it is stressed that even if, in the course of time, it should become possible to set up several homes, the demand will still exceed the number of available places.

The establishment of a block of Flatlets for badly housed people with limited means is also under consideration. They will consist of one room and a small kitchen fitted up for use. Though it cannot yet be stated when this scheme will materialise, applications for admission can now be submitted. They should contain the same particulars as given above for the Old Age Homes, and the envelopes should be marked "re Flatlet Homes."

Continued from front page.

1842) and Lazarus Straus, ancestors of department store dynasties. Julius Rosenwald, who raised the Sears-Roebuck mail-order house to its present status, was the American-born son of a German-Jewish immigrant. The Lehman brothers, from the vicinity of Wuerzburg, began as itinerant merchants in Alabama in 1844 and turned to cotton wholesale later on. Gradually, they established a foothold in New York and became investment bankers exclusively. Abraham Kuhn and Solomon Loeb entered into partnership in general merchandise business in Lafayette, Ind., about 1850, and transferred to Cincinnati and later on to New York. In New York the investment banking firm of Kuhn, Loeb & Co. emerged.

The list of families and individuals could be extended a great deal. The talents, time and money of these people benefited the public on three different levels. They volunteered for services to the nation at large, to Jewish needs at home and abroad, and as patrons of the arts and education. Examples of public servants are the late Henry Morgenthau, Senr., American Ambassador to Turkey 1913-16, himself a native of Mannheim, and his son Henry Morgenthau, Junr., Secretary of the Treasury under Franklin D. Roosevelt. Elder Statesman Bernard M. Baruch, friend of the Churchill's and the Eisenhower's, is the son of an immigrant from Schwesenz, Prov. Posen. U.S. Senator Herbert H. Lehman, former Governor of New York State and director of UNRRA, is the American-born nephew of an erstwhile pedlar in Alabama. Outstanding amongst the leaders of Jewish philanthropy are German-born Jacob H. Schiff, son-in-law of Solomon Loeb, and Felix M. Warburg, himself the son-in-law of Schiff, both late partners in Kuhn, Loeb & Co. Bankers Otto H. Kahn, James Speyer and Felix M. Warburg and the mining family of the Guggenheims, in friendly competition with Gentile millionaires, patronized and endowed museums, operas, colleges and hospitals. Julius Rosenwald left a mark in education and public health with the establishment of the Rosenwald Fund (1918-48) which was devoted specifically to the uplift of the Negro population of the U.S.A. All told, he spent upward of \$60 million in various philanthropic causes.

#### Integration of Nazi Victims

It would be premature to appraise the potential contribution of the Hitler refugees to American life. Not every scientist is an Einstein. America has been a centre of attraction for European performing musicians long before Hitler. However, the receptivity of America to European cultural traditions has increased with the passage of time. The numerical share of professionals—doctors, lawyers, teachers, artists—in the wave of Hitler refugees has been nearly four times higher than among immigrants of the preceding decade 1920-30 generally. Qualified American observers confirm that their "contributions have already been significant and there is reason to believe that they will be even more so in the future."

Besides intellectuals, the majority of Hitler refugees comprised general business people. Among them, perhaps only dealers in certain commodities such as ores, non-ferrous metals, hides and skins, stood a somewhat above average competitive chance.

All refugees have made America their home, merging into the general stream whose earlier contributors were colonists and immigrants from many different countries, races and creeds. New congregations and self-help organizations have come into existence, from coast to coast. They perform a useful and gratifying service to the immigrant generation. Children growing up in America, however, are fully exposed to the remodelling influences of Public School, College, the Army and usual leisure-time activities, including games, comics and television. It would seem permissible, therefore, to anticipate complete integration within the next generation.

In America, everybody except the Indians has been an immigrant or a descendant of such. Swiss or Scandinavian Protestants, Irish or Polish Catholics, Chinese, Japanese or Negroes, Russian or German Jews, no single strain can set the pattern for the rest; nor can any one group thrive uninfluenced by the nation at large. A blend is emerging which reflects both the challenge of the new surroundings and intrinsic group features. The best

#### PENSIONEN AUS DER OESTERREICHISCHEN ANGESTELLTEN-VERSICHERUNG

In dem in der Julinummer veröffentlichten Artikel ueber das gleiche Thema wurde darauf verwiesen, dass die 2. Novelle zum Sozialversicherungs-Ueberleitungsgesetz (SV-UeG) fuer weite Kreise der Emigration enttauschend war.

Die in den ersten Julitagen vom oesterreichischen Parlament beschlossene 3. Novelle zum SV-UeG hat bedeutende Verbesserungen gebracht. Es ist nunmehr moeglich, durch Entrichtung von Beiträgen von Sch. 30 per Monat (also 8/6) fuer die Zeit der Auswanderung, laengstens aber bis zum 31.3.1952 weitere Rechte (sogenannte "Steigerungsbetraege") zu erwerben. Die Nachzahlung kann in Raten binnen 2 Jahren nach Antragstellung erfolgen.

Gegenueber den Bestimmungen der 2. Novelle hat die 3. Novelle zum SV-UeG demnach den Zeitraum, fuer den Steigerungsbetraege erworben werden koennen, um 6 Jahre 3 Monate erstreckt. Hierdurch wird es den meisten, die ein praktisches Beduerfnis nach Aufrechterhaltung ihrer Anwartschaften haben koennen, moeglich sein, ihre Rechte zu wahren, und zwar gegen Nachzahlung eines Betrages, der in einem angemessenen Verhaeltnis zu der in spaetere Jahren zu erwartenden Pension steht.

Die 3. Novelle zum SV-UeG hat auch eine wichtige Verbesserung fuer diejenigen gebracht, die, ohne oesterreichische Staatsbuenger gewesen zu sein (z.B. Tschecho-Slowakische Staatsbuenger, die in Oesterreich wohnten), Rechte in der oesterreichischen Angestelltenversicherung erworben haben. Diese Kategorie war bisher, sofern die Betreffenden emigriert waren, vom Bezug der Pension ausgeschlossen. In Zukunft werden solche Personen, vorausgesetzt, dass sie bis zum 21.12.1938 mindestens 180 Beitragsmonate aufzuweisen haben, ausgewanderten oesterreichischen Staatsbuergern gleichgestellt sein.

Gemaess der 3. Novelle zum SV-UeG werden Zeiten der Arbeitslosigkeit im Ausland bis zum ersten Antritt einer Beschaeftigung beitragsfrei beruecksichtigt, soweit sie nicht das Ausmass von 2 Jahren uebersteigen. Es ist auch Praxis der Angestelltenversicherungsanstalt denjenigen, die durch das Naziregime eingekerkert waren oder die zu irgendeinem Zeitpunkt nach dem 13.3.1938 bis zu ihrer Auswanderung arbeitslos waren, alle Jahre bis zum 31.12.1945 beitragsfrei anzurechnen. Es ist deshalb wichtig, in Eingaben an die Angestelltenversicherungsanstalt auf Zeiten der Einkerkierung durch das Naziregime und auf Zeiten der Arbeitslosigkeit nach dem "Anschluss," sowie unmittelbar nach Eintreffen im Emigrationslande, hinzuweisen.

Allen, die an der Aufrechterhaltung ihrer Anwartschaften interessiert sind, wird empfohlen, sich mit der Angestelltenversicherungsanstalt ins Einvernehmen zu setzen (Adresse:—Blechturmstrasse 11, Wien V.) und zu erfragen, in welchem Umfang Nachzahlungen zu leisten sein werden.

Das United Restitution Office, 8 Fairfax Mansions, London, N.W.3, hat Formularbriefe aufgelegt, die unseren Lesern helfen werden, die Eingaben zu verfassen. Bei Ersuchen um einen Formularbrief ist kurz—schriftlich—der Fall darzustellen, damit das entsprechende Formular zugeschickt werden kann.

#### AUSTRIAN PRE-WAR DEBTS

According to an announcement in the *Financial Times* of August 19, Austrians will now be able to pay their pre-war liabilities to U.K. creditors in sterling as a result of arrangements made between the British and Austrian Governments.

parents can hope to transmit to their children is personal self-respect, Jewish brotherly spirit and patriotic zeal. German Jews have no monopoly in regard to any or all of these qualities. However, as a group they have perhaps less inhibitions to shed. In a sense they have, possibly, pre-acquired the readiness to give of their best in free competition with the best of their neighbours. Thus, Jews of German background have their rightful place in the auspicious Tercentenary event, representing as they do one significant human strand: shaped by past experiences abroad, invigorated by a new lease of life in America and dedicated to a common future.

#### ENTSCHAEDIGUNGSANTRAEGE IN BERLIN

Der Rueckgang der Entschaedigungsleistungen in Berlin in den letzten Monaten wird in einer Erklaerung des Berliner Entschaedigungsamtes u.a. darauf zurueckgefuehrt, dass massgebend fuer die Rangfolge der Befriedigung nicht mehr das Berliner Entschaedigungsgesetz sondern das Bundesentschaedigungsgesetz (BEG) ist. Nach diesem duerfen zur Zeit nur folgende Ansprueche befriedigt werden:

1. Ansprueche, die bei Inkrafttreten dieses Gesetzes rechtskraeftig festgestellt und nach bisherigem Recht zur Befriedigung aufgerufen sind;

2. Ansprueche auf Durchfuehrung eines Heilverfahrens fuer Schaeden an Koerper und Gesundheit;

3. Ansprueche auf wiederkehrende Leistungen (nicht Kapitalentschaedigung);

4. Ansprueche von Berechtigten, die das 60. Lebensjahr vollendet haben oder beduerftig oder durch Krankheit oder Gebrechen in ihrer Erwerbsfaehigkeit um mindestens 50 v.H. gemindert sind,

(a) auf Entschaedigung fuer Entziehung der Freiheit bis zum Hoechstbetrage von 3000,— DM, sofern die Berechtigten nicht bereits Entschaedigungsleistungen nach Nummer 1 oder 3 erhalten;

(b) auf Entschaedigung fuer Schaden an Eigentum und Vermoegen bis zum Hoechstbetrage von 5000,— DM, sofern die Berechtigten nicht bereits Entschaedigungsleistungen nach Nummer 1, 3 oder 4 (a) erhalten;

5. Ansprueche auf Entschaedigung fuer Schaden in der Ausbildung mit Ausnahme der Ansprueche aus §§ 54 und 55 (also nur fuer eine noch nicht nachgeholte Ausbildung);

6. Ansprueche auf Darlehen gemaess §§ 28, 29, 53 BEG.

Die uebergrosse Zahl dieser bereits faelligen Ansprueche, erklart das Entschaedigungsamt, macht ihre kurzfristige Erledigung mit den vorhandenen Kraeften unmoeglich. Um gerecht vorzugehen, muss daher bei ihrer Bearbeitung eine bestimmte Reihenfolge eingehalten werden. Hierbei wird sowohl das Alter des Antragstellers als auch das Eingangsdatum des Antrages beim Entschaedigungsamt beruecksichtigt. Es werden demgemass zunaechst nur die bis zum Ende der Anmeldefrist des Berliner Entschaedigungsgesetzes (31. Oktober 1952) eingegangenen Ansprueche von solchen Antragstellern bearbeitet, die das 70. Lebensjahr vollendet haben. Nach Erledigung dieser Gruppe kommen die Antraege von ueber 65 jaehrigen, dann die von ueber 60 jaehrigen bis zum gleichen Eingangszeitpunkt zur Bearbeitung. Antraege von beduerftigen und schwerbeschaeftigten Antragstellern sowie Rentenansprueche von Witwen und Waisen werden entsprechend dem Grade ihrer Beduerftigkeit oder ihrer Erwerbsminderung einer der vorgenannten Gruppen zugeteilt. Nach deren Erledigung wird die Bearbeitung der spaeter eingegangenen Antraege von ueber 70- bzw. 65- und 60-jaehrigen Antragstellern folgen.

Bezuglich der nicht nach dem BEG bereits faelligen Antraege erklart das Entschaedigungsamt, dass ihre Behandlung vorlaeufig zurueckgestellt werden muesse, es sei denn, dass eine nachgewiesene Notlage eine baldige Hilfe seitens des Entschaedigungsamtes erforderlich mache. In solchen Faellen ist, wenn ein Entschaedigungsanspruch wegen eines bestimmten Schadens durch entsprechende Unterlagen glaubhaft gemacht wird, die Gewaehrung eines Vorschusses moeglich.

Obwohl, so schliesst die Erklaerung, das Entschaedigungsamt versuche, seine Leistungsfahigkeit durch Personalvermehrung zu erhoehen, so koenne eine wirksame Besserung der Lage der Geschaedigten erst dann erwartet werden, wenn die notwendigen Durchfuehrungsbestimmungen erlassen und vor allem die dringend erwuenschten Aenderungen des BEG erfolgt sind.

#### ANGLO-GERMAN DOUBLE TAX AGREEMENT

The Double Taxation Convention between the U.K. and the Federal Republic of Germany was signed on August 18 and will come into force after ratification. A detailed description will be given in this paper as soon as the full text, which will be published shortly by H.M. Stationery Office, has become available. It is understood that in general the Agreement is similar to those which the U.K. has already made with France and other European countries.

## THE GERMAN SCENE

### "DEUTSCHE UNERWUENSCHT"

In an article about "German Tourists Abroad," Friedrich Sieburg writes in the *Hamburg Zeit*: "It is not true that German travellers are resented because they behave badly. No, they are only resented because they are present and because, nine years after their supposed defeat, their vitality and their prosperity are reflected in their travels; because they have overcome the systematic destruction of their economy at such an amazing speed; because, a long time ago, they had surpassed the standard of most of their victors; because, in other words, they hold their ground" ("weil sie sich nicht unterkriegen lassen").

### LETTER FROM JERUSALEM

Back in 1949 the late Eliczer Kaplan, then Minister of Finance, appointed an inter-Governmental Commission to prepare a national insurance programme. A draft law based on their findings was laid before the Knesset in the summer of 1951, but the parliament was not able to deal with the Bill, and the Government placed it before the Second Knesset at the beginning of 1952. After lengthy discussions and committee deliberations the law was finally enacted on November 17, 1953. But only now has the National Insurance Institute started operations.

The most serious argument against the National Insurance Plan was the fact that Israel could not afford such a social "luxury" and that it was not in a financial position to take on an added burden. The law was passed when its promoters succeeded in showing that it would not put any new strain on the national economy.

Out of 800,000 insurable persons, some 250,000 workers are already participating in pension and provident funds. For the thousands of Government employees, it is true that the payments made by the State as employer to national insurance directly increases its budget, but here the Government only spends the money it would be spending in any case upon the implementation of the Government Employees Allowances Law. Moreover, National Insurance does also include independent earners who up to now "failed to set aside payments to ensure their subsistence in old age." Their contributions will have the effect of a savings campaign.

On the other hand, the monetary reserves of the National Insurance Institute are an important factor in the development of economic projects. Its investment policy must protect the money invested from inflation and utilise it in expanding the national economy. Its budget for the current year will be £30 million.

What are the benefits for the insured? The original all-embracing plan to transform Israel into a "welfare state" on the British pattern, has only partly been implemented. The National Insurance grants Retirement Pensions for the old, to men at 65 and women at 60 years; Widows and Orphans Pensions; Birth Grant; Maternity Allowance; and Work Accident Benefits.

Only Great Britain, Australia, New Zealand, Switzerland, and now also Israel aspire to insure all their citizens. In calculating insurance premiums and benefits, one should distinguish between the English system, under which the premium is the same for those of the same age and sex, and the Continental system which calculates the premium in proportion to the income of the insured person. Israel has adopted the latter. A similar difference exists with regard to benefits. In some countries, including Israel, certain benefits (maternity, accident) depend on wages, while others (old age pensions and widow allowances) do not. Sometimes, as in Israel, the allowances are pegged to the cost-of-living index.

For various reasons, important forms of insurance, such as sickness and unemployment, have not been included in the plan. It is, however, envisaged at a later stage to extend National Insurance to all fields. But for the time being Israel, after six years of statehood, still in a state of suspended war with her neighbours and beset by a host of pressing problems, has made a decisive step forward towards social security. This is an achievement of which she can be justly proud.

HERBERT FREEDEN

### OFFICIAL GERMAN PUBLICATION ON ISRAEL

The official weekly "Das Parlament," published by the Federal Office for Propaganda, devotes a ten-page special issue to Israel. In an interview on the front page, Secretary of State Professor Walter Hallstein declares that it would be an unjustified exaggeration to speak of widespread anti-semitism in Germany. The German-Israel Reparations Pact, he says, indicates the sincere effort of the German people to undo the wrongs of the Nazi regime. With regard to the establishment of diplomatic relations between Germany and Israel he feels that a matter of this kind is bound to take some time, and stresses Germany's wish to create a climate of confidence. The Head of the Israel Purchasing Mission, Dr. F. E. Shinnar, confirms that the Reparations Pact was being fulfilled by the German Authorities. He also points out that in the normal course of events the utilisation of the reparations machinery will lead to the gradual employment of German technicians in Israel in a future stage. The publication includes informative articles on Israel by Dr. Walter Eytan, Director-General of the Israel Foreign Ministry, and Dr. Uri Naor, Press Attaché with the Israel Purchasing Mission. In an article published in a supplement to "Das Parlament," Helmut Krausnick analyses the statistics about the number of Jews killed by the Nazis. He comes to the conclusion that the often debated number of six million victims had "at least not been sufficiently disproved," and considers it highly probable that the number of Jewish victims amounts to 5-6 millions.

### NEW NAZI SOUVENIRS

S.A. daggers in the traditional shape with the Swastika carved in and the inscription "Alles fuer Deutschland" are produced by a steel factory in Solingen. In answer to a protest by the workmen the management declared that the daggers were exported to the United States and that their production secured full employment for the staff. The employers claimed that several thousand knives had been ordered by a Californian firm for exhibition in museums.

On a barrow opposite the Bonn "Bundeshaus" corks with heads of Hitler and Stalin were on sale. They were confiscated by the police.

### AWARD TO JEWISH NOVELIST

The Jewish novelist Hermann Kesten, who is now an American citizen, received one of the three Cultural Prizes of his home town Nuremberg.

### JEWISH RECTOR OF WEST BERLIN UNIVERSITY

Professor Ernst Hirsch, who holds the chair of civil and commercial law, was re-elected as Rector of the West Berlin Free University.

### DATA WANTED Professor Richard Werner

To mark the fiftieth anniversary of the Institute for Cancer Disease in Heidelberg (Samariterhaus), the present head of the Institute, Professor Becker, is preparing a publication in which he will also pay tribute to his predecessor, the late Professor Richard Werner, who was dismissed in 1933 because he was a Jew. The author would, however, like to include some biographical notes about the last years of this eminent German-Jewish research worker, who emigrated to Bruenn (C.S.R.) and perished in Theresienstadt. Any information should be sent to the Editor of "AJR Information."

### FORMER OFFENBACH CITIZEN HONOURED

On the occasion of his seventy-fifth birthday, Mr. Nathan Gruenewald (now Groningen, Holland) received a letter of congratulations from the Mayor of his home town Offenbach. Mr. Gruenewald, a former President of the Offenbach Jewish Community, held responsible honorary offices in Offenbach before 1933. The letter says: "After the deep disappointments you had to endure, and the tragic times you had to go through, we wish you many years of undiminished health and spiritual strength."

## ANGLO-JUDAICA

### Mr. Victor Mishcon

"I could never understand how anybody in public life can be admired because he admits to being a Jew. It is about time that people appreciated that the appropriate phrase to use is—claims to be a Jew."

This was said by Mr. Victor Mishcon, the new Chairman of the L.C.C., at a dinner party given by the Brixton Synagogue, of which his father had been Minister for twenty-one years. Mr. Mishcon added that nobody in public life earned more contempt than the type who pretended to be "something else," as if ancestry were a thing to be thrown into the gutter.

The "signal and deserved honour" bestowed on Mr. Mishcon was described by the Chief Rabbi as "symbolic of the spirit of freedom and opportunity which characterises this land of ours."

The Doctorate of Laws was conferred by the University of Wales on Sir Henry Cohen, Professor of Medicine at Liverpool University, who was introduced by the Provost as one of the eminent men esteemed both by their colleagues and the general public.

A Simon Research Fellowship at Manchester University was awarded to Mr. Solly Sachs, former General Secretary of the South African Garment Workers' Union, a militant opponent of the Malan Government, who in 1953 came to live in Britain after having received suspended prison sentences for defying a prohibition against attending public meetings. The Simon Fellowship is designed to promote research and teaching in the social sciences.

### Zionist Membership

The British Zionist Federation has a membership of little under 25,000. This was stated by Mr. Barnett Janner, M.P., its President, in reply to a challenge by a British Revisionist leader, Mr. Abraham Abrahams, who described Zionism in England as "a mummified movement" with a membership largely on paper. Actually the Federation has sent 3,000 settlers to Israel, the highest proportionate number of any country. Its membership before the establishment of Israel was over 30,000.

No serious antisemitic or Fascist activity in their area was reported by the Manchester Association of Jewish Ex-Service Men and Women. Their main work is now concerned with protests against German re-armament.

### Education

The danger of the Jewish educational system breaking down was stressed by the President of the National Union of Hebrew Teachers, Miss B. J. Barwell. Warning the community that unless teachers were treated with sympathetic understanding there would be no recruits, Miss Barwell stated that teachers were leaving the profession in ever larger numbers, and that there were hardly any religious education centres which did not suffer from constant staff changes.

The Minister of Education has agreed to include a new modern Hebrew Secondary School at Liverpool in its building programme for 1955.

The proposal of the World Calendar Association to introduce a "blank day" which would result in a movable Sabbath falling on a different day of the week with every interpolation of such a day, was denounced by the Chief Rabbi as likely virtually to destroy the institution of the Sabbath, one of the most civilising influences in history.

### NAZI ACTIVISTS CLAIM COMPENSATION

At a rally near Hanover under the auspices of the "Association of De-Nazification Sufferers," some 3,000 Nazi activists demanded compensation for the time they had been interned by the Allies after the end of the war. In his Presidential Address Dr. Hans Odenwald criticised those "cowards in our own ranks who no longer remember their own past."

### AUSTRIAN PRO-NAZI LAWS REJECTED BY ALLIED CONTROL COUNCIL

The Allied Control Council has rejected the laws passed by the Austrian Parliament according to which assets confiscated under de-Nazification proceedings were to be returned to former Nazis. The Control Council pointed out that it would be unjust to rehabilitate former Nazis before proper compensation was given to victims of Nazi persecution.

H. I. Bach:

## SCHOLARS HONOUR LEO BAECK

"Essays presented to Leo Baeck on the occasion of his eightieth birthday." East & West Library, London, 1954, 20/-.

Among the many honours conferred upon, and tributes paid to Leo Baeck on the occasion of his eightieth birthday this volume is perhaps the finest he could wish for. Pupils and friends, some of them world famous, Christians and Jews combine to present him each with a gift of their own work that has a bearing on his personality or his studies. Branching out into many and diverse fields, these essays are like a prism reflecting the unified light of Baeck's own personality in varying colours and shades. Gratitude, friendship, esteem, and love add human warmth to sometimes remarkable scholarship. A recent portrait of Leo Baeck by Leonhard Fries adorns the Festschrift, as well as a brief but masterly pen portrait by Bruno Italiener and a preface by L. G. Montefiore.

### Einstein and Thomas Mann

Of the fourteen contributions, Albert Einstein's aphorisms are perhaps the most personal tribute: "Heil dem Manne, der stets helfend durch's Leben ging, keine Furcht kannte, und dem jede Aggressivität und jedes Ressentiment fremd war. Von solchem Holze sind die Idealgestalten geschnitten, die der Menschheit Trost bieten in den Situationen selbstgeschaffenen Leidens," or "Freude am Schauen und Begreifen ist die schönste Gabe der Natur." Sensitive to other facets of Leo Baeck's are some of the "fragments" selected by Thomas Mann: "Es gibt Himmelskörper, deren Materie von so ungläublicher Dichtigkeit ist, dass ein Kubikzoll davon bei uns zwanzig Zentner wiegen würde. So ist es mit der Zeit schöpferischer Menschen: sie ist von anderer Struktur, anderer Dichtigkeit, anderer Ergiebigkeit als die locker gewobene und leicht verrinnende der Mehrzahl, und verwundert darüber, welches Mass an Leistung in der Zeit unterzubringen ist, fragt wohl der Mann der Mehrzahl: 'Wann machst Du das alles nur?'" and again: "Die Beseeltheit des Seins von Vergänglichkeit gelangt im Menschen zu ihrer Vollendung... Ihm ist gegeben, die Zeit zu heiligen, einen Acker, zu treulichster Bestellung auffordernd, in ihr zu sehen, sie als Raum der Tätigkeit, des rastlosen Strebens, der Selbstvervollkommnung, des Fortschreitens zu seinen höchsten Möglichkeiten zu begreifen und mit ihrer Hilfe dem Vergänglichen das Unvergängliche abzurufen."

Among the scientific essays that of H. Liebeschütz, "Wissenschaft des Judentums und Historismus bei Abraham Geiger" comes closest to important aspects of Dr. Baeck's own work as well as to the problem of understanding Judaism in relation to the Western world. He shows to what extent Geiger as a scholar was in his historical work prompted by parallels in the political life of his time, viewing Sadducees and Pharisees in analogy to Conservatives and Liberals of 1848. On the other hand, Liebeschütz emphasises in Geiger's main work, "Das Judentum und seine Geschichte," the educational approach of a minister of religion, a "Gemeinderabbiner" who, in the spirit of the period of enlightenment, comprehends Judaism as a natural religion of timeless truth which will have its day once the romantic enthusiasm for the Middle Ages has worn off. And the writer goes on to show the continuation of this philosophical rather than historical attitude in Hermann Cohen, in Leo Baeck's own book, "Das Wesen des Judentums," as an answer to Harnack's "Wesen des Christentums," and in Franz Rosenzweig. The literary parallel to this problem may be found in Ernst Simon's analysis of Heine's ambivalent use of the word "romantic" and what it stood for to him as against the idea of poetical realism—a conflict that persisted throughout Heine's life and that, as Ernst Simon demonstrates by the analysis of an early poem of Heine's, was indeed solved in passages of true poetic inspiration.

Norman Bentwich, in a vivid comparison of Solomon Schechter and Achad Ha'am, points out the subsequent stages of an application of the Science of Judaism to the problems of contemporary life, in the tensions between the tradition of religious universalism versus Jewish nationalism, in the efforts of these two Jews from Eastern Europe turned Westerners "to give some inspiring doctrine for the present problems of Judaism."

Other contributions lead us back into the past. Selma Stern-Täubler investigates the conception of Jews and of Judaism in the ideology of the period of Reformation, as an introduction to a biography of Joselmann of Rosheim, the great spokesman of the German Jews of his time and, as such, "des würdigsten Vorfahren des Mannes, dem diese Festschrift gewidmet ist." There is a strange contrast between a new understanding of Judaism, an appreciation of the Hebrew language as the earliest of all tongues, an open mind for values outside traditional Christianity, a passionate search for hidden wisdom such as the Cabbalah in the leading humanists of the time, yet Luther changes from flattery to irate condemnation of Jews, persecution is rife, and the violent social and economic changes of the period are reflected in attempts to make "the Jews" responsible for all evil, to associate Judaism with the Antichrist.

One particular aspect of that age is examined more closely and in detail in Gershom G. Scholem's essay "Zur Geschichte der Anfänge der christlichen Kaballa." His is perhaps the most fascinating contribution to this volume. It leads to Italy where, at the end of the fifteenth century, Pico della Mirandola published 900 theses, including one that no other science could prove the divine character of Christ as well as that of Cabbalah and Magic; the background of these theses is elucidated in the translations of cabbalistic works by Jewish converts to the Christian faith in Italy and, even before, in Spain just prior to the expulsion of Jews. Esoteric doctrines suddenly enter the realm of power politics in theology, where "proof" of the truth of religion is demanded and supplied and, failing original sources, faked ones are made to do service instead. Some cabbalistic doctrines did indeed show certain parallels to Christian dogma.

### Theologians and Philosophers

Almost equally striking is Paul Kahle's treatment of as sober a subject as that of two editions of the Hebrew Bible made by humanists. He follows up the fate of the manuscripts on which these editions were based. Some of them were lost in a fire at the Escorial in 1671, others were sold as waste paper to a maker of fireworks in the eighteenth century, and four codices in Madrid were drenched in the trenches round the university library during the civil war of 1936. Then he goes on to prove that these manuscripts were very old examples of a forgotten Babylonian system of punctuation of the Hebrew text, based on a pronunciation differing from that of Tiberias which has since become universally accepted.

Biblical science is fittingly represented by contributions of Julian Morgenstern on the universalism of Amos, with an emendation of the text, and by a chapter from Martin Buber's, still unpublished, second part of "Der Kommende," on Samuel's religious "Liberalism" in his fight against a priestly cast or class of his time.

This takes us to the borderlands of philosophy and theology where the eminent Roman Catholic philosopher, Jacques Maritain, speaks of the part of the philosopher in society as one that cannot properly be confined to a merely scientific subject but has to face moral risks and to accept moral obligations. The German philosopher, Karl Jaspers, discusses without any academic reserve "Die Auffassung der Persönlichkeit Jesu" with regard to the psychological, historical, and ontological possibilities of understanding—the last, that of comprehending the personality of Jesus by the idea given and represented by himself, being found the most appropriate.

Theology naturally enough permeates many of the contributions. It is specifically expressed in Nicholas Arseniev's opening essay, "Transcendence and Immanence of God"; the first paragraph, however, replaces these terms by those of the "nearness" and the "remoteness" of God, with which readers of Dr. Baeck's "Essence of Judaism" will already be familiar. Arseniev's Christian approach to the subject is complemented by Abraham Joshua Heschel's "A Preface to the Understanding of Revelation" that might be paraphrased as "a sermon on that God cares."

It may thus not have been too much to say that this book is a representative tribute to Leo Baeck, as homely as it is scholarly. It should, and will, be widely read.

### IN MEMORY OF RUTH FEINER

On July 30 Ruth Feiner, novelist and writer, passed away in the St. Maria Hospital, Visp (Switzerland). Her wish to die peacefully on her birthday—the forty-fifth—was granted her by a merciful Providence after many weary months of intense suffering, which she bore with heroic fortitude.

Ruth Feiner will be remembered as one of the best-known authoresses among the numerous gifted refugee-writers from Nazi oppression who escaped to this country and found here a new homeland. She arrived in London already in 1933 with only a half-written book, and for a long time she seldom knew where the next day's food was to come from. But due to her manifold talents, her untiring energy and her astonishing command of the English language which she acquired in a very short time, twelve novels Ruth Feiner wrote within twenty years were published in this country. The best proof of Ruth Feiner's success is the fact that some of them also appeared in the U.S.A., and as translations in France and Spain, in Holland and Belgium, and in the Scandinavian countries. One of her most amusing novels, "Three Cups of Coffee," became an equally amusing film under the title "The Woman's Angle."

When a few years ago, because of her failing health, she had to live mostly in Switzerland, the friendship which she gained and retained there was not surprising for one who has known her and the warmth and kindness of her nature so well. It was in Switzerland that Ruth Feiner wrote her latest books, both in English and German. And just as one of her earlier novels, "Young Woman of Europe," was published in braille for the blind, so "The Magnificent Failure," which has appeared in Germany under the title "Der Stille Sieg," and which is widely read there, may have helped to remove some of the moral blindness of the German people against which Ruth Feiner had fought unceasingly. Her father, the well-known playwright and producer Hermann Feiner, perished in one of Hitler's gas-chambers.

One novel remains unfinished, a fact which caused her great distress, and once made her say: "Es ist mir nicht gelungen." But it is only human that now and then even the greatest writers should have some doubts of their creative gifts; however, if such doubts about her literary work assailed and depressed Ruth Feiner they were dispelled through her deep religious faith, which gave her spiritual strength, moral courage and hope.

Her many friends will greatly miss Ruth Feiner and treasure the memory of that cheerful and big-hearted little woman.

L. Z.

### DEATH OF MORITZ GOLDSCHMIDT

The sudden death is announced of Mr. Moritz Goldschmidt, President of the Cologne Jewish Community and a member of the Board of Directors of the Zentralrat of the Jews in Germany. Mr. Goldschmidt, who was 58 years of age, took a leading part in the re-establishment of the Jewish Community, Cologne, and of the German Jewish Communities in general. During the last war he lived under an assumed name in a village on the Belgian border. His funeral was attended by representatives of the German authorities and of the Churches, as well as by the leading personalities of the Jews in Germany and of the Israeli Purchasing Mission.

### PERSONALIA

Miss Anna Essinger (89 Torrington Park, London, N.12) will celebrate her 75th birthday on September 15. Miss Essinger was the Headmistress of Bunce-Court School, which played an important part in the education of refugee children.

Dr. Helen Rosenau, of Manchester University, was among the invited guests at the Congress of German Art Historians in Hanover, which was attended by 280 delegates.

### OBITUARY

Dr. Ernst Mueller, formerly Vice-Director of the Vienna Jewish Community Library, passed away in London, aged 73. Dr. Mueller, who for some time before the First World War was a teacher at the Hebrew High School in Jaffa, was an authority on Jewish mysticism. His works include an English translation of the Zohar, published by East and West Library.

Walter Schwab :

## SWISS COTTAGE LANDMARKS

The demolition experts have been at work and another landmark, The Blind School at Swiss Cottage, has been razed to the ground. In its place there is to rise a civic centre; it will aptly fill this fine site which occupies the spiritual, if not the geographical, centre of Hampstead.

What a lot of changes have taken place around that corner over the last twenty years! The Blind School has gone, as well as the grey turreted Theological College which occupied the site where now stands that well-known block of flats "Northways." A plethora of Continental cafes have established themselves; even the local "pub" has been infected by the cosmopolitan atmosphere and on rare sunny days sports umbrellas and little tables in the open.

Around the corner and away from the main stream of traffic there stands a building which itself has had a varied career. At present it is a theatre of varying fortunes, producing smash-hits for subsequent transfer to the West End or workmanlike plays from its own repertory, which by their excellence have even attracted visits from royalty. It is to be regretted that it is at present closed.

When I first knew this building it was called The Hampstead Conservatoire of Music. As its name implied, it housed a galaxy of all the musical talents, and pupils and teachers flocked there from all quarters. The great hall of the Conservatoire was not only used for musical recitals, but housed a number of other activities which were of interest to the local community. On Saturday afternoon at 3 p.m. precisely there was held a dancing class, to which many of the good Jewish families sent their offspring. How they reconciled this with

## FILM AROUND THE CORNER

A monthly guide to some of the Films showing in your local Cinema

**Best of the Month:** Charming, unpretentious "SUSAN SLEPT HERE"\*\*\* can still be seen in some cinemas in September. Juvenile delinquent Debbie Reynolds is given as Christmas present to screen-writer with hilarious consequences. Moments of genuine humour faintly reminiscent of Lubitsch.

**Best of the Rest:** Three cheers for American democracy giving itself another pat on the back with its "version" of "THE CAINE MUTINY,"\*\* originally a powerful and truthful novel. To accompaniment of deafening marches Humphrey Bogart as paranoiac naval captain (a fine performance) drives his officers (Van Johnson, Fred MacMurray) to mutiny. Commentary and introduction impress on us that nothing in this film is typical of American navy except the brave boys being brave. Dmytryk, who directs, was once imprisoned for un-Americanism, and has evidently decided that a clean record is worth more than a clear conscience. Jose Ferrer brilliantly steals acting honours in a twenty-minute part, leaving us with an erroneous impression that the film has some distinction.

Lucky Doris Day fans can revel in Cinemascope musical "LUCKY ME"\*\*\*; amusing, colourful, noisy. Two British films, "THE SEEKERS"\*\*\* and "THE BEACHCOMBER,"\*\* are both exotic, undistinguished and novelettish. The former has Laya Raki in bikini, the latter has elephant with long memory. Both have Glynis Johns. Other Cinemascope monsters of the month are "KNIGHTS OF THE ROUND TABLE," history à l'Americaine, and "THREE COINS IN THE FOUNTAIN," sentimental tosh.

**For the Gourmet:** "Everyman" to the rescue, as usual. Revivals of Asquith's fine "THE BROWNING VERSION"\*\*\* and Duvivier's "LITTLE WORLD OF DON CAMILLO."\*\*\* Not to be missed.

**News Flash:** CINERAMA, much, much bigger than Cinemascope, is about to descend on London. Met someone who saw Cinerama film of journey through Grand Canyon in New York. Reported ecstatically that it made her quite sick. Some people have strange tastes!

PETER ZADEK

\*\*\*\* Excellent. \*\*\* Very good. \*\* Good.  
\* Not so good.

their orthodox consciences is another matter, but they did. Boys to the left, girls to the right, Eton jackets or black suits with white gloves were "de rigueur." A low bow with hand across the heart before and after each dance and gentlemanly and ladylike deportment! The fox-trot had been invented, but that was hardly the thing—and as for the Charleston or those modern dances, not at all seemly!

Shortly after the 1914-18 war a function of particular interest was held in this hall—a mammoth bazaar in aid of The Save the Children Fund. It was an uproarious success, willing help was forthcoming on all sides and the financial return was immense. It is interesting to speculate on the differing attitude of the German immigrants of then and now. Despite their loyalty to their country of adoption which they evinced by their service in the armed forces and generally by their faithful contribution to the stability of the realm, these older immigrants still had a sneaking, somewhat more than half-hearted affection for the country of their birth and upbringing. They had not been forcibly driven from their homes, their relatives murdered and their worldly goods ravaged and sequestered. Thus they gladly seized this opportunity to do something for the children of their former Fatherland and contributed willingly both in cash and service to the cause. To them at that time the war was an annoyance, a terrible thing in itself, cutting across not so much their loyalties as their sentiments. It produced anomalies, too, as for instance, when a postcard arrived quite casually in the daily delivery to announce that a close relative had landed at Dover as a prisoner-of-war and naturally expected his English relatives to care for his well-being during his captivity, which, of course, they did, including the supply of a feather bed at his particular request.

## Jewish Service at the "Embassy"

But to come back to the Conservatoire. For a long period it served as a place of worship for the St. John's Wood Synagogue, when that building was declared unsafe because of a settlement in the foundations. Saturday after Saturday the top-hatted congregants swarmed into the hall rigged up as a synagogue for the occasion, only to have its decorations removed for the dancing class or other function which took place in the afternoon.

Many other things were centred round and about Swiss Cottage; for instance the Anglo-German School for Boys, still existing in Hampstead under a different name. This school was established in the eighties of the last century by a non-Jewish German, Herman Fritsch, whose eminent son, a well-known botanist, has just died. Fritsch was a rotund little man with a white beard, not too fastidious in his personal appearance and with a tendency to spit as he talked. Thus there was keen competition among his pupils to occupy the rear seats in his class. But he was an excellent and gifted teacher and prepared many a Jewish youth for a scholarship to St. Paul's and afterwards to the University. Why he established himself in London I do not know. Perhaps it was a desire for a more liberal way of life than his native country offered. That he succeeded in attracting the Jewish immigrants to send him their children is not surprising. They still prized the good aspects of their Germanic past and welcomed the opportunity of having their children educated in the finest tradition of the way they knew.

How the generations have changed! Not only the people but the very atmosphere has altered. Our present-day reaction to things Germanic is so completely different—and yet it was only twenty years or so ago!

## ★ DOWNS VIEW ★

Private Hotel

Folkestone, Kent 40 Bouverie Road West

Telephone 3446

The Hotel is situated a few minutes from the Leas, Shopping Centre, Theatres and Tennis Courts  
Excellent Continental cooking and homely atmosphere

## Old Acquaintances

**Oldtimers** :—When your columnist attended the opening of the International Film Festival in Berlin he was delighted to see the reception two oldtimers got on the stage of rebuilt Gloria-Palast. Lil Dagover and Reinhold Schunzel, who frequently returns from the States, received awards as the best small-part players in German pictures. When you think that the two veterans have been in the business over thirty years, it is remarkable how long they have kept in the limelight, and are able still to outscore the younger generation. The audience gave them a big hand, and showed it has not forgotten the old guard. Among the films shown, the first was "Der Fall Mauritius," adapted from Jakob Wassermann's famous novel, and directed by Duvivier with Anton Walbrook in one of the leading parts. The first prize of the festival, however, was won by the British picture "Hobson's Choice," with Laughton and Mills. But the biggest impression was made by an Austrian film, "The Last Bridge." With Maria Schell and a new star, Bernhard Wicki, it was produced by Helmut Kaetner in Yugoslavia, and tells a very human story of the struggle of the partisans during the last war. Except "Affaire Blum," which was shown several years ago in London, "The Last Bridge" is the first worthwhile film made in German we have seen since 1945. Apart from the films themselves, it was good to see Berlin become a real capital again for the few days of the festival, with visitors from all over the world, Israel not excepted.

**Home News** :—Cameraman Otto Heller will shoot Sir Laurence Olivier's new film, "Richard III," with John Gielgud and Sir Ralph Richardson.—Mrs. Rudolf Bernauer arranged the publication of her husband's memoirs, "Das Theater meines Lebens," with Lothar Blauvalet in Berlin.—Marcel Hellmann's new picture, "Duel in the Jungle," with music by Mischa Spolianski, was successfully shown in the West End.—Alfred H. Unger adapted Charles Morgan's "Burning Glass" into German, and Alexander Franke, who managed the come-back of Elisabeth Bergner in "The Deep Blue Sea," will produce that play on tour in Germany.—Agnes Bernelle played Wilde's "Salome" with great success at the St. Martin's Theatre.—Peter de Mendelssohn is writing a Churchill biography in two parts for a German publisher.—Heinrich Fischer will go to Munich to direct Eliot's "Confidential Clerk," which Gruendgens already produced successfully in Recklinghausen.—Berlin-born sculptor, Gerhard Marcks, showed some of his work in the courtyard of the Arts Council Gallery, 4 St. James's Square.

**News from Everywhere** :—Robert Siodmak will direct "Ratten," a picture based on Hauptmann's famous play, in Berlin.—Walter Reisch returned temporarily to Germany to produce "Die Muecke," with Hilde Krahl in the lead.—Gottfried Reinhardt, who left M.G.M. after eighteen years, is in Strobl, where he is preparing his first film.—E. M. Remarque will script a Hitler film, "Der letzte Akt," for G. W. Pabst; it will be produced in Vienna.—

**Obituaries** :—Franz Piempfert, the former editor of Berlin's "Die Aktion," died in Mexico.—Two German actors, Theodor Loos, aged 71, and Harald Paulsen, aged 59, died recently.—Sixty-six-year-old Thea von Harbou died in Berlin; she was the ex-wife of Klein-Rogge and Fritz Lang, and wrote many famous film scripts.—Walter Joseph, who used to be Rudolf Nelson's partner on the piano, died at the age of 62 in New York.—Gabriel Pascal, who persuaded Shaw to give him the film rights of his plays, died after a short illness in New York.

**Milestones** :—Bavarian author Oskar Maria Graf, whom the late Dr. Goebbels tried in vain to get back to Germany, celebrated his 60th birthday in New York, where he lives.—Peter Lorre had his 50th birthday while working on the new Walt Disney picture in Hollywood.—George Altmann, the former director of Berlin's "Kleines Theater," had his 70th birthday in the U.S.

**Just a scene** :—In Kay Lorentz's cabaret "Das Kommoedchen" in Duesseldorf, there is a scene where several people talk about the future German Minister of Foreign Affairs. "... and what about ... what was his name? ... Ribben ...?" says one. "Out of the question," says another one. "And why not?" asks the first. "Protestant," the second cut short the conversation. Curtain.

PEM

## Letter to the Editor

### ARE WE STILL "REFUGEES" ?

Dear Sir,

I read with interest the recent discussion at the AJR Board on the renewed interest shown in a possible change of name of the Association and the subsequent correspondence by Messrs. Schatzky and Lindemann.

Mr. Aronsfeld's article was, so I take it, a further valuable contribution to the subject matter in question.

Whilst I can understand the view expressed by Mr. Schatzky as a spokesman of that generation whose mind is still to-day very much "verankert" in Central Europe, and who are unable and unwilling to become acclimatised in their new country of domicile, I cannot agree with this view. I think the American Federation of Jews from Central Europe was wiser when choosing its name than the AJR was at the time. I also believe that other members of my generation, i.e. of those born during the first world war or between the wars, and especially those of us who have served in the Forces of the Western Allies, now wish to build a link between Mr. Schatzky's generation and its trend of mind and those youngsters born over here as children of refugees. With this in view, "The Hyphen" was formed almost six years ago. Several of my friends and I have thrashed out this subject and came to the conclusion that the time had now come to reconsider the name of the Association, as the term "refugee" is no longer applicable.

I must disagree with Mr. Schatzky's comparison of ourselves with the Huguenots who considered themselves and their offspring as "French refugees," as I greatly doubt that many of us would still now like to be considered as "German refugees."

The following is an extract from the July number of the "Ex-Serviceman" (page 3, "Who is responsible for Refugees?"): "The very concept of 'refugee' postulates that a person, having left his country of residence or citizenship, is thrown at the mercy of the international community."

In my humble view, once we have been given naturalisation in a country different from that of our birth, we cannot in all truthfulness be classified as "refugees" any more. That, on the other hand, we

It often happens that people call on the AJR Social Services Department in the late afternoon, cheerfully informing the adviser that they have to be accommodated for the night. They are temporarily in London, either on a visit from the provinces or on transit from the Continent to countries overseas. Yet they cannot afford the prices of hotels or boarding houses, and private rooms are usually not available for one night or two. Their problem would be insoluble if . . . , yes, if there was not "Jews' Temporary Shelter," where, in spite of the short notice, they can be put up.

I knew from this practical experience what a blessing the existence of the "Shelter" was; but, grateful as I was for its services, I always thought it was a kind of "Asyl fuer Obdachlose" like Berlin's "Palme" in the Froebelstrasse, with the only difference that the guests were not professional tramps but Jews whose wanderings had been necessitated by force of circumstances. It was therefore a pleasant surprise to me to learn on the occasion of a visit to Mansell Street that I had an entirely wrong conception of the "Shelter." There it was, a modern building, clean, pleasant, with bright rooms and tastefully furnished. Unlike many other homes it is a house, not converted and

may remain strangers within our newly found domicile and alien in outlook is an entirely different matter. The same, though possibly to a smaller degree applies to a Welshman or an Irishman in England, or to a larger degree to a Jew—of whatever nationality—when he comes up against xenophobia in this country.

One of the younger members of the AJR whose generation will probably survive that of Mr. Schatzky, although proud of his Continental-Jewish heritage, herewith pleads to the common sense of the rest of our membership to reconsider a change of name to omit the term "refugee" from our Association's name.

Yours faithfully,

Peter W. Johnson.

August 14, 1954.

8 Grove End Gardens,  
London, N.W.8.

adapted with more or less skill to its present purpose, but designed from the outset for the services it is meant to render. There was a mixed crowd of guests, all of them enjoying the homely atmosphere. Some of them were immigrants from India, who are given hospitality until they have found jobs. A party of Israeli students was just expected, and there were also former German Jews who had left their first country of settlement in order to join their relatives overseas.

The German Jews have played an important part in the history of the "Shelter." From 1933 onwards, for many of them Mansell Street was their first accommodation on British soil, after they had escaped persecution. Yet the relationship between the "Shelter" and the refugees from Nazi persecution transcends this practical assistance, important as it was. The "Shelter" and its Committee under the chairmanship of the late Otto Schiff were the nucleus of the gigantic rescue and relief work carried out on our behalf later on by the Jewish Refugees Committee. As a fitting tribute to his unique work for the homeless, a beautiful rest room and a lovely children's play room have been dedicated to the memory of Otto Schiff.

One hears comparatively little of the "Shelter." One of the reasons is that its Committee does not indulge in noisy propaganda and has spared the community of appeals for funds during the past years, to be exact, since 1937. Yet now the time has come when the "Shelter," which has an annual deficit of £5,000, is no longer able to continue without help. An urgent circular letter has been addressed to the Jews of this country by the Chief Rabbi, Viscount Bearsted and Mr. Leonard G. Montefiore. They do not expect large donations, but every guinea helps to overcome the state of emergency. The AJR wholeheartedly associates itself with this cause, and asks its members and friends to send their subscriptions to: The Treasurer, Jews' Temporary Shelter, 63 Mansell Street, London, E.1.

W. ROSENSTOCK

### FAMILY EVENTS

Entries in this column are free of charge. Texts should be sent in by the 18th of the Month.

#### Birthdays

**Mrs. Ida Loewenberg**, née Heimann (born in Luedge, Westphalia), of 39 Armitage Road, London, N.W.11, will celebrate her 90th birthday on October 1.

**Mrs. D. Soldin**, of 24 Watford Road, Northwood, Middx., celebrated her 80th birthday on August 18, 1954.

**Mr. Max Kaufmann**, of 123 Alexandra Road, London, N.W.8 (formerly Essen), celebrated his 70th birthday on August 18, 1954.

#### Coming of Age

**Mr. Paul Goldenbaum**, 43 Adelaide Road, Surbiton, Surrey (formerly Vienna II, Taborstr. 43), is celebrating his 21st birthday on September 29, 1954.

#### Marriage

**Collett-Prager**.—Mr. and Mrs. Collett, of 17 Pemberton Road, London, N.4, announce the marriage of their daughter Sylvia to Mr. Peter Prager, of 1 Whitehall Lane, Grays, Essex.

### CLASSIFIED

#### Situation Wanted

#### Men

**SHIPPING CLERK**, full exp. in Im-/Export procedures, documentation, invoicing, bookkeeping, wishes to change his position. Box 304.

**AT YOUR DISPOSAL**: a versatile business man with own typewriter, for any kind of correspondence or other work, in/outdoor, or part time. Box 305.

**BOOKKEEPER**, fully exp., best references, wants full- or part-time position. Box 306.

**MAN OF 76**, former lawyer, wants to do home work, esp. addressing envelopes by hand. Box 307.

**DISABLED GENTLEMAN**, reliable worker, wants typing work as home work. Box 308.

**CLERK**: Former lawyer, elderly, wants managerial or supervisory work. Box 309.

**PACKER/STOREKEEPER**, elderly, exp. and reliable, wants suitable position. Box 310.

#### Women

**COOK**, long exp., wants full- or part-time work for restaurant or private. Box 311.

**SECRETARY**, good ref., working with own initiative, wants full/part-time position. Box 312.

**GIRL OF 21** wants office job as filing clerk and/or copy-typist (no figure work). Box 313.

**ENGL./GERMAN SHORTH. TYP.** wants part-time position in London (south of Thames). Box 314.

**BOOKKEEPER**, also familiar with German shorth., costing, taxation, hotel control, wants suitable position. Box 315.

**CANE WORKER**, speciality lampshades, flower-pot covers and toast stands, takes orders for every kind of cane work. Box 316.

**NEEDLEWOMAN**, exp. in various kinds of needlework, e.g. alterations, linen repair, darning, wants in-/outdoor work. Box 317.

**POSITION OF TRUST**, part time, wanted by former nurse, pref. with bus. people, esp. shopping, cooking, also massage. Box 318.

**ATTENDING SICK OR INVALID PEOPLE**, incl. cooking, by exp. devoted woman. Box 320.

**ELDERLY RESP. LADY** wants to work as sitter-in, day or evening. Box 321.

### Situations Vacant

**SITTER-IN** wanted for elderly people, during day or evening. Box 322.

### Accommodation

**WANTED**.—Self-cont. unfurn. flatlet for business lady. Reasonable rent. F. & F. considered. Pref. top flat. Box 324.

**TO LET**, nice gr. floor front room in private house in Golders Green. Gas cooker in room. 35/-. Box 323.

### Miscellaneous

**DEUTSCHE BUECHER GESUCHT!** R. & E. Steiner, 64 Talgarth Rd., W.14 FUL 7924

**EXERCISES/MASSAGE**: Qualified lady treats patients at their homes in consultation with their doctor. Miss L. Baer, HAMpstead 4322.

**PERFECT RELAXATION** through expressive movement.—Studio DO-ROUTH, 88 Avenue Road, N.W.3. PRI 3496.

**FOR SALE**.—Cozy-stove, all fuel burner, warm, reliable, good condition, large size. £7 10s. GLADstone 8192.

ALL MAKES  
BOUGHT  
SOLD  
EXCHANGED



REPAIRED AND MAINTAINED

ELITE TYPEWRITER Co. Ltd.

WELbeck 2528

112 CRAWFORD STREET  
off BAKER STREET, W.1

### Personal

**ATTRACTIVE** professional lady of 22 years of age, with many interests, would like to meet young man of similar background with a view to marriage. Write Box 303.

### WITNESSES WANTED

Will anybody who can confirm that I was in the Dachau Concentration Camp from November 13th, 1938, to May 13th, 1939, kindly write to **ELIAS GOLDBERG** (formerly Wuppertal) 39 Wentworth Road, London, N.W.11

### MISSING PERSONS

#### Enquiries from AJR

**Nussbaum, Dr. med. Wilhelm**, from Berlin, Potsdamerstr. 95, for Hedi Albrecht, Berlin.

**Israel, Johanna**, née Wasserzug, from Berlin, for Meilsa Dreset, Berlin.

**Fischer, Paul**, from Prague XVIII, Pod Hradbami 11, for Regierungspraesident, Wiesbaden.

**Benesch, Irma**, née Taussig, from Vienna IX, Roergasse 16, for A. W. Fenton.

### GEZA BERKOVITS und

### ELISE BERKOVITS

(geb. Knap)

frueher in Budapest, Akademiegasse 5.

Wer kann der JRSO, Berlin-Dahlem, Fontanestr. 16, Auskunft darueber geben, ob diese Personen juedischer Herkunft waren?

Erbberechtigte Verwandte, die gerichtlich verwertbare Information geben koennen, koennen im Billigkeitsverfahren am Ergebnis unserer Restitutionsansprueche beteiligt werden.

**WORKROOMS FOR THE ELDERLY**

Mrs. B. L. Q. Henriques, Chairman of the "Workrooms for the Elderly, East London," has informed the AJR Social Services Department that this workroom for "persons who have reached pensionable age and have not been able to secure employment through the normal channels" has proved highly beneficial. The facilities offered by the workroom have helped people to overcome feelings of frustration resulting from enforced idleness. They are given work for ten hours per week at a flat rate irrespective of their status or ability, and bonds of friendship have developed between them.

The question has been raised whether the AJR should open a workroom on similar lines in the North-Western District, especially for clerical and light manual work. In order to find out whether there is a need, it would be appreciated if readers or their friends who would be interested in such a scheme communicated with the AJR Social Services Department.

**HERZL MEMORIAL MEETING**

To commemorate the fiftieth anniversary of Theodor Herzl's death a Memorial Meeting took place under the auspices of the Manchester Theodor Herzl Society, a group consisting mainly of Jewish immigrants from the Continent. The speakers were Dr. F. Fox and Communal Rabbi Dr. A. Altmann. The Chairman of the Society, Mr. A. Abel, presided.

**AJR SOCIAL SERVICES DEPARTMENT  
Accommodation Wanted**

The AJR Social Services Department encounters difficulties in finding accommodation for elderly and disabled people who are not working, for home workers and for people with limited means not able to pay £2 or more for a furnished room. Any suitable offers should be sent to the Social Services Department, 8 Fairfax Mansions, N.W.3. Tel. MAI 4449.

**NEW SOCIAL GROUP IN LEEDS**

It is proposed to start a Social Group in Leeds, similar to that of "The Hyphen." Anyone between the ages of 21-35 interested in forming such a group please contact Miss L. Metzger, 9 Cardigan Road, Leeds 6, as soon as possible.

**AJR HANDICRAFT EXHIBITION  
Gifts for High Festivals**

The High Festivals will be soon and you may be looking round for suitable presents. In the AJR Handicraft Exhibition and Sale you will certainly find useful gifts for everyone; you may also obtain gift tokens for amounts from 2s. upwards. The hours of the Exhibition are: Monday to Thursday 10-1 and 3-6, Friday and Sunday 10-1, at 8 Fairfax Mansions, N.W.3.

**"THE HYPHEN"**

"The Hyphen" comprises a group of young, mainly Jewish Continentals, aged mostly 21-35, who get together for cultural, educational and social activities. The September programme includes:—

- September 4: Theatre Party.
  - September 5: A talk by Dr. Walter Bier on "Some Psychological Problems" (7.30 p.m., Zion House).
  - September 11: A Ramble.
  - September 25: Sixth Birthday Party and Social at 3 Circus Road, N.W.8.
- Visitors are charged 1s. 6d. at meetings and 3s. 6d. at Birthday Party. For current programme please send stamped addressed envelope to Miss Helen Eisner (Hon. Secretary), 26 Arthur Court, Queensway, W.2.

**ROSH HASHANAH GREETING CARDS**

For the first time this year, the Children and Youth Aliyah Committee for Great Britain has produced a delightful series of Rosh Hashanah greeting cards, coloured illustrated scenes of life in Israel. So far nothing comparable has been available in this country. The cards are obtainable from: The Children and Youth Aliyah Committee for Great Britain, 233 Baker Street, N.W.1, or from the AJR Social Services Department.

The proceeds will benefit Youth Aliyah children in Israel.

**THE DORICE**

Continental Cuisine — Licensed  
169a Finchley Rd., N.W.3 MAI 6301  
Parties catered for

**BALSAM'S RESTAURANT**

By Candlelight  
Fully Licensed and open till 2.30 a.m.

**DINNER & DANCE**

THREE COURSES 7/6 INCLUDING COVERAGE

The beautiful TERESA WATERS sings and entertains

DELICIOUS LUNCHEONS & EARLY DINNERS  
THREE 3/6 COURSES

20 DOWN STREET, MAYFAIR, W.1  
GRO 4679

**J. A. C.**

BROADHURST HALL,  
BROADHURST GARDENS, N.W.6  
(behind John Barnes)

Open Daily from 3 p.m.—1 a.m.  
for

Teas, Dinners and  
late Suppers

Excellent Cuisine — Tea Garden  
Coffee Lounge — Own Viennese Patisserie  
Fully Licensed  
Dances by Candlelight: Wednesday  
Saturday and Sunday Evening

LARGE HALL for  
WEDDINGS, RECEPTIONS, CONCERTS  
MEETINGS, Etc.

Members and Friends Reserv. MAI 9457

*Silhouette  
your figure*

**H. KAUFMANN**

16B Hampstead Hill Gardens, N.W.3  
Tel. HAMPstead 8936

DECORATING  
and

GENERAL BUILDING WORK

**ROSH HASHANAH CARDS**

Beautiful Colours and Designs  
7s. 6d. per Box of 10 Cards  
and Envelopes

OBTAINABLE FROM:

Children and Youth Aliyah  
Committee for Great Britain  
233 Baker Street, London, N.W.1

Help others and give pleasure  
to your friends

GERMAN BOOKS  
bought and sold

**LOLA MAYER  
BOOKSELLER**

34, Lanhill Road, London, W.9.  
Phone: CUNningham 2117

**THE FOOT SURGERY**

Mr. I. W. Green, M.L.I.C.M., D.P.A.

10 Midland Parade,  
West End Lane, N.W.6

(1 minute from West Hampstead Tube Station)

Tel. MAIda Vale 0412

**PRESS - TOOL - WORK**

Jigs and Fixtures and Light  
Engineering Production

**H. LESSER & CO.**  
52 Fairfax Place, N.W.6

MAI 8168

**DOLLS' HOSPITAL**

Dolls & Teddies of any make repaired.

G. LEA,

87 Boundary Road, N.W.8  
(near Abbey Road)

**TOY & GIFT SHOP**

Latest English & Continental Toys.

**AJR  
HANDICRAFT-GROUP**

Great selection of attractive and useful

**GIFTS**

at reasonable prices.  
Gift tokens available

8, FAIRFAX MANSIONS,  
FINCHLEY ROAD, N.W.3.  
(Fairfax Road corner) MAI. 4449

Open: Monday—Thursday 10-1, 3-6  
Sunday 10-1

SPACE DONATED BY  
S. F. & O. HALLGARTEN  
Wines and Spirits  
Importers & Exporters  
1 CRUTCHED FRIARS, LONDON, E.C.3

**O. DUTCH**

(formerly established in VIENNA)

LADIES & GENTS & SHIRTS  
TAILORING & TO MEASURE

ALSO FROM CUSTOMER'S OWN MATERIAL

105 BOUNDARY ROAD  
ST. JOHN'S WOOD, N.W.8

Bus Routes 1, 8, 16, 31, 59a, 60 & 159

For appointments to suit your convenience phone  
MAIda Vale 6237

SIE MUESSEN NACH DEUTSCHLAND?  
Wir besorgen Ihnen schnellstens zu  
Originalpreisen

FAHRKARTEN-FLUGKARTEN-VISEN usw.  
**GERMANIA TRAVEL LTD.**

The Specialists for Germany  
5 New Quebec Street - Marble Arch  
Phone: AMB 9335 & 9474  
and also at 41 Sackville Street, W.1  
Phone: REG 7881/2

**REGENT STREET SCHOOL OF ENGLISH  
AND MODERN LANGUAGES**

Day & Evening Classes — Preparations for Examinations

Miss H. H. Butterfield, B.A. (Hons.) 93-97 Regent Street, W.1

REGent 8705

**"ASHDALE GUESTHOUSE"**

23 BEAULIEU ROAD, BOURNEMOUTH W.  
On beautiful "Alum Chine", 5 min. Sea.  
All Conveniences. Excellent Cuisine.

TERMS: From 4½-7 gns., according  
to room and season.

Phone: Westbourne 619471. Prop. E. BRUDER

**CONTINENTAL  
BOARDING HOUSE**

in Hampstead  
Single—Double Rooms, H.C.W.  
Full or Partial Board

Moderate Terms Ring MAI 0079

**CLIFTON HOUSE**

changed to  
19 TISBURY ROAD, HOVE  
Tel. 71000

for your Holidays and Permanency  
Open to Non-Residents  
Props. K. & C. Atkins

**ROSEMOUNT**

17 Parsifal Road, N.W.6  
HAM 5856

The Boarding-house with culture  
A Home for you  
Elderly people welcomed

**SCHREIBER'S GUEST HOUSE**

(Mr. & Mrs. H. Schreiber)

26 Bleenheim Gardens, N.W.2  
GLA 5622

(2 mins. from Willesden Green Station)  
Excellent cuisine by Proprietor, former Chef  
Elderly people welcomed

77 St. Gabriel's Road,  
London, N.W.2

Tel. GLA 4029

Permanent Guests and Visitors coming to  
London are welcome in my exquisitely  
furnished and cultivated Private Guest House  
Hot & Cold Water, Central Heating, Garden,  
Television.

Continental meals can be provided if desired. Very  
good residential district. Buses and Tube very near  
Mrs. Lotte Schwarz

**LEO HOROVITZ  
SCULPTOR—STONEMASON**

MEMORIALS FOR ALL  
CEMETERIES

16 FAWLEY ROAD,  
W. HAMPSTEAD, N.W.6  
Telephone: HAMPstead 2564

**L. SCHEIBE**

form. Polstermoebel & Matratzenfabrik, Berlin

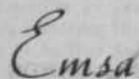
**UPHOLSTERY**

Re-Upholstery and Re-Cover of all kinds of Furniture and Mattresses Loose Covers, Curtains, etc.

19 Links Rd., N.W.2 Tel: GLA 7805



**Emsa**  
'New Look'  
Children's Footwear



RUBBER GOODS

**EMSA-WORKS & HERBERT FOOT APPLIANCE LTD.**  
BLACKBURN, Lancs.

**M. GLASER**

PRACTICAL UPHOLSTERER

All Re-Upholstery, Carpets, Furniture Repair, French Polishing WILL BE DONE TO YOUR SATISFACTION—

Phone HAMPstead 5601 or call at 432 FINCHLEY RD. (Childs Hill), N.W.2

**A. OTTEN F.B.O.A. (Hons.)**

OPHTHALMIC OPTICIAN

Tel: 118, FINCHLEY ROAD HAM 8336 OPPOSITE JOHN BARNES & FINCHLEY RD. Met. Sta.

While you wait  
**PHOTOCOPIES OF YOUR DOCUMENTS**

from 1/6 onwards  
Phone for appointment: Tues. to Fri. 9 a.m.-2 p.m.  
**Mrs. H. M. Barry**  
Flat 115, 20 Abbey Rd., St. John's Wood, CUN 4860 Ext. 115 N.W.8

Ring

**HAMPstead 4150 or 4686**

for Chauffeur-driven  
*Limousines and Saloon Cars*

ANY DISTANCE  
DAY & NIGHT

**NORWEST CAR HIRE**

517a Finchley Road,  
Hampstead, N.W.3

**H. WOORTMAN**

8 Baynes Mews, Hampstead, N.W.3  
Tel. HAM 3974

Continental Builder & Decorator  
Specialist in Dry Rot Repairs  
Estimates free

For the High Festivals  
Prayer Books, Talmism, Capr,  
New Year Cards, Luac's 1954/55  
Jewish Literature, new and 2nd hand  
Whole libraries and single volumes bought

**M. SULZBACHER**

4 Sneath Avenue, Golders Green Rd.  
London, N.W.11 Tel.: SPE 1694

**PHOTOCOPIES OF DOCUMENTS**

11" x 8" first copy 1/8  
additional copies 1/3

**GOLDERSTAT**

Head Office: 25, DOWNHAM RD., N.1  
Phones: CLIssold 4386-6713-671-  
Residence: 54, GOLDERS GARDENS  
N.W.11 Phone: SPEedwell 5643

**M. FISCHLER**

CONTINENTAL UPHOLSTERY

FIRST CLASS WORKMANSHIP AND BEST MATERIALS USED. CARPETS FITTED AND ALL KINDS OF FURNITURE MADE AND REPAIRED, ALSO CURTAINS AND MATTRESSES. FRENCH POLISHING  
47, MELROSE AVENUE, N.W.2  
Tel.: EDG 5411

**G. LEA**

87, BOUNDARY ROAD, N.W.8  
(Off Abbey Road)

Repairs of Prams  
Handbags, Travel goods, Umbrellas

Shopfitting Efficiently Executed by

**F. FRIEDLAND**

183 Cambridge Rd., N.W.6  
Telephone No.: MAIDA VALE 8910  
Evening: MAIDA VALE 0786

Formica Covered Counters, Shelves, etc.  
Modernising of Shop Fronts  
Built-in Cupboards: General Woodwork

**Reissner & Goldberg  
ELECTRICAL ENGINEERS  
AND CONTRACTORS**

68, Canterbury Road, N.W.6  
Tel. MAI 0359.  
(After 6.30. MAI 2646)

First Class Repairs of

**R. GRAHAM**

38 Brondesbury Villas, N.W.6  
MAIDA VALE 6352

Collect and Deliver

**NORBERT COHN**

F.B.O.A. (Hons.) D. Orth.

**OPHTHALMIC OPTICIAN**

20 Northways Parade, Finchley Road,  
Swiss Cottage, N.W.3.  
Tel. PRIMROSE 9660.

**STANDARD SEWING  
MACHINE SERVICE LTD.**

All makes sewing machines Sold, Bought and Exchanged. Easy Terms. Repairs promptly Executed.

112 CRAWFORD ST., BAKER ST., W.1

**BRAY MOTORS**  
of  
**WEST HAMPSTEAD**

The local used car specialists  
Their knowledge is yours for the asking  
180-4 West End Lane, N.W.6  
Telephone: Hampstead 6490/7327

First class

**SHOE REPAIRS**

Collect and Deliver

REICH

Phone: MAI 9875 or HAM 1037

**The WIGMORE LAUNDRY Ltd.**  
**CONTINENTAL LAUNDRY SPECIALISTS**

We have not increased our prices  
Most London Districts Served Write or phone the Manager:  
Mr. E. Hearn, 1, Stronsa Rd., London, W. 12. Tel.: SHE 4575

If it's TYPEWRITERS

Phone:

MAI 1271  
A. BREUER,  
57 Fairfax Rd.  
N.W.6.



**JAMES R. WALSH LTD.**



Cream of Continental Motor Cycles

**JAWA CZ 125 c.c.**

Two-stroke engine, concealed carburettor, flywheel mag-dynamo, plunger rear-suspension, chromium-plated tank and wheel rims.  
Cash Price £106/16/-.  
Deposit £35/12/-.

**JAWA CZ 150 c.c.**

Two-stroke engine, concealed carburettor, flywheel mag-dynamo, plunger rear-suspension, chromium-plated tank and wheel rims.  
Cash Price £126. Deposit £42.

**JAWA CZ 150 c.c. JUNIOR**

Pivot rear suspension, totally enclosed rear chain, 3.00 x 16 in. wheels, very attractive.  
Cash Price £134/8/-.  
Deposit £44/16/-.

**JAWA 250 c.c.**

Fully enclosed carburettor, ignition by coil four-speed gearbox in unit with engine. Positive stop foot change with automatic clutch release and neutral position indicator. Chromium-plated tank and wheel rims.  
Cash Price £158/8/-.  
Deposit £52/16/-.

**JAWA 350 c.c.**

Two-cylinder two-stroke engine, four-speed transmission, gear shifting by foot pedal, automatic metal disc clutch in oil bath, declutches automatically at all gear changes, with optical indicator showing neutral position. Chromium-plated tank and wheel rims.  
Cash Price £188/8/-.  
Deposit £62/16/-.

HIRE PURCHASE ARRANGED.  
PART EXCHANGE ACCEPTED.  
POSTAL ENQUIRIES WELCOME.

VAST STOCK OF NEW AND SECOND-HAND BRITISH MACHINES

**JAMES R. WALSH LTD.**

183/5/7 HIGH ROAD,  
TOTTENHAM, N.15.  
Opposite South Tottenham Station.  
STAmford Hill 0881-2-3  
Open 9 till 7. 9 till 1 on Thursdays.

**DECORATING**

of style and quality

expert, speedy & clean execution

free estimate and advice

personal attention

MAC. 1454

**E. MIEDZWINSKI**  
27 JEFFREYS RD., S.W.4

**VESOP**

for flavouring Soups,  
Stews, Gravies, etc.



**ESSENTIAL FOR FIRST CLASS CONTINENTAL COOKING**

1/8 per 8 oz. bottle  
Obtainable from Grocers and Stores  
Manufactured by VESOP PRODUCTS LTD  
498 Hornsey Road, London, N. 19

**L. COHEN & SON**

Sanitary and Heating Engineers  
20 GOLDHURST TERRACE  
LONDON, N.W.6

We are Experts on  
Central Heating, Plumbing, Gas, Hot and Cold Water Installations, Slow Combustion Stoves, and have over 40 Years of Experience.  
Tel. MAI 0134

**NEWMAN'S COSY SLIPPERS**

by  
**NEWMAN'S SLIPPERS LTD.**  
**BLACKBURN**

**Valentine & Wolf Ltd.**  
Insurance Brokers  
in association with  
**ARBON, LANGRISH & Co., Ltd.**

HASILWOOD HOUSE  
52, BISHOPSGATE  
LONDON, E.C.2

Tel.: LONDON Wall 2366  
(10 Lines)

All Types of Insurances with  
Lloyds and all Companies



# ERSTE DURCHFUEHRUNGSVERORDNUNG ZUM BUNDESENTSCHAEDIGUNGSGESETZ (BEG)

vom 17.9.1954 BGBI. S.271 (1. DV BEG) betreffend

## SCHADEN AM LEBEN

Von K. Friedlander

Dies ist die erste der seit langem erwarteten Rechtsverordnungen der Bundesregierung zur Durchfuehrung des BEG. Die Moeglichkeit solcher Durchfuehrungsverordnungen ist im BEG an drei Stellen vorgesehen, bei den Bestimmungen ueber Schaden am Leben, Schaden an Koerper und Gesundheit und Schaden im beruflichen Fortkommen.

Die 1. DV BEG erlaeutert und ergaenzt den Par. 14 BEG (Schaden am Leben)\* in 31 Paragraphen und 4 Seiten Tabellen. Im folgenden soll die Rechts- und Sachlage dargestellt werden, wie sie sich aus der DV im Zusammenhang mit den Bestimmungen des BEG ergibt.

### I. BESONDERE ANSPRUCHSVORAUSSETZUNGEN

#### Todesnachweis

Voraussetzung fuer den Anspruch ist der Nachweis, dass und wann der Verfolgte gestorben ist. Die DV betont unter Hinweis auf Par. 83 BEG, dass die Entschaedigungsorgane alle hierfuer entscheidenden Tatsachen von Amts wegen zu ermitteln und die erforderlichen Beweise zu erheben haben. Die Antragsteller werden in ihrem eigenen Interesse die Behoerden hierbei durch Beibringung von in ihrem Besitz befindlichen Urkunden, Angabe von Zeugen und Beibringung von eidesstattlichen Erklarungen zu unterstützen haben. Da in vielen Faellen der Tod sich nicht einwandfrei feststellen laesst, so kommt die folgende im Par. 86 BEG aufgestellte Regel zur Anwendung:

„Hat ein Verfolgter seinen letzten bekannten Aufenthalt im Reichsgebiet nach dem Stande vom 31. Dezember 1937 oder in einem von Deutschland oder seinen Verbueundeten beherrschten oder besetzten Gebiet gehabt und ist sein Aufenthalt seit dem 9. Mai 1945 unbekannt, ohne dass Nachrichten darueber vorliegen, dass er zu diesem oder einem spaeteren Zeitpunkt noch gelebt hat, so wird vermutet, dass er am 9. Mai 1945 verstorben ist. Falls nach den Umstaenden des Einzelfalles ein anderer Zeitpunkt des Todes wahrscheinlich ist, kann im Entschaedigungsverfahren dieser andere Zeitpunkt als vermutlicher Zeitpunkt des Todes festgestellt werden.“

Die DV bestimmt, dass in den Faellen, in denen die Todesvermutung dieser Bestimmung nicht Anwendung findet, der Tod durch Urkunden oder, wenn solche nicht vorliegen, durch andere Beweismittel nachgewiesen werden muss. Wenn der Tod durch andere Beweismittel nachgewiesen wird, so ist der Zeitpunkt gemaess Satz 2 des oben zitierten Par. 86 festzusetzen.

#### Ursachlichkeit zwischen Tod und Verfolgung

Eine weitere Anspruchsvoraussetzung nach dem BEG ist, dass der Verfolgte durch gegen ihn gerichtete Verfolgungsmassnahmen vorsatzlich oder leichtfertiger getoetet oder in den Tod getrieben worden ist. Dies wird vermutet, wenn der Verfolgte waehrend der Deportation oder waehrend einer Freiheitsentziehung (politische Haft, haftaehnliche Zwangsarbeit oder

Strafhaft) oder im unmittelbaren Anschluss daran gestorben ist. Die Auslegung des Wortes „unmittelbar“ war bisher zweifelhaft. Die DV stellt klar, dass der Tod nicht als unmittelbar erfolgt gilt, wenn er spaeter als 6 Monate nach Beendigung der Deportation oder der Freiheitsentziehung entweder eingetreten oder auf Grund gesetzlicher Vorschriften als eingetreten zu vermuten ist. Andernfalls muss der ursachliche Zusammenhang nachgewiesen werden. Dieser Nachweis, der in der Regel durch aertzliche Atteste zu fuehren ist, wird durch die DV dadurch erleichtert, dass es genuegt, wenn der ursachliche Zusammenhang zwischen Tod und Verfolgung *wahrscheinlich* ist; bisher wurden durch die einzelnen Gerichte strengere Anforderungen an den Nachweis des Kausalzusammenhanges gestellt.

#### Wohnsitzvoraussetzung

Anspruchsvoraussetzung nach Par. 14 Abs. 2 BEG ist, dass der Verfolgte vor dem 1.1.1947 verstorben oder ausgewandert ist, deportiert oder ausgewiesen worden ist, aber seinen letzten inlaendischen Wohnsitz oder dauernden Aufenthalt im Bundesgebiet oder Westberlin hatte. Liegt diese Voraussetzung beim Verfolgten vor, so koennen alle Hinterbliebenen Ansprueche geltend machen, ohne dass es darauf ankommt, dass sie selbst die allgemeinen Wohnsitzvoraussetzungen des BEG erfuellen. Liegt sie beim Verfolgten nicht vor, so haben nur diejenigen Hinterbliebenen Anspruch, die die allgemeinen Wohnsitzvoraussetzungen des BEG erfuellen; dies ist der einzige Fall im Gesetz, in dem neben dem Wohnsitz des Verfolgten auch der Wohnsitz des Antragstellers einen Anspruch begruendet.

#### Ausschluss, Versaegung und Verwirkung des Anspruchs

Nach dem BEG haben diejenigen Personen keinen Anspruch, die der nationalsozialistischen Gewaltherrschaft Vorschub geleistet haben, denen nach dem 8. Mai 1945 die buergerlichen Ehrenrechte aberkannt worden sind, die die freiheitliche demokratische Grundordnung bekaempfen oder die falsche Angaben gemacht haben. Nach der DV tritt der Anspruchsverlust ein, wenn diese Gruende in der Person des Verfolgten oder des Hinterbliebenen vorliegen.

### II. KREIS DER HINTERBLIEBENEN

#### Bestimmungen des BEG

Nach dem BEG wird die Entschaedigung folgenden Hinterbliebenen in Form einer Geldrente vom 1.11.1953 ab und einer Kapitalentschaedigung fuer die zurueckliegende Zeit geleistet:

- 1) der Witwe bis zu ihrer Wiederverheiratung oder bis zu ihrem Tode;
- 2) dem Witwer bis zu seiner Wiederverheiratung oder bis zu seinem Tode, wenn und soweit er ausserstande ist, sich selbst zu unterhalten;
- 3) den Kindern, soweit und solange fuer sie nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen, und bis zur Vollendung des 16. Lebensjahres den elternlosen Enkeln, die der Verfolgte zur Zeit seines Todes unentgeltlich unterhalten hat, oder die er, wenn er noch lebte, unterhalten wuerde;
- 4) Verwandten der aufsteigenden Linie, deren Lebensunterhalt ganz oder ueberwiegend im Zeitpunkt seines Todes durch den Verfolgten bestritten wurde oder, wenn er noch lebte, von ihm bestritten wuerde, auf die Dauer der Beduerftigkeit.

#### Bestimmungen der DV

Die DV stellt den im BEG genannten Personen folgende Personengruppen gleich:

#### DER WITWE GLEICHGESTELLTE HINTERBLIEBENE

Die DV bestimmt, dass die Verlobte, deren Verbindung mit dem Verfolgten auf Grund des Gesetzes ueber die Anerkennung freier Ehen rassistisch und politisch Verfolgter vom 23. Juni 1950 (Bundesgesetzbl. S.226) oder auf Grund von Rechtsvorschriften der Laender die Rechtswirkungen einer gesetzlichen Ehe zuerkannt worden sind, der Witwe gleichgestellt ist.

Die Anerkennung der freien Ehe nach dem genannten Gesetz erfolgt durch Anordnung. Da die Frist zur Stellung von Antraegen auf Erlass einer solchen Anordnung schon im Jahre 1951 abgelaufen ist, so muss angenommen werden, dass es genuegt, wenn die in dem genannten Gesetz aufgestellten Voraussetzungen fuer eine solche Anordnung vorliegen. Es duerfte also genuegen, wenn nachgewiesen wird, dass die freie Ehe bestanden hat und eine Eheschliessung aus rassistischen Gruenden unmoeglich gemacht wurde.

#### HELICHE UND IHNEN GLEICHGESTELLTE KINDER

Den ehelichen Kindern sind gleichgestellt

- a) die fuer ehelich erklarten Kinder,
- b) die an Kindes Statt angenommenen Kinder,
- c) die Stiefkinder, die im Haushalt des Verfolgten aufgenommen waren,
- d) die Kinder aus nichtigen Ehen, die die Stellung eines ehelichen Kindes haben,
- e) die Pflegekinder, die im Haushalt des Verfolgten aufgenommen waren und fuer deren Unterhalt und Erziehung keine Verguetung gezahlt wurde.

Es ist weiter ausdruerklich bestimmt, dass den ehelichen Kindern einer Verfolgten die gleichen Ansprueche zustehen wie den ehelichen Kindern eines Verfolgten. Die Aufnahme dieser Bestimmung beruht auf der in dem Grundgesetz enthaltenen Bestimmung ueber Gleichstellung von Mann und Frau.

#### UNEHELICHE KINDER

Par. 9 DV bestimmt:

„Den unehelichen Kindern eines Verfolgten stehen die Ansprueche nach BEG zu, wenn die Vaterschaft des Verfolgten festgestellt ist und er das Kind entweder in seinen Hausstand aufgenommen hatte oder auf andere Weise nachweislich fuer seinen vollen Unterhalt aufgekommen ist oder aufgekommen waere, wenn ihn die Verfolgung nicht daran gehindert haette.“

Den unehelichen Kindern einer Verfolgten stehen die Ansprueche nach BEG zu, wenn von ihr dem Kinde ueberwiegend Unterhalt gewaehrt wurde.“

#### ELTERNLOSE ENKEL

Par. 10 DV bestimmt:

„Die Anspruchsvoraussetzung, dass der Verfolgte seine elternlosen Enkel zur Zeit seines Todes unentgeltlich unterhalten hat, ist auch dann erfuellt, wenn der Unterhalt zur Zeit des Beginns der Verfolgung, die zum Tode gefuehrt hat, gewaehrt wurde.“

Die Unentgeltlichkeit der Unterhaltsgewaehrung wird nicht dadurch ausgeschlossen, dass der Verfolgte im Hinblick auf die Unterhaltsgewaehrung Zuschuesse erhielt; es kommt nur darauf an, dass der Unterhalt von dem Verfolgten ueberwiegend bestritten wurde.“

#### VERWANDTE DER AUFSTIEGENDEN LINIE

Par. 11 DV bestimmt:

„Die Eltern sind vor den Grosseltern anspruchsberechtigt; an die Stelle eines verstorbenen Elternteils treten dessen Eltern.“ Es kommt auch hier nur darauf an, dass der Unterhalt von dem Verfolgten ueberwiegend bestritten wurde.“

#### ZUMUTBARER ERWERB DES WITWERS

Fuer den Witwer ist im BEG, wie oben erwaeht, bestimmt, dass er eine Rente nur erhaelt, wenn und soweit er ausserstande ist, sich selbst zu unterhalten. Hierzu bestimmt die DV: „Wenn und insoweit der Witwer einem zumutbaren Erwerb nicht nachgeht, ist er nicht ausserstande sich selbst zu unterhalten.“

\* Der Inhalt des Par. 14 BEG ist in dem ausfuehrlichen Aufsatz ueber den Inhalt des BEG dargelegt worden, der als Beilage zu der September-Nummer 1953 der AJR-Information erschienen ist. Dieser Aufsatz kann noch von der AJR gegen Einsendung von 1/- bezogen werden.

### III. FESTSETZUNG DER RENTE, DER KAPITALENTSCHAEDIGUNG UND VERERBLICHKEIT

#### 1. Berechnung der Rente

##### GRUNDLAGE UND ART DER BERECHNUNG

Die Berechnung der Renten ist sehr kompliziert, da das BEG nicht das Einkommen der Verfolgten zugrunde legt, sondern bestimmt, dass die Rente nach dem Ruhegehalt eines vergleichbaren Beamten zu errechnen ist. Die einzelnen Renten werden in einem Hundertsatz des massgebenden Ruhegehalts festgesetzt. Dieser Hundertsatz betraegt fuer die Witwe 60%, fuer jedes Kind und fuer jeden Enkel 30% und fuer einen Verwandten der aufsteigenden Linie oder mehrere zusammen 30%. Die nach diesen Hundertsatzen festgesetzten Renten koennen bis auf 30% herabgesetzt werden, wenn eigenes Einkommen vorhanden ist oder einem zumutbaren Erwerb nicht nachgegangen wird. Erzielte oder erzielbare Einkuenfte werden nur insoweit beruecksichtigt als sie den Betrag von monatlich DM 150.— uebersteigen. Je DM 50.— der zu beruecksichtigenden Einkuenfte fuehren zu einer Herabsetzung um 10%.

Die DV stellt die Grundsaezte auf, nach denen die Einreihung in eine Beamtengruppe zu erfolgen hat. Es ist massgebend die wirtschaftliche und soziale Stellung des Verfolgten.

Die wirtschaftliche Stellung bestimmt sich nach dem Durchschnittseinkommen des Verfolgten in den letzten drei Kalenderjahren vor der Verfolgung, die zu seinem Tode gefuehrt hat. Eine Minderung des Einkommens durch die vorausgegangene Verfolgung bleibt ausser Betracht. Beruecksichtigt werden nur die Einkommen, die auf einer eigenen Arbeitsleistung des Verfolgten beruhen. War ein unselbstaendig Erwerbstaetiger nicht gegen Entgelt oder nur gegen ein unverhaeltnismaessiges geringes taetig, so ist die tarifliche oder sonst uebliche Vergueutung zugrunde zu legen.

Die soziale Stellung bestimmt sich nach der auf seiner Vorbildung, seinen Leistungen und seinen Faehigkeiten beruhenden Geltung im oeffentlichen Leben.

Bei der Einreihung einer Verfolgten, die als Hausfrau taetig war, ist von der wirtschaftlichen und sozialen Stellung ihres Ehemannes auszugehen.

Fuer die einzelnen Beamtengruppen, in die Einreihung zu erfolgen hat, sind der DV Tabellen beigefuegt, in der auch die Hoehe der nach den Grundsaezten der DV festzusetzenden Renten angegeben ist. Es sind vier Gruppen aufgestellt; einfacher Dienst, mittlerer Dienst, gehobener Dienst und hoeherer Dienst. Abgesehen hiervon richtet sich die Hoehe der festzusetzenden Rente nach dem Lebensalter des Verfolgten zur Zeit seines Todes (bis 30 und ab 35, 40, 45, 50 und 55 Jahre). Ausserdem sind die drei Besoldungserhoechungen, die seit Kriegsende eingetreten sind, beruecksichtigt.

Nach dem jetzigen Stand betragen die jaehrlichen Renten:

	Witwengeld	Waisengeld
einfacher Dienst ...	von DM 1500-1637.—	DM 581- 819.—
mittlerer Dienst ...	DM 1500-2270.—	DM 660-1135.—
gehobener Dienst ...	DM 1690-3590.—	DM 845-1795.—
hoeherer Dienst ...	DM 2323-5808.—	DM 1162-2904.—

##### MINDESTRENTEN

Um Haerten zu vermeiden, sind im BEG folgende Mindestrenten vorgesehen, die bei Anwendung der vorstehenden Grundsaezte nicht unterschritten werden duerfen.

Der monatliche Mindestbetrag der Rente betraegt:

fuer die Witwe ...	200 DM
fuer die Vollwaise ...	100 DM
fuer die erste und zweite Halbwaise, wenn keine Witwenrente gewaehrt wird, je ...	75 DM
wenn eine Witwenrente gewaehrt wird, je ...	55 DM
fuer die dritte und jede folgende Halbwaise, je ...	50 DM

Die Mindestrente des Witwers betraegt 100 DM monatlich.

Die Aufstellung zeigt, dass es in sehr vielen Faellen bei den Mindestrenten sein Bewenden behalten wird.

#### 2. Ruhen und Erloeschen der Rente

##### RUHEN DER RENTE

Nach dem BEG ruhen Renten soweit und solange dem Versorgungsempfaenger Versorgungsbezuuge oder sonstige laufende Leistungen, die nicht ausschliesslich auf eigenen Geldleistungen des Verfolgten beruhen, auf Grund eines Dienst- oder Arbeitsverhaeltnisses des Verfolgten oder nach dem Bundesversorgungsgesetz oder auf Grund anderer gesetzlicher, insbesondere sozialversicherungsrechtlicher Vorschriften gewaehrt werden (Par. 14 Abs. 6 BEG). Die DV bestimmt, dass die Rente vom ersten des Monats an ruht, der dem Monat folgt, in den das fuer das Ruhen der Rente massgebende Ereignis faellt.

##### ERLOESCHEN DER RENTE

Die Rente erlischt nach der DV—

- fuer jeden Hinterbliebenen mit dem Ende des Monats, in dem er stirbt,
- fuer jeden Hinterbliebenen mit Ausnahme der Verwandten der aufsteigenden Linie auch mit dem Ende des Monats, in dem er heiratet oder wiederheiratet,
- fuer Kinder auch mit dem Ende des Monats, in dem sie das 16. Lebensjahr vollenden, es sei denn, dass die Voraussetzungen, fuer eine Gewaehrung ueber dieses Alter hinaus vorliegen (s.u.),
- fuer elternlose Enkel auch mit dem Ende des Monats, in dem sie das 16. Lebensjahr vollenden oder in dem der Verfolgte das 75. Lebensjahr vollendet haette,
- fuer Verwandte der aufsteigenden Linie auch mit dem Ende des Monats, in dem die Beduerftigkeit weggefallen ist oder in dem der Verfolgte das 75. Lebensjahr vollendet haette,
- fuer den Witwer ganz oder teilweise auch mit dem Ende des Monats, in dem er imstande ist, sich ganz oder teilweise selbst zu unterhalten.

#### GEWAEHRUNG DER RENTE BEI KINDERN UEBER 16 JAHRE

Wie oben erwaeht, erhalten nach dem BEG Kinder ueber das 16. Lebensjahr hinaus eine Rente soweit und solange fuer sie nach Beamtenrecht Kinderzuschlaege gewaehrt werden koennen.

In Auslegung dieser Bestimmung bestimmt die DV folgendes:

- 1) Ein lediges Kind erhaelt eine Rente auch nach Vollendung des 16. Lebensjahres, wenn es
  - a) sich in der Schulausbildung oder in der Ausbildung fuer einen kuenftig gegen Entgelt auszuuebenden Lebensberuf befindet und nicht ein eigenes Einkommen im Sinne des Bundesbesoldungsrechts von mehr als monatlich 75 Deutsche Mark hat, bis zur Vollendung des 24. Lebensjahres; uebersteigt das Einkommen monatlich 75 Deutsche Mark, so ist die Rente um den Mehrbetrag zu kuerzen,
  - b) wegen koerperlicher oder geistiger Gebrechen dauernd erwerbsunfaehig ist und nicht ein eigenes Einkommen im Sinne des Bundesbesoldungsrechts von mehr als monatlich 75 Deutsche Mark hat, auch ueber das 24. Lebensjahr hinaus, sofern die Erwerbsunfaehigkeit infolge des Gebrechens bereits vor Vollendung des 24. Lebensjahres eingetreten ist; uebersteigt das Einkommen monatlich 75 Deutsche Mark, so ist die Rente um den Mehrbetrag zu kuerzen.
- 2) Hat sich in den Faellen des Absatz 1 Buchstabe a der Abschluss der Schul- oder Berufsausbildung infolge nationalsozialistischer Verfolgungs- oder Unterdrueckungsmassnahmen verzoegert oder sind solche Verzoegerungen infolge der Verhaeltnisse der Kriegs- oder Nachkriegszeit ohne einen von dem Berechtigten zu vertretenden Umstand eingetreten, so wird die Rente fuer einen der Verzoegerung entsprechenden Zeitraum auch ueber das 24. Lebensjahr hinaus gewaehrt.
- 3) Die Voraussetzungen fuer die Gewaehrung der Rente im Falle des Absatz 1 Buchstabe b werden, soweit sie nicht offenkundig sind, durch das Zeugnis eines Amts- oder Vertrauensarztes nachgewiesen.

Nach den Beamtengesetzen faellt der Unterhaltszuschuss fuer Kinder fort, wenn das Kind mehr als 75 Deutsche Mark verdient. Demgegenueber stellt die DV eine Verbesserung dar. Fuer im Ausland lebende Berechtigte wird Umrechnung in die Waehrung des auslaendischen Staates nicht zum amtlichen Kurs, sondern unter Beruecksichtigung der verschiedenen Kaufkraft und des verschiedenen Lebensstandards zu erfolgen haben. Die DV sagt dies nicht ausdruerklich. Es ist dies aber eine Notwendigkeit, wenn die Bestimmungen ueber Waisenrente nicht alle Bedeutung verlieren sollen.

#### WIEDERAUFLEBEN DER RENTE FUER WITWER UND WITWE

Haben eine Witwe oder ein Witwer sich wiederverheiratet und wird die Ehe aufgeloeset, so lebt die Rente wieder auf.

Leistungen, die der Witwe oder dem Witwer auf Grund eines neuen, infolge Aufloesung der Ehe erworbenen Versorgungs- oder Unterhaltsanspruchs zustehen, sind auf die Rente anzurechnen.

Die Nichtigerklaerung hat die gleichen Wirkungen wie die Aufloesung der Ehe.

#### 3. Anzeigepflicht und Neufestsetzung

##### ANZEIGEPFLICHT

Der Hinterbliebene ist verpflichtet, alle Tatsachen, die zu einer Minderung, einem Ruhen oder einem Erloeschen der Rente fuehren koennen, der EntschaeDIGungsbehoerde unverzueglich anzuzeigen. Unterlaesst er dies, so kann der ergangene Rentenbescheid widerrufen werden.

##### NEUFESTSETZUNG DER RENTE

Die Rente kann neu festgesetzt werden, wenn die Verhaeltnisse, die der Bemessung der Rente zugrunde gelegt waren, sich so geaendert haben, dass die neu festzusetzende Rente um mindestens 10% von der festgesetzten Rente abweicht.

#### 4. Kapitalentschaedigung

Fuer die Zeit vom Tode bis zum 31.10.53 wird eine Kapitalentschaedigung gewaehrt, bei deren Berechnung die Rente zugrunde gelegt wird. Fuer die Zeit vor dem 21.6.48 ist der Betrag der Rente in Reichsmark anzusetzen und im Verhaeltnis von 10 zu 2 in Deutsche Mark umzurechnen.

Sind zu einem vor dem 1.11.53 liegenden Zeitpunkt Erloeschungsgruende eingetreten, so ist der Bemessung der Kapitalentschaedigung der Zeitraum vom Tode des Verfolgten bis zu diesem Zeitpunkt zugrunde zu legen. Es sind dies Faelle, in denen es zu einer Rentenfestsetzung nicht mehr kommt, z.B. weil die Witwe vor dem 1.11.53 geheiratet hat oder eine Waise vor diesem Zeitpunkt 16 bzw. 24 Jahre alt geworden ist.

Nach der DV gelten fuer die Berechnung der Kapitalentschaedigung nicht die Bestimmungen ueber Mindestrente. Das BEG selbst sieht eine solche Einschraenkung nicht vor.

#### 5. Vererblichkeit und Uebertragbarkeit

##### KAPITALENTSCHAEDIGUNG

Der Anspruch auf Kapitalentschaedigung geht auf die Erben ueber, wenn der Verfolgte am 1.1.47 oder spaeter gestorben ist. Ist er vor dem 1.1.47 gestorben, so geht der Anspruch nur auf die Ehefrau und die Erben der ersten und zweiten Ordnung (Kinder, Eltern und deren Nachkommen) ueber.

##### RENTEN

Der Anspruch auf Rente ist grundsaeztlich weder uebertragbar noch vererblich. Nach der ausdruecklichen Bestimmung der DV geht aber die Summe der rueckstaendigen Rentenbetrage in der gleichen Weise wie die Kapitalentschaedigung auf die Erben ueber.

Zum Schluss sei noch bemerkt, dass sowohl die Kapitalentschaedigung als auch die Renten von der Einkommen- und Lohnsteuer befreit sind.