

Henry Morgenthau Jr Papers
Box 185

Irving Lehman

IRVING LEHMAN

ASSOCIATE JUDGE
COURT OF APPEALS
36 WEST 44TH ST.
NEW YORK

Albany, N. Y.,
October 5, 1933.

Henry Morgenthau, Esq.,
Farm Credit Administration,
Old South Railway Building,
Washington, D. C.

Dear Henry:-

There was a mix-up about the letter which I wrote to the President after our interview in the State Department. In order to clear up the misunderstanding I wrote a letter, of which I enclose a copy for your information, to Secretary Hull and arranged with Mr. ^{Cummings} ~~Cullman~~ that it should be handed to him direct. I do not see that anything further can be done in the matter. I am very anxious that our discussion with the President should bear fruit, but I think no further suggestion now would be proper.

Yours
Cordially,

I.L.

Love to Ethel & Joan

September 27th, 1933

My dear Mr. Secretary,

I received yesterday through Mr. Cumming your message that the President had transmitted to you my letter to him of September twenty-first, and that accordingly you had arranged a conference at the State Department on October fourth. Your message was evidently due to a misunderstanding of my letter to the President. After the sympathetic and exhaustive discussion at our conference on September twentieth, I certainly would not ask a new conference which could not possibly assist you and Miss Perkins in the consideration of the matters presented. I feel that in order to clear up this misunderstanding I should state to you quite fully the circumstances which caused me to write to the President.

On September twelfth I had tea with the President. I visited him as a friend and not as the representative of any group, but I told him of my dismay and grief at the situation in Germany and discussed with him the various matters we presented to you at the conference on September twentieth. I informed the President that President Hoover's so-called "executive order" of 1930 and certain administrative and interpretive regulations presented obstacles to a liberal and humane application of the Immigration Law, and that in view of the sympathetic interest which both you and Miss Perkins had expressed, I believed that a conference between the two Departments in which those of us who had already been in correspondence with the Departments and had studied the problem might be permitted to participate, would result in clearing away all difficulties. As I said to you at the conference, it would be presumptuous on my part if I were to say anything else about my private talk with the President. On the following day Professor Frankfurter visited the President. His visit had no connection with mine. I had not informed Professor Frankfurter of my intended

The Honorable Cordell Hull -2-

friendly visit, nor did I know at the time that Professor Frankfurter was expected the next day. After his visit, Professor Frankfurter telephoned to me that the President had told him of my visit and had said that after further consideration, he would like to have Justice Cardozo and Judge Mack join me at a conference at the White House between himself and the heads of the State and Labor Departments. I understood that our names were suggested by the President, not as representatives of any group, but as personal friends who he knew had given thought to the situation. I informed Professor Frankfurter that greatly as I should appreciate the opportunity to participate in such a conference, the suggestion was not entirely in accordance with my own conversation with the President, and that upon the President's return from his week-end trip I should communicate with him to find out his exact wishes. Before I could do so I received your message that a conference had been called at the President's suggestion at the State Department on September twentieth.

At that conference, you will doubtless remember, it was said that the broad questions of policy would probably be discussed with the President. In answer to our suggestion that a statement from the Government showing its recognition of the tragic conditions in Germany would be of inestimable value in many directions, Mr. Phillips stated, to my satisfaction, that this matter was under consideration, and that he hoped that such a statement would soon be forthcoming. Since I was, of course, not authorized to repeat anything said by the President at our talk in regard to this or other matters, I assume, and still assume, that the President will convey his views to you directly.

The Honorable Cordell Hull

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and that probably when he suggested that Mr. Justice Cardozo, Judge Mack and I should attend a conference at the White House, he had in mind a discussion of such general questions of policy.

Meanwhile Professor Frankfurter had informed me that he had already telegraphed to the President, that his suggestion had been conveyed to me and that I would, doubtless, inform the President directly that we would hold ourselves in readiness to come to the White House for such a conference whenever he desired. Mr. Justice Cardozo told me that he was ready to go to the White House whenever the President thought that his presence would be helpful. These are the circumstances that caused me to write my letter of September twenty-first to the President.

I trust that you will pardon the length of this explanation. I do want to make it clear to you, even at the risk of unnecessary repetition, that our discussion of September twentieth was very gratifying, and that I am confident that you and Miss Perkins, with your associates, will find the right solution of the problems presented. Certainly neither Mr. Justice Cardozo nor I would be willing to be put in the situation of seeming to use his great office to influence your consideration of the matters presented. Certainly I need not tell you that I shall be very glad to join in any further conference which in the opinion of the President or yourself or Miss Perkins might be helpful but I should be foolishly impetunate if I suggested now a repetition of our conference of September twentieth, and I think that if you will read again my letter to the President, you will agree with me that your suggestion of a conference on October fourth is due to an evident misunderstanding of my letter. I can, of course, not venture to interpret to you the President's desires as to a conference at the White House. I assume that upon

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his return to Washington you will see him in regard to that. In the meanwhile I can only assure you again of my deep confidence and respect, and to repeat that Mr. Justice Cardozo, Judge Mack and I will hold ourselves in readiness to meet the President's wishes as transmitted to you.

I am taking the liberty of sending Miss Perkins a copy of this letter.

With renewed expressions of my appreciation and respect, I am

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Brown", is written over the typed word "Sincerely,".

The Honorable Cordell Hull,
State Department,
Washington, D.C.

Lehman
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IRVING LEHMAN

ASSOCIATE JUDGE
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NEW YORK

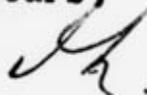
September 21st, 1933

Dear Henry,

I am enclosing copy of a
letter which I am forwarding to the President
through Miss LeHand.

Thanks again.

Yours,



Honorable Henry Morgenthau, Jr.,
Old Southern Railway Building,
Washington, D.C.

September 21st, 1933

My dear Mr. President,

Felix Frankfurter informed me after his visit to you that you had said to him that after further consideration of our conversation of March the fourteenth you would be pleased if Justice Cardozo and Judge Mack would join me in a conference at the White House between yourself and representatives of the State and Labor Departments. I feel deeply grateful for the suggestion, and I immediately communicated with Justice Cardozo and Judge Mack. We will await your pleasure, eager to serve in any way.

In the meanwhile, I received notice from Secretary Hull that a conference had been called at the State Department for yesterday morning. I attended the conference, accompanied by Judge Proskauer and our legal expert, Mr. Kohler. Secretary Hull, the Under Secretary of State, Miss Perkins, the Commissioner of Immigration and the Chief of the Visa Bureau were present. The discussion was sympathetic and exhaustive. There are some administrative details which must be worked out by the two Departments, which we were informed could not be definitely determined until Mr. Carr's return. There are also some questions of policy which I understand will probably be discussed with you. I am confident that the administrative difficulties will now be cleared away, and that questions of policy will be solved in accordance with the finest American traditions of concern for those deprived of their political and human rights.

May I at this time express to you my happiness that in you America has found a great leader, and my pride that you permit me to call myself your friend. I am deeply grateful that you allow me to join in these discussions. I am sure that at the suggested conference with you, a decision can be arrived at which will serve America and all humanity, as well as us Jews. We, of

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course, will hold ourselves in readiness to come
whenever we receive word from you.

With cordial expressions of my affectionate
respect, I am

Sincerely yours,

The President of the United States,
The White House,
Washington, D.C.

Lehman

IRVING LEHMAN

Irving

ASSOCIATE JUDGE
COURT OF APPEALS
36 WEST 44TH ST.
NEW YORK

July 7th, 1933

Dear Henry,

Four of the newly-formed Joint Consultative Committee, including Dr. Wise and myself, had a long talk with Professor Dodd, the new Ambassador to Germany, on Monday evening. He made an excellent impression upon me. Although he talked with due reserve, as an Ambassador should, he showed quite plainly that he is a stalwart liberal, to whom the Nazi policies are utterly abhorrent, and I am very hopeful that he will be able to carry out the instructions which I understand he has received from the President, to make American opinion felt towards ending this crime against civilization. I think he can be very useful in conveying to the President and the State Department his own views of how American influence can be made effective in that direction. I pointed out to him that although we have reason to believe that Dr. Schacht may have informed the inner circle of the Nazi leaders how the President feels, yet the government, through its complete control of the newspapers, is undoubtedly creating a general belief in Germany, outside of its inner circle, that the Administration is on the whole not unsympathetic to the Nazi program. I told him that in my opinion it is very important that he should form his own judgment on these and other matters, and report accordingly to Washington. I pointed out especially that the members of every Embassy staff are likely, by their associations, to become impressed by the views of the ruling class of the country to which they are accredited, and even infected by the prejudices of that class, and therefore that it was important that his report should be based on his judgment rather than theirs.

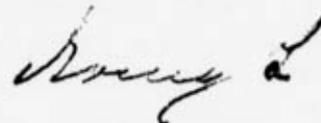
He intimated to me that he shared these views, although perhaps he did not actually say so. I was particularly impressed by his simplicity, willingness to hear the views of others and his evident spirit of liberalism and Americanism. We discussed also some other matters along similar lines, but I came away with the impression that he was a man who needed neither urging nor advice to do the right thing. I felt that I could speak to him with the same sense of certainty that he would understand and sympathize as if he had been a member of the Committee himself.

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I ^{sh}ould write to the President about our talk, if I thought that he would be interested. You are at liberty, if you see fit, to communicate to him what I have written to you. *I am confident that he has made a free choice.*

Affectionate greetings,

Yours,



Honorable Henry Morgenthau, Jr.,
Fishkill Farm,
Hopewell Junction,
New York.

IRVING LEHMAN

ASSOCIATE JUDGE
COURT OF APPEALS
38 WEST 44TH ST.
NEW YORK

March 20th, 1933

The Honorable Franklin D. Roosevelt,
The White House,
Washington, D.C.

My dear Mr. President,

Though I realize fully that so many pressing and vital problems must be solved by you within the next few weeks that no one should ask you for an appointment without very grave reasons, I still feel that I ought to ask you, even now, to grant me an opportunity to come to the White House with one or two of my associates on the American Jewish Committee, of which I am Vice-President, for the purpose of explaining to you the work of that Committee and especially its attitude toward the present situation in Germany. I expect to visit Justice Cardozo in Washington on Wednesday, March the twenty-ninth, and to remain there for a day or two. If you could conveniently arrange to see us any time during those two days, I should be very grateful, but of course I hold myself in readiness to come at any time which might be more convenient to you.

The American Jewish Committee is composed of men from all parts of the country selected because of their standing, influence and discretion. I believe that most of the members of our Executive Committee are known to you as men of judgment and moderation. Both Justice Cardozo and Herbert were members of that Committee until they assumed their present offices, when they withdrew from it with reluctance. Dr. Cyrus Adler, who succeeded the late Louis Marshall as President, is also President of the Jewish Theological Seminary of America in New York and of Dropsie College in Philadelphia. He is generally recognized as one of our leading scholars and thinkers. I may say without possibility of contradiction that every national Administration in the past has had confidence in our Committee and has freely consulted with its members.

I am sure that you are deeply concerned about the situation in Germany, and fully share our anxieties. It would be both presumptuous and unfair to urge upon you or the State Department any particular course of action, but I

IRVING LEHMAN

ASSOCIATE JUDGE
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36 WEST 44TH ST.
NEW YORK

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believe that at this juncture it might be helpful to the Administration to have available the information which we are able to collect through correspondents in various parts of the world, and to discuss with us possible future action.

I am With cordial expression of my high esteem,

Yours very sincerely,

Irving Lehman.

My heartiest congratulations on your amazing success in handling every problem presented to you. The whole country feels that no President has ever taken office in such difficult circumstances and, certainly, no President has ever succeeded in arousing such unanimous support and admiration.

IRVING LEHMAN

ASSOCIATE JUDGE
COURT OF APPEALS
36 WEST 44TH ST.
NEW YORK

January 30, 1934

Dear Henry,

I have just received your letter of January twenty-fifth which was forwarded to me from Albany. Perhaps the delay will make it impossible for you to accept the suggestion to allow Dr. Rosenbach to use your name in connection with the dinner to Dr. Glueck. Otherwise I could see no objection to your giving the desired permission.

I am personally greatly interested in the University. I think that in such matters you could afford to take the same attitude as Judge Cardozo takes. He has withdrawn from all community activities except the Board of the University, and has become a member of the Jewish Welfare Board. Of course, in neither capacity does he take part in any campaign for money-raising, but I do not think that a dinner such as is proposed falls within that restriction. You will both in the course of the next day or two receive an invitation to attend a dinner and meeting of the Jewish Welfare Board at my home on February twenty-fourth. Of course I should like to have both of you present, but equally, of course, I do not expect either of you, so you need not trouble to send any explanation of why you cannot come. I have also availed myself of the permission of your father and yourself to elect you members of Temple Emanu-El. That will not involve any pecuniary sacrifice, as I am arranging with your mother-in-law to have her transfer two of her own seats to you, but to continue to pay the tax on those seats. If you should get a bill, please return it to me and I will take care of it.

I hate to trouble you during these hectic days by any suggestion in regard to Jewish matters. It looks to me now as if the visa question will soon be adjusted in a highly satisfactory manner; so far as I can tell now both Departments concerned are acting in a fine spirit. There is, however, one matter concerning which I feel that I should write to you. I received information today from a source which I think more or less authoritative that at a recent conversation with Dr. Luther, the President was informed that American creditors

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The Honorable Henry Morgenthau, Jr.

must receive smaller payments than creditors in other countries on indebtedness due from German concerns, because of Germany's unfavorable trade balance with this country, and that as a result your Department is issuing orders which will permit the dumping of German goods here. I doubt whether there is any economic justification for such procedure, or whether Germany would not find other excuse for failing to pay indebtedness. Of course, I do not expect or desire to influence your own views in such a matter. Both the President and you will, of course, always act in accordance with what you deem the best interests of the country, and you have better sources of information than anyone else in regard to that. Consequently I should accept your decision without argument; yet I should rejoice if the information I have received proved to be incorrect. Please do not trouble to send me information or explanation if my information is true; but if not I should welcome a denial.

I appreciate very much Max Turner's appointment in your Department. I should have written to you earlier about it, but I have been extraordinarily busy the last few weeks. He wrote me a very enthusiastic letter in which he expressed great pleasure at meeting you, and added "He is one of the handsomest men I ever laid eyes on". De gustibus, etc.

I have no doubt that you are fully aware of the change in sentiment in business circles towards the Administration and especially yourself. Everywhere I find that fears are growing less, criticism is becoming milder, and is almost submerged in a chorus of approval and real confidence for the future. I have not heard a word of criticism either of your tax proposals or of your handling of the monetary situation. I feel that you should be congratulated on what you have already accomplished, but I must add that from many sources I have heard that you look tired and that you

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ought to try to work less hard.

Sissie and I expect to leave for Bermuda next Saturday for a two weeks' vacation. I wish that you had the same opportunity.

With affectionate greetings to Ellie and yourself,
I am

Yours,

Frank

The Honorable Henry Morgenthau, Jr.

I am more than sorry that our trip will prevent us from coming to Washington for your dinner. I appreciate your invitation and I hate to miss the pleasure

36 WEST 44TH STREET
NEW YORK CITY

January 18, 1936

Dear Henry,

In answer to your letter of January the fifteenth, I would like to give you the following information

The German Jewish Children's Aid at 245 Fifth Avenue has taken care of the German children that have been brought over here so far. This is a national committee although its headquarters are in New York. It has brought over 159 children and there are in Germany, entirely prepared to come over, an additional 91 children. The committee is now considering an appeal to raise a fund to enable it to bring over the additional 91 children.

Should this particular organization not appeal to you, would you perhaps be interested in contributing to the present drive of the Joint Distribution Committee which takes care of all Jews in need throughout the world. They are doing work in Poland, Roumania and all other countries where there is suffering due to discrimination, and are taking care of German refugees in France, Holland and other countries besides giving some help to the Jews within Germany. The drive this year for the Joint Distribution Committee is being held separate from the United Palestine Appeal. Last year these two drives combined.

Just for your information, I am sending you the letterheads of both these organizations. I thought possibly information as to the people active in them might help you in your decision.

Very fondly,

Isidore S. Selman

The Honorable Henry Morgenthau, Jr.,
2201 R Street, Northwest,
Washington, D.C.

Mrs Irving Selman

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