

COPY

U.S. FORCES, EUROPEAN THEATER
GERMANY

7 November 1945

1. We, the undersigned, Monuments, Fine Arts and Archives Specialist Officers of the Armed Forces of the United States, wish to make known our convictions regarding the transportation to the United States of works of art, the property of German institutions or nationals, for purposes of protective custody.

2. a. We are unanimously agreed that the transportation of these works of art, undertaken by the United States Army, upon direction from the highest national authority, establishes a precedent which is neither morally tenable nor trustworthy.

b. Since the beginning of United States participation in the war, it has been the declared policy of the Allied Forces, so far as military necessity would permit, to protect and preserve from deterioration consequent upon the processes of war, all monuments, documents or other objects of historic, artistic, cultural or archaeological value. The war is at an end, and no doctrine of "military necessity" can now be invoked for the further protection of the objects to be moved, for the reason that depots and personnel, both fully competent for their protection, have been inaugurated and are functioning.

c. The Allied Nations are at present preparing to prosecute individuals for the crime of sequestering, under the pretext of "protective custody", the cultural treasures of German-occupied countries. A major part of the indictment follows upon the reasoning that even though these individuals were acting under military orders, the dictates of a higher ethical law made incumbent upon them to refuse to take part in, or countenance, the fulfillment of these orders. We, the undersigned, feel it is our duty to point out that, though as members of the Armed Forces we will carry out the orders we receive, we are thus put before any candid eyes as no less culpable than those whose prosecution we affect to sanction.

3. We wish to state that from our own knowledge, no historical grievance will rankle so long, or be the cause of so much justified bitterness, as the removal, for any reason, of a part of the heritage of any nation, even if that heritage may be interpreted as a prize of war. And though this removal may be done with every intention of altruism, we are none the less convinced that it is our duty, individually and collectively, to protest against it, and that though our obligations are to the nation to which we owe allegiance, there are yet further obligation to common justice, decency and the establishment of the power of right, not of expediency or might, among civilized nations.

/s/Stephen Kovalyak
/t/STEPHEN KOVALYAK
1st Lt. Inf., O314411
(U.S. Zone)

/s/Patrick J. Kelleher
/t/PATRICK J. KELLEHER
Capt., TC, O1944717
Office of Military
Government for Land
Great Hesse

/s/Lamont Moore
/t/LAMONT MOORE
2nd Lt., AUS, O2011967
Office of Military
Government (U.S. Zone)

/s/Samuel Ratensky
/t/SAMUEL RATENSKY
1st Lt., AUS, O2025813
Office of Military
Government for Land
Great Hesse

/s/Charles P. Parkhurst, Jr.
/t/CHARLES P. PARKHURST, Jr.
Lt., (jg), USNR, 298080
Office of Military
Government (U.S. Zone)

/s/Sheldon W. Keck
/t/SHELDON W: KECK
2nd Lt., AUS, O20255818
Office of Military
Government for Stadt-
kreis and Landkreis
Marburg

/s/Edith A. Standen
/t/EDITH A: STANDEN
Capt. WAC, L 117136
Office of Military
Government
(U.S. Zone)

/s/Walter I. Farmer
/t/WALTER I: FARMER
Capt., CE. O1108653
Office of Military
Government for Stadt-
kreis Wiesbaden

/s/Walker K. Hancock
/t/WALKER K: HANCOCK
Capt., Inf., 0515315
Office of Military
Government for
Stadtkreis and Land-
kreis Marburg

/s/Julius H. Buchman
/t/JULIUS H. BUCHMAN
Capt., FA, 01171068
Office of Military
Government for Stadt-
kreis Frankfurt

/s/Frederick C. Shradly
/t/FREDERICK C. SHRADY
2nd Lt., AUS, 02025315
Office of Military
Government for Land
Great Hesse

/s/Richard H. Kuhlke
/t/RICHARD H. KUHLLKE
1st Lt., Ord., 01556305
Office of Military
Government for Stadt-
kreis Frankfurt

/s/Everett P. Lesley, Jr.
/t/EVERETT P. LESLEY, JR.
Capt., QMC, 01581907
The General Board, U.S.
Forces, European
Theater

/s/Theodore A. Heinrich
/t/THEODORE A. HEINRICH
2nd Lt., AUS, 02015985
Office of Military
Government for Regie-
rungsbezirk Kassel

/s/Clyde M. Harris
/t/CLYDE M. HARRIS
1st Lt., CE, 01116157
Office of Military
Government for Regie-
rungsbezirk Hessen

/s/Doda Conrad
/t/DODA CONRAD
1st Lt., AUS, 01691535
Office of Military
Government (U.S.)

/s/Edwin C. Rae
/t/EDWIN C. RAE
Capt., AC, 81643246
Office of Military
Government for Bavaria

/s/William A. Lovegrove
/t/WILLIAM A. LOVEGROVE
1st Lt., C?P, 01797674
Office of Military
Government (U.S. Zone)

/s/Edward J. Putrux
/t/EDWARD J. PUTRUX
Capt., QMC, 01575023
Office of Military
Government for Regie-
rungsbezirk Niederbayern
and Oberpfalz

/s/Walter W. Horn
/t/WALTER W. HORN
1st Lt. Inf., 01326328
Office of Military
Government (U.S. Zone)

/s/J. T. Morey

/t/J. T. MOREY

1st Lt., CE, 01113367

Office of Military

Government for Regie-

rungsbezirk Oberbayern

/s/Robert A. Koch

/t/ROBERT A. KOCH

1st Lt., AUS, 02011971

Office of Military

Government for Wurt-

temberg - Baden

/s/Dale V. Ford

/t/DALE V. FORD

2nd Lt., CE, 01112695

Office of Militar Government

for Landkreis Heilbronn

/s/Thomas C. Howe, Jr.

/t/THOMAS C. HOWE, Jr.

Lt. Comdr., USNR, 237833

Office of Military

Government (U.S. Zone)