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CURB ON LAND SALES IMPOSED; HIT AS 'MOCKERY OF MANDATE'; STORM IN COMMONS

LONDON, Feb. 28. (JTA) -- Measures restricting the transfer of land by Arabs to non-Arabs in Palestine were announced in the House of Commons today by Colonial Secretary Malcolm MacDonald and were immediately assailed by the Jewish Agency for Palestine as a "mockery of the League of Nations Mandate forbidding racial and religious discrimination."

Retroactive to May 18, 1939, the regulations constitute the first important step toward implementation of the White Paper issued by the British Government on that date as its solution of the thorny Arab-Jewish problem.

Under the White Paper, rejected by the Jews and never formally accepted by the Arabs, Britain undertook ultimately to establish an independent Palestine State in which the Jews would be crystallized as a one-third minority.

Although long expected, announcement of the land ordinance precipitated a stormy reaction in Commons and in Jerusalem, where it was published in the official gazette.

Labor Opposition Leader Clement Attlee, Conservatives and Liberals joined in immediate protests over the ordinance, while in Jerusalem Zionist leader David Ben Gurion warned in a letter to High Commissioner MacMichael that the Jewish people would not submit to "conversion of the Jewish national home into a ghetto."

At the end of an acrimonious exchange, Attlee announced that in view of the "entirely unsatisfactory explanation" given by the Colonial Secretary, who said failure to introduce the ordinance might "prejudice" the current peace in Palestine, he would submit a motion to Commons opposing the ordinance.

The ordinance sets up two zones, A and B, in which purchase of land by Jews will be either entirely prohibited or restricted.

Zone A comprises the hill country of Palestine, the Beersheba region and the congested Gaza area. In this zone, sale of land to Jews is prohibited "for the present at any rate."

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Zone B comprises the plains and the Negeb, desert region in southern Palestine which recent Hebrew University surveys have found unsuitable for intensive agricultural development either because of saline water or swift evaporation of stored water. In this zone Jews will still be able to purchase land from Arabs either freely or subject to some restriction.

Transfer of land in municipal areas throughout the country will, under the ordinance, remain unrestricted.

In announcing the measures, MacDonald said that a copy of them, accompanied by an explanatory memorandum, had been submitted to the League Council through the Secretary General and to Commons in the form of a White Paper. (Text of the explanatory memorandum, embodying a summary of the land ordinance, will be found on another page of this issue.)

Discussion of the ordinance in Commons centered largely around its relation to the League, which has not yet taken definitive action on the White Paper although a majority of the Mandates Commission rejected it.

To charges that issuance of the ordinance was in disregard of the League and contrary to the Mandates Commission's attitude and would cause the "widest mistrust of the Government," voiced by Attlee, MacDonald declared the Government was fully prepared to air the question before the League Council if it so desired.

The Colonial Secretary said he fully realized the position of the League Council occupied with regard to the administration of the Mandate and for that reason had communicated a copy of the regulations to the Council.

Attlee charged that the Government was seeking to present the Council with a fait accompli and demanded to know why the regulations had not been withheld until it had been determined whether they were in accordance with the Mandate.

MacDonald replied that he had two alternatives, to publish a draft of the regulations and suspend operation indefinitely until the Council had had time to consider them, or to publish the regulations, effective immediately, inform the Council and express readiness if the Council so desired to attend a meeting and discuss them.

The Colonial Secretary asserted he would have preferred the former but faced a "delicate situation" in Palestine and many practical objections making that course extremely undesirable to follow. He said if the Council met and discussed the regulations, the Government would be bound to give the most serious attention to its views.

Leopold S. Amery, Conservative, who was Colonial Secretary from 1924 to 1929, pointed out that misgivings on the question were not confined to one side of the House and warned against creating an even more delicate situation, particularly if the League later decided that the action was not in accordance with the Mandate.

MacDonald replied that he realized the issue cut across party lines. He said he did not underestimate the sincerity of the feelings on all sides and

declared that whatever course followed would be attended by disadvantages. The course taken, he added, was the "least disadvantageous" and recognized the obligations to the Council and other bodies.

Sir Archibald Sinclair, Liberal, declared that since the only impartial body (Mandates Commission) had ruled that the White Paper policy was contrary to the Mandate, it would have been better to postpone for a month or two operation of the regulations pending their consideration by the Council.

MacDonald said he had considered that course but had adopted the other as "wiser and better" because of the situation in Palestine and the "present circumstances."

Capt. Victor Cazalet, Conservative, asked why MacDonald had chosen this particular moment, after a half year of war when for the first time there was peace in Palestine and both peoples were working together loyally, to introduce a measure which would only "exasperate the Jewish position not only in Palestine but the world over."

Replying, MacDonald paid tribute to both communities in Palestine for cooperating and declared that failure to introduce control of land transfers might "prejudice" the existing peace.

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Agency Assails Curbs, Asks Public Support

LONDON, Feb. 28. (JTA) -- The Jewish Agency for Palestine, body recognized by the League of Nations as world Jewry's representative in Palestine affairs, today denounced the land restriction regulations as a "mockery of the Mandate forbidding racial and religious discrimination."

A formal statement issued by the Agency expressed regret that the controversy with the British Government had been reopened by announcement of the land ordinance.

It accused the Government of reproducing in Palestine the "root evils" of the dispersion, appealed to the British public to support the struggle against the White Paper and called upon the Jews to work "firm and united for the day when the rule of right is established in the world."

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One-Day Strike Called in Palestine

JERUSALEM, Feb. 28. (JTA) -- A one-day work stoppage of Jews tomorrow with prayers in all synagogues in protest against the ordinance restricting land sales was proclaimed today throughout Palestine.

Meanwhile, warning that the Jewish people would not submit to "conversion of the Jewish national home into a ghetto" was voiced in a letter to High Commissioner Sir Harold Alfred MacMichael by David Ben Gurion, chairman of the Jerusalem Executive of the Jewish Agency for Palestine. Ben Gurion declared that the Jews could not believe that Britain would be consciously responsible for such a "travesty of international obligation."

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State Department Studies Ordinance

WASHINGTON, Feb. 28. (JTA) -- The State Department today studied the Palestine land restriction ordinance to see whether American interests were involved.

The department gave an unofficial opinion, however, that it appeared there was no violation of the 1924 Anglo-American convention guaranteeing American rights in Palestine. If the department finds evidence that American rights are affected, it will make representations to the British Government. The treaty provides that Americans shall enjoy the same rights as British subjects and the subjects of League of Nations members in Palestine.

900 REICH JEWS FOUND DEAD OF COLD AFTER EXPULSION FROM KOENIGSBERG AREA

PARIS, Feb. 28. (JTA) -- The newspaper Le Matin reported today that 900 Jews from the Koenigsberg district of Germany who were expelled to Poland were later found frozen to death en route to the Lublin Jewish "reservation."

In a dispatch from the Swiss-German frontier, the newspaper said that the Jews, including women and children, were ordered to leave their homes without advance notice and without being permitted to take any of their belongings.

The deportees were crowded into a cattle train and shipped to Lublin, the dispatch said. On the way, however, they were transferred from the train to unheated barns for the night, despite the bitterly cold weather. Next morning, all 900 were found frozen to death, according to the report.

Other reports told of expulsion of Jews from towns in Nazi-occupied Poland. In most cases the expelled are no longer transported in cattle trains but are forced to walk dozens of miles, accompanied by Nazi guards.

Five thousand Jews were expelled in this way from the town of Alexander near Lodz. Led by the famous "Alexander rebbe," they were forced to walk in the direction of Warsaw. Three thousand were expelled on foot from Konstantin.

The entire Jewish population of Tushin near Lodz were forced to walk 40 kilometers, driven by German soldiers, and then were told they could proceed "wherever your feet will carry you." None was permitted to take any of his belongings with him or to stop on the road to rest. Many fell sick on the way, some of them dying.

In Lodz, where expulsions were said to be continuing, the Gestapo was reported to have begun a practice of taking the wealthier Jews to the "Gestapo home" and subjecting them to long and rigorous examination on charges of possessing undeclared foreign currency. Among those so treated were Wolf Pakula, former millionaire industrialist, and Wladyslaw Baumgarten, a banker, who committed suicide by taking poison after being forced, among other things, to eat excrement from a Gestapo lavatory.

At the same time, German soldiers in Lodz continued to seize Jewish girls and carry them away to military brothels. None of the girls who disappeared from the streets ever returned home and their families found it impossible to locate them.

In Warsaw, the jails were reported to be crowded with 8,000 Jews and 4,000 Poles, many of them rabbis and priests, arrested by the Gestapo after the assassination of a Pole who had acted as a Gestapo informer. The Pole was reported to have been killed by a Jew named Andrei Kot for advising the Gestapo of the location of a secret Polish radio station.

The station was discovered by the Gestapo in a ruined building on Zlota Street and six persons found there were executed. Kot disappeared after the assassination of the informer, whereupon Engineer Cherniakoff, head of the Warsaw Jewish Community, was summoned to Gestapo headquarters, held for eight hours and threatened with serious reprisals against the Jewish population unless Kot was delivered to the authorities.

Cherniakoff was released after proving that Kot, although the son of a prominent Warsaw Jewish merchant, was himself not Jewish and was not listed in the register of the Jewish community, having become converted to Catholicism two years ago.

In Mlava near Warsaw it was reported that the Nazis had issued an order compelling Jews to wear numbers like those of prisoners. The Jewish population there was subjected to a special registration during which each person was given a numeral.

RED CROSS SETS \$250,000 LIMIT ON POLISH RELIEF, HOUSE BODY TOLD

WASHINGTON, Feb. 28. (JTA) -- Eliot Wadsworth of the American Red Cross told the House Foreign Affairs Committee today that the Red Cross was limiting relief in Poland, under the present arrangement with the German Government, to medicine and clothing valued at \$250,000, a large part of which will be used to stock hospitals wrecked by Nazi bombardment.

Thus far, Wadsworth said, supplies valued at \$80,000 have reached Cracow, where they will be distributed to Jewish and Polish organizations through the German Red Cross. If James T. Nicholson, Red Cross observer in Cracow, fails to find that the supplies actually reach Poles and Jews, the distribution will cease, he said in reply to questions from Congressmen as to why the German Red Cross should be allowed a hand in distributing American supplies.

The committee, holding hearings on bills to provide Federal funds for Polish relief, heard witness after witness tell of desperate conditions in a land where nearly all food, fuel, money and clothing had been confiscated by the Nazis and shipped to Germany. Witnesses insisted that unless distribution of American relief supplies was supervised from start to finish by Americans, it would be diverted to Nazi uses.

Chauncey McCormack, president of the Commission for Polish Relief, said that \$50,000,000 was needed to provide food and clothing for distressed Poles, that negotiations were being conducted with Britain and France to raise part of this amount and that he believed the United States should give \$20,000,000.

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Nazi Red Cross Leader Coming Here

PARIS, Feb. 28. (JTA) -- The Duke of Saxe-Coburg-Gotha, president of the German Red Cross, has suddenly left Tokyo for New York, it was reported here today. He is now aboard the Japanese steamship Asama Maru en route to San Francisco. The Duke, who was scheduled to remain in Tokyo for a long stay, left after being there only a week, and French newspapers expressed the belief that the purpose of his trip to the United States was not limited to Red Cross affairs.

DIES FAILED TO GIVE JUSTICE DEPT. EVIDENCE ON FORGED PELLEY LETTERS

WASHINGTON, Feb. 28. (JTA) -- The squabble between the Dies committee and the Justice Department broke into the open today when it was revealed that the committee had failed to give the department evidence in the forgery of letters bearing William Dudley Pelley's signature. Chairman Martin Dies had announced three days ago that the evidence had been submitted to the department.

NEW NATIONALIST PARTY, A RACIAL BLOC, PERTURBS SO. AFRICAN JEWS

JOHANNESBURG, Feb. 28. (JTA) -- Formation of the new Herenigde Nasionale Volkspartei, comprising followers of ex-Premier Gen. J.B.M. Hertzog and Dr. D.F. Malan, is causing considerable concern to the Jewish community in the Union of South Africa because its structure is a racial bloc composed exclusively of Afrikaanders.

While the new party has not formally stated its attitude towards Jews, Dr. Malan is definitely known to be anti-Semitic, while Gen. Hertzog has never been overly friendly to Jews.

Members of the party have accused the Jews of fomenting the present war. One of its leaders, A.J. Werts, has accused the South African Government of not wanting peace because Britain did not want it and Britain was opposed to peace because of a "powerful Jewish group in Britain."

At the same time, party members have been attacking the South African Board of Jewish Deputies, representative Jewish body in the Union. At a nationalist meeting in Kuruman speakers accused the Board of being one of the bodies through which Afrikaanders were spied upon and committed to concentration camps without hearings.

NEW CHIEF RABBI NAMED FOR TUNIS

TUNIS, Feb. 28. (JTA) -- Acting upon the recommendation of the Council of Jewish Communities, the authorities have appointed Ressi Haim Bellaiche as Chief Rabbi of Tunis.

IRAQ OIL COMPANY SEEKS PERMIT FOR REFINERY IN LEBANON

BEIRUT, Syria, Feb. 28. (JTA) -- Representatives of the British-controlled Iraq Petroleum Company have opened negotiations with the Syrian authorities for establishment of an oil refinery in Lebanon.

The company's plans call for a refinery output sufficient to cover the requirements of the civil and military population of Syria and of the French Mediterranean fleet.

THE EXPLANATORY MEMORANDUM

NEW YORK, Feb. 28. (JTA) -- Following is the text of an explanatory memorandum issued by Colonial Secretary MacDonald in connection with the land ordinance, as made public here by the British Library of Information:

Article 6 of the Mandate, which requires the Administration of Palestine to encourage close settlement by Jews on the land, also requires it to ensure that the rights and position of other sections of the population are not prejudiced.

Paragraph 16 of the White Paper drew attention to the fact that the reports of several expert Commissions had indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there was now in certain areas no room for further transfers of Arab land, whilst in some other areas such transfers of land must be restricted if Arab cultivators were to maintain their existing standard of life and a considerable landless Arab population was not soon to be created. It was therefore announced that the High Commissioner would be given powers to prohibit and regulate transfers of land. Regulations have been now made in order to give effect to this announcement. As stated in paragraph 17 of the statement of policy of May, 1939, the policy of the Government will be directed towards the development of the land and the improvement where possible of methods of cultivation. In the light of such developments it will be open to the High Commissioner, should he be satisfied that the "rights and position" of the Arab population will be duly preserved, to review and modify any orders passed relating to the prohibition of restriction of transfers of land.

2. Two zones, "A" and "B", have been demarcated in Palestine, within which transfers of land will be controlled. In determining the boundaries of these zones, the Government has had special regard to the provisions of Article 6 of the Mandate. Zone "A" includes the hill country as a whole together with certain areas in Gaza and Beersheba sub-districts where the land available is already insufficient for the support of the existing population: in this zone the transfer of land to a person other than a Palestinian Arab will be prohibited save in exceptional cases for which special provision is made in the regulations.

3. In zone "B" transfers may be permitted in accordance with certain conditions set forth in paragraph 5 of this explanatory statement. This zone includes the Plains of Esdraelon and Jezreel, Eastern Galilee, the Maritime Plain between Haifa and Tantura and between the Southern boundary of the Ramleh sub-district and Beertuviya, and the southern portion of the Beersheba sub-district (the Negeb).

4. There will be no restrictions on transfers in those parts of Palestine not included in "A" or "B". These parts include all municipal areas, the Haifa industrial zone (described in Appendix 8 of the Report of the Palestine Partition Commission) and, roughly speaking, the Maritime Plain between Tantura and the southern boundary of the Ramleh sub-district.

5. Transfers of land in zone "B" by a Palestinian Arab to any person other than a Palestinian Arab will be null and void unless the sanction of the High Commissioner

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to the transfer has been previously sought and obtained. In this regard, it is the desire of His Majesty's Government that the recommendations of the recent Commission should generally be followed and in pursuance of this policy the Secretary of State has accepted the recommendations of the High Commissioner that, while his final discretion shall be left unfettered, his powers will be exercised generally on the following lines: sanction to the transfer of land within zone "B" by a Palestinian Arab will not be ordinarily granted unless the transfer can be shown to be either

A. Made for the purpose of facilitating irrigation or consolidating or expanding holdings already in the possession of the transferee or of his community and when the land to be transferred is contiguous to such a holding;

B. Made for the purpose of enabling land held in undivided shares by transferer and transferee to be parcellated;

C. In furtherance of some special scheme of development in joint interest of both Arabs and Jews to which the Government may have signified approval.

6. The regulations have effect from May 18th, 1939, but the High Commissioner is empowered at his discretion to sanction retrospectively any transfer of land in zone "A" or "B" which would be unlawful under the terms of the regulations, provided that the application for the registration of such transfer was lodged in the Land Registry prior to the date of their publication. Generally speaking, he will require to be satisfied that the transaction was initiated bona fide before May 18th, the onus of proof being on the transferee. In the absence of such sanction the transaction in question will be null and void.

ZIONIST BODY HERE CALLS PROTEST RALLIES ON LAND ORDINANCE

NEW YORK, Feb. 28. (JTA) -- The Emergency Committee on Palestine Affairs, representing all Zionist groups, held a two-hour special meeting today and decided to organize nation-wide rallies in protest against the Palestine land sale ordinance, with a mass meeting in New York to be held within a week.

The committee associated itself with the Jewish Agency's statement of protest against the ordinance. The meeting was held at the headquarters of the Zionist Organization of America, with Louis Lipsky presiding.

Dr. Chaim Weizmann, who returned today from Philadelphia, was asked for comment, but said he had nothing to add to the Jewish Agency statement. In a speech in Philadelphia last night he asserted that despite what others might say there was room for 2,000,000 Jews in Palestine and said that Jews must be prepared to demand autonomy in Palestine with control over their own immigration policy, finances and other affairs.

HEBREW U. STUDENTS REPORTED STRANDED IN RUSSIAN AREA

JERUSALEM, Feb. 28. (JTA) -- A group of men and women students of the Hebrew University in Jerusalem were reported today to be stranded in Russian territory and facing banishment to the Urals unless immediate help is provided.