

1. Introduction

This study concentrates on the three provinces of Bolzano, Trento and Belluno, areas that were unified following Hitler's injunction of 10 September 1943 and which then became known as the Prealpine Operations Zone.

Between 1938 and 1945, the numbers of Jews in the area varied considerably. During that period there were only a couple of dozen Jews living in the Trento area and in the rural areas of the Veneto (most of them had only just settled there), while the total number of Jewish residents or those who were simply domiciled in Alto Adige was considerably higher. The numbers published in the Italian press in 1938, with the partial results of the census of Jews carried out in August of that year, indicate 938 in Alto Adige, 51 in Trento and 29 in the province of Belluno.

In the province of Bolzano, the most popular town for settlement was Merano, home of the Jewish Community. The history of this Community was very recent since it was only in the late nineteenth century that several Jews began to settle in the town. It differed from almost all the other Italian Communities, in particular due to the considerable presence of "foreign Jews."

From 1933 onwards, numerous exiles from Germany began to arrive in Italy and, for a series of reasons, including the linguistic affinity with the local German-speaking population, many of them decided to settle in Merano. After Milan and Rome, the province of Bolzano had the third highest number of Jewish refugees and immigrants who settled in Italy. According to the statistics from the census, which began on 22 August 1938, around 900 Jews were living in Merano alone, of whom 754 were foreigners and 155 Italian.

The decree ruling that "foreign Jews" had to leave the country within 6 months, upon pain of expulsion, hit the Jewish Community in Merano severely and many began to make preparations for their departure. On 22 March 1939, 278 Jews had already left the province; around 200 of these came from Merano alone.

In addition to what was already a very serious situation, in July 1939 came the introduction of the particular measures to be adopted for Alto Adige following the Italo-Germanic agreement on options¹: on 22 July 1939 Giuseppe Mastromattei, Prefect of Bolzano ruled that all the "foreign Jews" who had remained in the province had to leave the territory within 48 hours; according to the communications the prefectural authorities sent to the Ministry of the Interior, as early as 9 June the Prefecture had decreed the annulment of "all commercial licenses" belonging to foreign Jews. This directive made no exceptions for people over the age of 65, or those married to Italian citizens and who had settled in the kingdom before 1 January 1919; those who were exempted from expulsion from the peninsula on the basis of art. 23 and 24 of rdl 1728/1938 of 17 November were forced to leave the province of Bolzano anyway, but were given the possibility of settling in other parts of Italy. The total number of people affected by this latest directive was around 350: within just a few months the number of Jews in Alto Adige had been reduced to little more than a hundred.

¹ C. Villani, *Ebrei fra leggi razziste e deportazioni nelle province di Bolzano, Trento e Belluno*, Studi Trentino di Scienze Storiche, Trento 1996. On the basis of the aforementioned agreement, the Ladin and German speaking population in the province of Bolzano, as well as in certain areas in Trento and the Belluno area had to "choose" whether to emigrate to the Reich, and therefore abandon their homeland, or to remain in Italy but without any protection as a minority.

There continued to be a considerable number of Jews in the Trento area, while in the Belluno area the total number of Jews rose considerably from 1941 onwards due to the massive confluence of internees, mainly from Yugoslavia. In 1943 there were around 170 Jews under house arrest in various small centres of the province.²

2. Industrial and commercial businesses

Very little documentation was found in the archives of the Bolzano Chamber of Commerce, Industry, Trade and Agriculture since most of the records of the Provincial Council of Corporations were destroyed during the occupation.³

Amongst the few papers to survive were the minutes of the Committee of the Presidency of the Provincial Councils of Corporations from the year 1939: in accordance with art. 70 of the rdl of February 9 1939, No. 126, regarding the surveillance of Jewish businesses, the Committee of the Presidency of the Provincial Council of Corporations, chaired by the Prefect of Bolzano, Mastromattei, decreed the creation of a Committee of inspection on Jewish businesses on 12 April 1939. On 6 September of the same year, in the light of studies that had been carried out, the Committee of the Presidency decided to liquidate eight Jewish companies, more specifically: two sanatoriums, the property of Giuseppe Bermann and Ludovico Balog; a textiles business; an ironmonger and clothing business and a food business; the hotels belonging to Jenny Dienstfertig and Giuseppe Bermann in Merano and that of Libero Eminente in Colle Isarco. Their liquidation was entrusted to agents appointed by the Fascist Provincial Union of Professionals-Artists.⁴

The aforementioned businesses are all included in those in the so-called List C of the Bolzano Provincial Council of Corporations, published in the *Gazzetta Ufficiale del Regno d'Italia* on 12 December 1939, No. 287; one possible explanation for the initial decision to liquidate the businesses in question, even though they did not have more than 100 employees and had not been “declared of importance to national security”, might have been the result of a circular the special office of the Ministry of Corporations sent to all the prefects on 2 March 1939 which, owing to its formulation, might have been somewhat misleading regarding the measures to be adopted regarding the rdl 126/1939 of 9 February.⁵

The case of Libero Eminente is of considerable interest. According to the information the Bolzano Local Police Headquarters gave the Prefecture in November 1939, the person in question should have closed his hotel since he was the owner of a building with a rateable value that exceeded L. 20,000. For this reason an inventory was made of the entire furnishings of the building by “a lawyer acting as administrator” and an estimate was then made; the lawyer in charge of the liquidation had already telegraphed his intention of going to the building in person and closing the business in the previous month of October.⁶ Eminente had complained to the Prefect about the directive, writing, “the liquidation directive adopted for my Business, as the Council [Provincial economy Council; *editor's notes*] itself intends to apply it, will lead to the bankruptcy of the Business”⁷. It is not possible to ascertain what actually happened to his business: the relevant dossier is not amongst the

² Ibidem.

³ Chamber of Commerce, Industry and Agriculture of Bolzano, *Bollettino ufficiale e notiziario economico*, No. 1-2, January-February 1948, p. 3.

⁴ CCIAA, Bolzano, *Consiglio provinciale delle corporazioni*, Minutes of the year 1939, Committee of the Presidency and various bodies, minutes of the meeting of the Committee of the Presidency on 12 April 1939; *ibid.*, minutes of the meeting of the Committee of the Presidency on 6 September 1939.

⁵ Circular from the Special Office of the Ministry of Corporations to the Prefects, 2 March 1939: this document was found in the various remains of the Provincial Council of Corporations.

⁶ ASBz, *Prefettura, Gabinetto*, “Atti riguardanti gli ebrei in Provincia di Bolzano”, cat. XI, b.1, fasc. 25 “Eminente Libero”, letter from the Local Police Chief of Bolzano to the Prefect of Bolzano, November 9 1939; letter from Libero Eminente to the Prefect of Bolzano, 4 October 1939.

⁷ *Ibid.*, letter from Libero Eminente to the Prefect of Bolzano, 4 October 1939.

businesses annulled between 1925-1959 in the Registry of Businesses of the Bolzano Chamber of Commerce and the business appears to have been closed in 1980. From another source it is known that on 19 October 1940 he was subjected to “obligatory repatriation” since he was considered to be a “politically suspicious individual”, and it was not deemed “opportune” for him to remain in the province any longer.⁸

Regarding what was recorded in the minutes of the session of the Presidency on 29 December 1939, which were obviously written in great haste with little regard as to syntax, the liquidation of the Jewish businesses was suspended since the owners of the businesses in question had been stripped of their citizenship; the professionals in charge of the liquidation were still paid for the work they had started.⁹

As can be seen, the information regarding what happened to these businesses is decidedly fragmentary: it appears some of the owners were actually stripped of their Italian citizenship, but it is impossible to establish how many of them were actually affected by this directive. It certainly did not affect Libero Eminente, who was an Italian citizen by birth.

On January 4 1940 four names of the owners of Jewish companies were published in the *Gazzetta Ufficiale* with the announcement that they had been stripped of their Italian citizenship and they had therefore been erased from List C; however, it is also known that other business managers or owners were also affected by this directive, but their names do not appear to have been removed from the list in question.¹⁰

Further information regarding the businesses belonging to Jews in Alto Adige was found in the archives of the Business Register of the Chamber of Commerce of Bolzano where the dossiers of both individual and corporate businesses removed from the list between 1925 and 1959 are kept. Each business has a dossier with various information such as the owner’s personal details, his profession, the location of the business, when the firm was established, its name, the industry or commerce carried out, which business represented if any, as well as information regarding the authorities, city council or council for Public Security which had issued the licence. One piece of information the owner had to give was nationality; however, since the dossiers were compiled in different years, it was considered opportune to compare the various names with other documentation (census of August 1938, “census of foreign Jews” of September 1938, declaration of “membership of the Jewish race”), if available, to ascertain the citizenship of the people in question during the years of racial persecution.¹¹

Owing to the above-mentioned characteristics of the Jewish group in the province of Bolzano, it appeared important to dedicate sufficient space to what happened to the commercial and industrial businesses belonging to “foreign Jews.” As far as could be ascertained, during the time span in question there were 68 individual businesses with Jewish owners in Alto Adige, and most of them were in Merano. Around fifty – over 70% - belonged to “foreign Jews”, mainly of German and Polish nationality; 28 businesses had been opened between 1933 and 1938. Regarding their professions, around fifteen people declared they were representatives, while the same number either ran or owned a shop.

⁸ CCIAA, Bolzano, *Registro delle imprese*; ACS, MI, DGPS, Div. AAGRR, 1941, b. 49, cat. K1 B15, fasc. “Bolzano”, report from the Local Police Chief of Bolzano to the Ministry of the Interior, 23 December 1940.

⁹ CCIAA, Bolzano, *Consiglio provinciale delle corporazioni*, Minutes of the year 1939, Committee of Presidency and various bodies, Minutes of the meeting of the session of the Presidency on 29 December 1939.

¹⁰ “Gazzetta Ufficiale del Regno d’Italia” No. 3 of 4 January 1940; Town Council, Merano, cat. XII, personal dossiers concerning the Jews in Merano 1938-1945; *Registry office*, Merano, individual dossiers.

¹¹ CCIAA, Bolzano, *Registro delle imprese*, Businesses closed down from 1925 to 1959, various fascicoli. For other sources referred to see: C. Villani, *op. cit.*; Servizi demografici e anagrafe, Bolzano, Div. III Servizi demografici, cat. I/IX, b. 1938, various lists.

Since the individual companies had to report the closure of the activity otherwise they would have to pay a fine, the various dossiers include the date and sometimes even the reason why the business was shut down. However, the date given does not always correspond with the date when the business actually closed down: sometimes the deletion from the Business Register or the closure of the business was decided by the office after verification by the Chamber of Commerce. The latter then simply recorded that the business had closed down earlier.¹² According to information from the Merano Town Council, Rudolf Katz, who began working in Merano in 1937 in the commerce of footwear and clothing production, left for America in February 1939, while the business was not officially closed down until 31 March, 1941.¹³

Taking into consideration the aforementioned variations between the official and actual closure dates for the various businesses, statistics for businesses belonging to foreigners might be given as follows:

TABLE 1

<i>Date of closure of businesses/ removal from business register</i>	<i>Total number of businesses that closed down:</i>
August – December 1938	7
January – July 1939	8
August – December 1939	14
January – December 1940	7
January – December 1941	5
after the war	8

It must be remembered that the highest number of closures that can be observed in the period between August and December 1939 is related to the particular directives issued in July 1939 in the province of Bolzano.¹⁴

The reasons why the business was closed down were not always given: it appears that some closed down for financial reasons (bankruptcy) or personal reasons (death or illness) but some tradespeople explained the closure of the business with phrases such as: “racial reasons”, “licence

¹² The various dossiers are to be found in: 11 CCIAA, Bolzano, *Registro delle imprese, Businesses closed down from 1925 to 1959*, b. Pratiche BAL-BAS; *ibid.*, b. Pratiche BEM-BERS; *ibid.*, b. Pratiche BI-BOD; *ibid.*, b. Pratiche BOE-BORT; *ibid.*, b. Pratiche BORZBREM; *ibid.*, b. Pratiche EGGE-EL; *ibid.*, b. Pratiche FE-FER; *ibid.*, b. Pratiche FREU-FU; *ibid.*, b. Pratiche G-GAM; *ibid.*, b. Pratiche GAST-GHI; *ibid.*, b. Pratiche GIA-GN; *ibid.*, b. Pratiche GO-GRAM; *ibid.*, b. Pratiche GUF-HAK; *ibid.*, b. Pratiche HEIS-HIM; *ibid.*, b. Pratiche HIN-HOFE; *ibid.*, b. Pratiche HOFF-HOP; *ibid.*, b. Pratiche JOO-KASP; *ibid.*, b. Pratiche KASSKIND; *ibid.*, b. Pratiche KINI-KNU; *ibid.*, b. Pratiche KOG-KOZ; *ibid.*, b. Pratiche KRA-KUG; *ibid.*, b. Pratiche LAP-LEIL; *ibid.*, b. Pratiche LIA-LOZ; *ibid.*, b. Pratiche MART-MAT; *ibid.*, b. Pratiche MAIRA-MARAZ; *ibid.*, b. Pratiche ME-MES; *ibid.*, b. Pratiche NEIG-NIEDE; *ibid.*, b. Pratiche POT-PRIN; *ibid.*, b. Pratiche PUS-REINA; *ibid.*, b. Pratiche RAV-REI; *ibid.*, b. Pratiche ROH-ROVERI; *ibid.*, b. Pratiche ROVERSI -SALVI; *ibid.*, b. Pratiche SARW-SCHG; *ibid.*, b. Pratiche SCHSCHN; *ibid.*, b. Pratiche SIENE-SOM; *ibid.*, b. Pratiche STEG-STIM; *ibid.*, b. Pratiche SON-SPOL; *ibid.*, b. Pratiche THALGTOL; *ibid.*, b. Pratiche VIEI-VONI; *ibid.*, b. Pratiche WEIS-WIELAND; *ibid.*, b. Pratiche WIELANDER-WOHL; *ibid.*, b. Pratiche ZANINELLO-ZING; *ibid.*, b. Pratiche ZINI-/. In 1940 the plea a business owner presented to the Ministry of the Interior declaring she was not Jewish was accepted; Servizi demografici e anagrafe; Bolzano, Div. III Servizi demografici, cat. I/IX, b. 1938, fasc. 24 “Provisions for the defence of the Italian race. Frey Maria Annunziata”, communication from the Prefect of Bolzano to the Podestà of Bolzano, 18 April 1940.

¹³ *ibid.*, b. Pratiche KASS-KIND, fasc. “Katz Rodolfo”, note on the file; letter from the Podestà of Merano to the Provincial Council of Corporations, 27 March 1941.

¹⁴ *ibid.*, b. Pratiche BI-BOD; *ibid.*, b. Pratiche BOE-BORT; *ibid.*, b. Pratiche EGGE-EL; *ibid.*, b. Pratiche FREU-FU; *ibid.*, b. Pratiche G-GAM; *ibid.*, b. Pratiche GAST-GHI; *ibid.*, b. Pratiche POT-PRIN; *ibid.*, b. Pratiche GIA-GN; *ibid.*, b. Pratiche GOGRAM; *ibid.*, b. Pratiche GUF-HAK; *ibid.*, b. Pratiche HEIS-HIM; *ibid.*, b. Pratiche HIN-HOFE; *ibid.*, b. Pratiche JOO-KASP; *ibid.*, b. Pratiche KASS-KIND; *ibid.*, b. Pratiche KINI-KNU; *ibid.*, b. Pratiche KOG-KOZ; *ibid.*, b. Pratiche KRA-KUG; *ibid.*, b. Pratiche LAP-LEIL; *ibid.*, b. Pratiche LIA-LOZ; *ibid.*, b. Pratiche MART-MAT; *ibid.*, b. Pratiche ME-MES; *ibid.*, b. Pratiche NEIG-NIEDE; *ibid.*, b. Pratiche POT-PRIN; *ibid.*, b. Pratiche RAV-REI; *ibid.*, b. Pratiche ROH-ROVERI; *ibid.*, b. Pratiche ROVERSI -SALVI; *ibid.*, b. Pratiche SARW-SCHG; *ibid.*, b. Pratiche SCH-SCHN; *ibid.*, b. Pratiche SIENE-SOM; *ibid.*, b. , b. Pratiche SON-SPOL; *ibid.*, b. Pratiche THALG-TOL; *ibid.*, b. Pratiche VIEI-VONI; *ibid.*, b. Pratiche WEIS-WIELAND; *ibid.*, b. Pratiche WIELANDER-WOHL; *ibid.*, b. Pratiche ZANINELLO-ZING; *ibid.*, b. Pratiche ZINI-/.

withdrawn by the Commissioner for Public Security”, “foreign Jew removed by the authorities”, “the undersigned has to leave Italy in accordance with the directives of the race laws.” The *Fratelli Wischkin* business closed down in Merano in November 1939, as the Town Council of Merano had annulled their commercial licence in September 1939; in May 1939 the company had already been “struck off the Register of Exporters of fruit and vegetable produce in accordance with the provisions of the laws on the defence of the race”.¹⁵

From the correspondence between the Provincial Council of Corporations of Bolzano, the Merano Delegation of the Fascist Union of Tradesmen in the province of Bolzano and the Town Council of Merano it can be deduced that the closure of the business of Carlo Steinhaus, who ran a stationery and bric-a-brac shop in Merano from 1908 until September 1939, was “a result of the license being annulled [...], since he was a Jew of foreign citizenship.” The trade license appears to have been annulled on 13 June 1939 following a ruling by the Podestà.¹⁶

Of the businesses that closed down, seven appear to have been sold to other trades people.¹⁷

In January 1939 the Law Court of Bolzano declared the bankruptcy of the business registered in the name of the furrier Emilio Karp, although in actual fact the business must have closed down earlier since the man had already left for America in 1938;¹⁸ the report by the receiver nominated by the Law Court stated: “it appears that as soon as the racial problems emerged, Karp quickly sold his goods at below market price to raise the money he needed to leave Italy.”¹⁹ The receiver was then able to ascertain that Emilio Karp, “obviously in the attempt to raise the money he needed to move abroad, where it appears he went a number of days before bankruptcy was declared, sold furs below cost for a total value of L. 11,500 thus making just L. 5,200.”²⁰

The extremely distressing situation many of the Jews found themselves in is described clearly in a letter written to the Provincial Council of Corporations by Rudolfine Reich, whose husband, Emilio Kohn, of Czechoslovakian nationality, had had a shop of men’s clothing in Merano since 1916. In February 1941, the woman would write in reply to the Office that had informed her that she not only had to report the closure of the business, but was also liable to a fine of L. 50 for failure to do so: “Because we were foreign Jewish citizens, in August 1939 we had to leave the province of Bolzano at short notice; we had been living there for over thirty years but the Bolzano Local police headquarters threatened us with expulsion from the Province within just a few days. The Merano Town Council then also annulled our trade licence. Naturally in the haste of our departure, for reasons that were entirely comprehensible, it was absolutely impossible for us to proceed with the various formalities, such as the declaration of closure, etc. and since the order given was a real example of “force majeure”, I suppose that, taking the aforementioned into consideration, the Council will not insist on the payment of the fine you are demanding since our departure from

¹⁵ *Ibid.*, b. Pratiche FREU-FU, fasc. “Frey Egone”; *ibid.*, b. Pratiche KOG-KOZ, fasc. “Kohn Emilio”; *ibid.*, b. Pratiche KRAKUG, fasc. “Krebs Martino”, letter from Martino Krebs to the Provincial Council of Corporations of Bolzano, 4 October 1939; *ibid.*, b. Pratiche ME-MES, fasc. “Merkel Leone”; *ibid.*, b. Pratiche SIENE-SOM, fasc. “Smetana Paolo”, Provincial Council of Corporative Economy of Bolzano, Declaration of amendments”; *ibid.*, b. Pratiche WIELANDER-WOHL, fasc. “Fratelli Wischkin”, s.fasc. “Consiglio e ufficio provinciale delle corporazioni, Bolzano, Denuncia di modificazione, 1 April 1940; copy of the certificate from the Provincial Council of Corporations, 26 May 1939.

¹⁶ *Ibid.*, b. Pratiche STEG-STIM, fasc. “Steinhaus Carlo”, declaration of closure of business, 22 July 1940; letter from the Podestà of Merano to the Provincial Council of Corporations, 29 July 1940; letter from the Merano delegate of the Fascist Union of tradesmen of Merano to the Provincial Council of Corporations, 17 October 1939.

¹⁷ *Ibid.*, b. Pratiche G-GAM, fasc. “Gajecky (Gajetzky) Casimiro”; *ibid.*, b. Pratiche GIA-GN, fasc. “Glück Gustavo”, *ibid.*, b. Pratiche HEIS-HIM, fasc. Herkovits Ladislao”; *ibid.*, b. Pratiche THALG-TOL, fasc. “Tobias Davide”; *ibid.*, b. Pratiche KOGKOZ, fasc. “Kohn Anny”; *ibid.*, b. Pratiche ROVERSI-SALVI, fasc. “Hugo Sachs”; b. Pratiche Zini/-, fasc. “Zwerdling Norberto.”

¹⁸ *Ibid.*, b. Pratiche JOO-KARP, fasc. “Karp Emilio”, Chamber of Commerce, Industry and Agriculture, closure report, 21 April, 1953.

¹⁹ *Ibid.*, first report by the receiver, 9 February, 1939.

²⁰ *Ibid.*, second report by the receiver, 17 March 1938 (With regard to the year it is certainly a misprint).

Merano has caused our total financial ruin. I am returning the form you sent me with my signature, since my husband Emilio Kohn has been almost completely paralysed in bed for six months and is not even able to hold a pen, and we are not able to bear the costs of having a notary come to the house to authenticate his signature [...].”²¹

Until 10 September 1939 Leone Merkel owned a business that closed down when, as a “foreign Jew” he was “expelled by the authorities.” A month later, in October 1939, Anna Kohn sold her shop, “il Regalo.” In September 1939, both trades people had presented the Special Provincial Commission of the Provincial Council of Corporations with their application for authorisation to hold the closing-down sales; this was granted, “on condition they presented a declaration ceding the license.”²²

Samuel Haber, a Jew of Polish nationality, had a men’s clothing shop in Merano from 1914 until August 1938, when he died; however, the official date for the closure of the business is May 1939. His daughter Dora, who had left Merano to settle in the province of Trento, received a temporary permit from the Local Police Headquarters to return to Alto Adige and liquidate their inheritance: the liquidation of the shop was described as “ruinous” by the lawyer, Langer, who after the war was in charge of the case brought to regain possession of a building sold in 1943.²³

In effect during the post-war period several cases were brought regarding the sale of real estate or business property at a price that was lower than their real value.

The tradesman Carlo Steinhaus, a resident in Merano, was forced to sell his business in July 1939, since the license had been annulled following a ruling of the podestà;²⁴ the goods stored there and the shop furnishings were sold to Zefferino Cattaneo in October of that year for the sum of L. 70,000. Just a few months after the war had ended Steinhaus began a law suit to rescind the sales contract and to have the goods returned. Should the defendant wish to avoid the rescission, he would be paid “the additional sum of the difference between the correct price”, also taking inflation into consideration; in his appraisal, the evaluator appointed by the Law court concluded that the overall value of the business came to L. 200,000, of which L. 120,000 was for the goods and L. 10,00 for the furnishings. Since the business was also located in a central part of Merano, the mere value of setting up the business could be calculated at L. 70,000.

As far as can be seen from the statements made by one of the witnesses, Carlo Steinhaus had also tried to come to an agreement with someone for a phoney transfer of ownership. The case was presumably settled out of court.²⁵

Together with her daughter Ernestina, Jenny Dienstfertig Vogel had been running the *kosher* guest house “Marco” in Merano since 1890; it was closed down, as she herself pointed out in a letter sent

²¹ *Ibid.*, b. Pratiche KOG-KOZ, fasc. “Kohn Emilio”, letter from Rudolfine Reich (née Kohn) to the Provincial Council of Corporations, 14 February 1941.

²² CCIAA, Bolzano, *Consiglio provinciale delle corporazioni*, Reports for the year 1939, Committee of Presidency and various bodies, report dated 11 September 1939 of the Special Provincial Commission for closing-down sales.

²³ Tribunale, Bolzano, *Tribunale civile*, 1946, b. 32 Civil lawsuits 101-200, R.G. No. 124/46, summons, 21 February 1947; CCIAA, Bolzano, *Registro delle imprese, Ditte cancellate dal 1925 al 1959*, b. / Registry of businesses, Companies annulled from 1925 to 1959, b. Pratiche GUF-HAK, fasc. “Samuel Haber.”

²⁴ *Ibid.*, b. Pratiche STEG-STIM, fasc. “Steinhaus Carlo”, declaration of closure of business, 22 July 1940; letter from the Podestà of Merano to the Provincial Council of Corporations, 29 July 1940. According to another source, his licence was not renewed; Bolzano Law court, *Tribunale civile*, 1945, b. Civil lawsuits 1945 No. 401 - fine, R.G. No. 436/45, summons, 17 November 1945.

²⁵ Tribunale, Bolzano, *Tribunale civile*, 1945, b. No. 401 - fine, R.G. No. 436/45, Minutes of the hearings of June 27 1946, 27 March 1947 and June 2 1948; expert opinion, November 30 1946.

to the Provincial Corporation Office, following the provisions “against the Jews.”²⁶ In 1940 the woman sold the building; in 1947, the lawyer Erwin Langer, acting as receiver for the absentees (both mother and daughter had been deported from Merano in September 1943 and had not returned), requested an annulment or the rescission of the sales contract, arguing that it had been stipulated in circumstances of duress. In an authorised brief written by the lawyer, one reads that once the women had been stripped of their citizenship, they had to leave the province of Bolzano but owing to the advanced age of the mother and “their good political record” the expulsion “remained undecided”; since she was left without any source of income, Jenny Dienstfertig was practically forced to sell the guest house.

The legal report prepared by the Law Court established that though sold together with the furniture and fittings for L. 129,000 – (the contract stated the sum of only L. 70,000, the sum agreed upon for the structure alone), at the moment of the sale the building was actually worth L. 174,150. Hence, the seller had lost around L. 45,000. However, it is strange that the value confirmed by the assessor was lower than the value of the property in the Registry Office, which had initially given the value as L. 255,000 and then, for unclear “motives that are unrelated to the situation”, was estimated at L. 205,000. In December 1949 the two parties came to a special agreement, which stated that the buyers had to pay the difference owed multiplied by a devaluation coefficient, for a total of L. 575,000.²⁷

²⁶ CCIAA, Bolzano, *Registro delle imprese, Ditte cancellate dal 1925 al 1959*, b. 113, Pratiche VIEI-VONI, fasc. “Vogel Jenny” letter from Jenny Vogel to the Provincial Council of Corporations of Bolzano, 14 April 1941.

²⁷ Tribunale, Bolzano, *Tribunale civile*, 1947, b. 301-400, R.G. No. 339/47, court summons document, 8 April 1947; statement of defence 29 May 1947; hearing transcript, 21 September 21 1949; legal report, 20 March 1948; authorised report by plaintiff, 10 October 1947; hearing transcript, 21 September 1949; Ufficio del libro fondiario di Merano, giornale tavolare 94/50, settlement document, 14 December 1949; *ibid.*, p.t. 397/II c.c. Merano.

3. Sales/Selling off of property from 1938 onwards

An important sector of this research proved to be that regarding the sale/selling-off of property from 1938 onwards. This was property belonging to “foreign Jews” and Italian citizens who had become stateless once they had been stripped of their Italian citizenship.

The analysis was mainly carried out on property in the municipalities of Merano and Bolzano, but there is also information regarding other sales in different areas. Woods and a vineyard, located in Ora and Bronzolo respectively, were sold by Giacomo Seif and Pessa Wischkin (née Troki) in October 1939 for L. 570,000. In January 1939, Ermanno Mokry, a German citizen domiciled in Bressanone applied to the Ministry of the Interior for permission to sell the villa he was living in before he emigrated.²⁸ He had arrived from Germany in 1934 and had invested nearly all his capital in the property and the changes he had made thereto; “now - the Head Office for Public Security reported – he had to leave the country with his wife as soon as he received the personal identity certificates he had requested, and would like to be able to sell the villa and make as much profit as possible to take abroad.”²⁹

The property, which consisted in a vineyard and a 230 m² country house with 13 rooms, was sold to Editta Stanek (née Unterweger) for “the declared price of L. 50,000.”³⁰

From the correspondence that was subject to censorship, it is possible to find information regarding the straits the Jews found themselves in during those years. One person from Merano wrote: “Our situation is terrible – [...] hundreds of people here are buying houses and land and others who are without any livelihood have to leave Italy.”³¹ Another Jewish woman from Merano wrote in a letter to Switzerland: “We own a house here and would like to sell it to a foreigner who would pay in foreign currency [...] I beg you to see to the sale of our house. We have learned from a real estate agent from here that many people in Switzerland are interested in the houses here. We have to try to get our money out of here.”³² Ugo Bondy, a resident in Bolzano, wrote: “I think I will immigrate to South America and buy a house there with land to work. My property in Bolzano is worth around L. 200,000. However, so far the Italian Government has not announced if and when this sum can be exported.”³³ It appears that Mosè Augapfel had the following advertisement published in the “*Neue Züricher Zeitung*”: “An elegant fur shop in an elegant health resort area in Merano, excellently furnished, with a vast clientele, for sale at a modest price. Capital required 10-12,000 Swiss Francs.”³⁴ Giusto Bloch put his villa up for sale for L. 180,000 while Ludovico Balog wanted to sell

²⁸ ACS, *SBE*, b. 37, fasc. “Lettera M”, s.fasc. “Mokry Ermanno - Bressanone”, letter from the Ministry of the Interior, Head Office for Public Security, Head Office for general and reserved affairs of the Ministry of Finance, 11 January 1939; *ibid.*, b. 1 “1939-1943 Intendenze A-M”, fasc. 28 “Trasferimenti e donazioni di beni immobili e di aziende commerciali e industriali” s.fasc. “Bolzano”, letter from the Registry Office of Merano to the Ministry of Finance, Head Office of tax and indirect duties on business, 12 January 1939.

²⁹ *Ibid.*, b. 1 “1939-1943 Intendenze A-M”, fasc. 28 “Trasferimenti e donazioni di beni immobili e di aziende commerciali e industriali”, s.fasc. “Bolzano”, letter from the Ministry of the Interior, Head Office for general and reserved affairs of the Ministry of Finance, Office for general and reserved affairs, 11 January 1939.

³⁰ *Ibid.*, b. 37, fasc. “Lettera M”, s.fasc. “Mokry Ermanno - Bressanone”, letter from the Registry Office of Bressanone to the Ministry of Finance, Head Office for indirect taxes and duties on Business activities, 5 April 1939 with attachment of table of the documents registered in this office in which one of the parties is not of the Aryan race, 5 April 1939.

³¹ *Ibid.*, Ministry of the Interior, Head Office for Public Security, Office for general and reserved affairs, A 16 Foreign Jews b. 8, fasc. “E Revised Correspondence”, s.fasc. 6. “Ripercussioni dei provvedimenti per la razza”, letter from the Prefect of Bolzano to the Ministry of the Interior, Head Office for Public Security, 12 September 1938 with accompanying translation of a revised letter, 12 September 1938.

³² *Ibid.*, letter from the Prefect of Bolzano to the Ministry of the Interior, Head Office for Public Security, 12 September 1938, with accompanying translation of a revised letter by Paola Blasing, 12 September 1938.

³³ *Ibid.*, letter from the Prefect of Bolzano to the Ministry of the Interior, Head Office for Public Security, 17 September 1938, with accompanying translation of a revised letter by Ugo Bondy, 17 September 1938.

³⁴ *Ibid.*, letter from the Prefect of Bolzano to the Ministry of the Interior, Head Office for Public Security, 17 September 1938 with accompanying translation of a revised letter by Mosè Augapfel, 17 September 1938.

the rest home he had in Merano for L. 1,250,000 and sent its description to a real estate brokerage in Zurich.³⁵

The particular situation the Jews found themselves in, especially if foreigners, meant that they had to sell their real estate rapidly; as far as could be established from research carried out in the Land Registry Office of Merano, Bolzano and the Law Court of Bolzano, the sales of Jewish real estate began in earnest in November 1938; they ultimately totalled: 6 in Bolzano and surroundings, 17 in Merano and one in Quarazze. As has already been stated, most of the sales were made by “foreign Jews”, but some also concerned Italian citizens, many of whom had been stripped of their Italian citizenship or who were expecting such a measure and therefore decided to sell any real estate they owned.

It should also be noted that research was carried out mainly on the municipalities of Maia, Merano, Dodiciville, Bolzano, Gries; these were basically the cadastral municipalities which make up the cities of Merano and Bolzano, where the presence of Jews was greater before the war and as a result so were the numbers of property sales. This research can not be considered exhaustive because not all the Property Owner registers with the lists of the various owners are in good condition and some pages are incomplete.³⁶

The land register system in operation in the provinces of Bolzano, Trento, Trieste and Gorizia was of Austrian-Hungarian origins. It was based on land registers, comprising tabular divisions and documents. Since all property rights, including ownership, had to be written in the land register, each entry includes not only the description of the body – land lots and/or building parcels -, but also the names of the property owners since the time the land register had first been compiled; it also includes the deeds with the relative dates (sales contracts, inheritance certificates), on the basis of which the registration of ownership rights was determined. Indeed, generally, the actual rights to a property were established by their entry in the land register.³⁷

These entries therefore make it possible to discover which property belonging to Jews was sold between September 1938 and 1943; it is also possible to verify if, and in how many cases, a request for the annulment or rescission of sales contracts were presented as soon as the war ended and, in general, if civil proceedings regarding property were started. With the aim of obtaining further information, a comparison was then made with the documentation conserved in the Law Court of Bolzano.

³⁵ *Ibid.*, letter from the Prefect of Bolzano to the Ministry of the Interior, Head Office for Public Security, 4 October 1938, with translations of two revised letters, one sent by Giusto Bloch and the other by Ludovico Balog, both dated 4 October 1938.

³⁶ Law Court, Bolzano, *Tribunale civile*, 1946, b 32. 101-200, R.G. No. 124/46; *ibid.*, R.G. No. 126/46; *ibid.*, R.G. No. 125/46; *ibid.*, 1947, b. 40 1-100, R.G. No. 22/47; *ibid.*, b. 200-299, R.G. No. 251/47; *ibid.*, b. 301-400, R.G. No. 344/47; *ibid.*, R.G. No. 338/47; *ibid.*, R.G. No.339/47; *ibid.*, R.G. No. 340/47; *ibid.*, R.G. 344/47; *ibid.*, R.G. No. 343/47; 1947, b. 45 501-600, R.G. No. 530/47; Ufficio del libro fondiario / Land Registry Office, Bolzano, p.t. 89/II c.c. Gries; *ibid.*, p.t. 592/II c.c. Dodiciville; *ibid.*, p.t. 1156/II Gries; Ufficio del libro fondiario / Land register, Merano, p.t. 324/II c.c. Maia; *ibid.*, p.t. 806/II c.c. Maia; *ibid.*, p.t. 1019/II c.c. Maia; *ibid.*, p.t. 1378/II c.c. Maia; *ibid.*, p.t. 437/II c.c. Maia; *ibid.*, p.t. 1346/II c.c. Maia; *ibid.*, p.t. 1391/II c.c. Maia; *ibid.*, p.t. 36/II c.c. Maia. With regard to the p.t. 1346/II c.c. Maia, the Mandelkern couple had bought the property in 1932; on 17 September 1938 Giuseppe Mandelkern, a Jew, sold his undivided half, while his wife who was not Jewish, kept hers. All the property was sold on 7 October 1942. The p.t. 1391/II c.c. Maia appeared to be the property of Agnese Eichberg, widow Kaufmann, who had inherited it from her husband and Paola Eichberg, widow Blaut; no reference was found regarding the latter, so it is unclear if the person in question was Jewish or not. With regard to the p.t. 89/II c.c. Gries, it was sold but the previous owner and his sister had the right to usufruct; Land Registry Office, Bolzano, p.t. 89/II c.c. Gries; *ibid.*, Tomo suppletorio I, p. 16. See also: Town Council, Merano, cat. XII, personal dossiers concerning the Jews of Merano 1938-1945.

³⁷ Art. 2, Title I of the Land Registry Law also says: “the rights of ownership and other real rights regarding real estate are not acquired through a contract between living beings other than with an entry of the right in the land register.” This quotation is in: Autonomous Region Trentino - Südtirol/Regione autonoma Trentino - Alto Adige, *Grundbuchgesetz/Land Registry Law*, transl. Ludwig Walter Regele, Athesia, Bolzano 1990, p 12; see also *ibid.*, p. 4 and p. 28.

As far as could be ascertained, immediately after the war no less than 14 lawsuits for the annulment or rescission of stipulated sales contracts were brought. In short, after 1945 some Jews who had sold their property asked for these transfer registrations to be considered invalid or rescinded since they had been made in conditions of need and under moral and material duress, with the property being sold at a price that was much lower than its real value. Of these 14 civil proceedings, 3 concerned properties sold in Bolzano or in its surroundings, while 11 were sold in Merano and surroundings. Rescission was mainly requested on the basis of art. 19 of dlgt 222/1945 of 12 April, which admitted the action of rescission “for sales contracts stipulated by people affected by racial provisions after 6 October 1938, the date on which the directives of the old regime on the racial issue were officially announced, [...] for up to one year after the end of the war, as long as the infringement amounted to more than a quarter of the value of the object sold at the moment of the contract.”³⁸ In July 1947 it was ruled that the action of rescission could be extended until 15 April 1948.³⁹

The number of cases brought in relation to the total number of sales is decidedly high; however, it is not necessarily the case that those who had sold their property in a rush and at a low price asked for their property back after the war, suing the purchasers: it is possible that some had emigrated to another country, and were more intent on trying to reconstruct an existence rather than begin a lawsuit, the outcome of which was decidedly uncertain.

From the statement of claim deposited by lawyers representing the Jews, one can clearly deduce the circumstances of need and the anguish in which they lived during those years, frightened by the idea that sooner or later all their property would be seized, worried about the resurgence of racial persecution and the imminence of the war. Some of them, forced to leave the province of Bolzano at short notice, had lost their jobs and were in financial straits; in addition, having to find somewhere else to live, while possibly waiting to be able to emigrate abroad, made their financial situation even more precarious and their future uncertain. The decision to sell was probably also related to the fact that otherwise they would have to leave their property unguarded and abandoned for an indefinite period of time. It appears that the Local police headquarters actually made it extremely difficult for those who had left the province to return to put their affairs in order.⁴⁰

As far as can be seen, from the documentation he himself presented, the lawyer, Erwin Langer, resident in Merano since 1917, the authorities for Public Security in the aforementioned town informed him verbally in August 1939 that he had been stripped of his Italian citizenship and had to leave the country within 8 days; this period was extended each month until June 1940 so that he could sell his office since he had been struck off the professional register. The person to whom he sold his house in the cadastral municipality of Quarazze in June 1940 appears to have died during the war. In the statement of claim the lawyer brought against the administrator that purchaser's estate one reads: “All this injustice and deprivation in the moral and legal field. Having to abandon one's home; the difficulty, if not impossibility, of returning - even if just temporarily for a few days; having to deal (profitably) with the administration of the building; the fact that racial persecution was intensifying, hand in hand with the influence of the Nazi ally in the Italian public administration;⁴¹ the constant fear and danger that one day they could come and sequester people

³⁸ Dllgt 12 April 1945, No. 222, Complementary integrative and implementational directives of the deputy legislative decree January 1944, No. 26, for the reintegration of Italian and foreign citizens whose property rights have been affected by racial provisions.

³⁹ Dlcs 31 July 1947, No. 771, Extension of the terms for the action of rescission connected to article 19 of the deputy legislative decree 12 April 1945, No. 222 containing complementary, integrative and implementational directives of the rdl 20 January 1944, No. 26 for the reintegration of people whose property rights have been affected by racial provisions.”

⁴⁰ Tribunale, Bolzano, *Tribunale civile*, various files.

⁴¹ *Ibid.*, 1947, b. 301-400, R.G. No. 338/47, court summons document, 11 April 1947. Following the agreement on the options in Alto Adige what Claus Gatterer defined a “parallel German administration” was created: in the main towns in the province offices of the ADEuRST - *Amtliche deutsche Ein- und Rückwanderungsstelle* (German Office for returning immigrants and emigrants) - with the aim of organising and encouraging the emigration of *Optants* to the Reich. For this reason many officials from Germany settled in

and the property of those being persecuted; the need to find cash in time to deal with this danger and save oneself by fleeing. All this forced people to sell property, even though they were perfectly aware that such a decision was financially inadvisable (danger of inflation due to the imminence of war).⁴² Since he was about to leave, Langer asked a very low price for the property, and finally accepted L. 145,000 when he signed the contract.⁴³ The law suit closed with a special agreement: “in order to restore the equity of the contract” the payment of L. 250,000⁴⁴ was stipulated.

In the file there is also reference to another sale carried out in November by a Spanish Jew, Dilber Gabai Perez: his villa was also sold at a price below its true value.⁴⁵ The purchaser was Vittorio Da Ronch, who had already bought a farmstead from another Jew, Paul Berger, in November 1938. Immediately after the war the latter asked that this contract be annulled or rescinded: the value of the property, sold for L. 165,000, was evaluated by the expert appointed by the law court at L. 201,000, meaning a vendor loss of 18%. This valuation was challenged by Langer, who was representing one of the parties. The lawsuit ultimately lapsed.⁴⁶

Langer’s closing statement on behalf of the plaintiff in the lawsuit Riccardo Stein v. Candido Corazza is of great interest. The lawyer observes: “expulsion [...] from the Province of Bolzano and the prohibition on residence in the nearby provinces; annulment of licenses, even those of small and average-sized businesses that are not covered by the provisions of art. 10 rdl 1728/1938 of 17 November, were the special measures in the Province. They went together with general ones such as legal disqualification from one’s profession, exclusion from public employment, rescission of licenses for public businesses.”⁴⁷

In several lawsuit acts drawn up by Langer – it was almost always he who defended the cases for the Jews – there is mention of the fact that, in case of need, it had become impossible for Jews to get a bank loan, and just as difficult for them to obtain a private one; in a couple of briefs, he even wrote that the banks had expressly banned the extension of credit to Jews.⁴⁸ As a result, for those who found themselves in financial straits in that period it was inevitable that any property they owned would be sold since it was otherwise impossible to settle their accounts.

A couple of citations even refer to a tax advisor, Dr. Magnani, “through whose hands [passed] almost all the real-estate sales made by Merano Jews who found themselves in a state of need [passed].”⁴⁹ It was he who acted as mediator in the sale of the house belonging to Dora Haber, situated in a central area of Merano: the young woman, who was forced to leave Alto Adige quickly, first went to Trento and then Milan, authorising the man to stipulate the sales contract on her behalf with Tranquillo Pedron. The property, including the furnishings of the clothes shop that

the area. In January 1940, following the orders of Wilhelm Luig, head of the ADEuRST, the AdO - *Arbeitsgemeinschaft der Optanten für Deutschland / Work Community of the Optants for Germany* - : this was an organisation that was spread throughout the territory and constituted the legalisation of what had, up until then, been the clandestine VKS - *Völkischer Kampfring Südtirols/ Fighting front for the German Südtirol* - a group that was clearly Nazi-oriented and created in June 1933. Head of the AdO was Peter Hofer, appointed Prefect of Bolzano after 8 September 1943, C. Gatterer, *Im Kampf gegen Rom*, Europa Verlag, Vienna 1968; Italian translation: *In lotta contro Roma. Cittadini, minoranze e autonomie in Italia*, Praxis 3, Bolzano 1994 (quoted), pp. 702-703.R; Steininger, *Südtirol im 20. Jahrhundert. Vom Leben und Überleben einer Minderheit*, Studien Verlag, Innsbruck 1997, p.177.

⁴² Tribunale, Bolzano, *Tribunale civile*, 1947, b. 301-400, R.G. No. 338/47, document of courts summons, 11 April 1947.

⁴³ *Ibid.*, statement of defence, s.d.; plaintiff brief, 10 December 1947. For fiscal reasons only L. 100,000 was declared.

⁴⁴ *Ibid.*, List of lawsuit settlement records, years 1942-1957, agreement stipulated on 27 January 1950.

⁴⁵ *Ibid.*, 1947, b. 301-400, R.G. No. 338/47, plaintiff brief, 10 December 1947.

⁴⁶ *Ibid.*, R.G. No. 343/47, atto di citazione/court summons document, 12 April 1947; statement of defence, 26 May, 1947; legal report, 20 March 1948; plaintiff brief, 16 November 1948 with legal report, 12 November 1948; sheet with notes, presumably written by the investigating judge, s.d.; hearing transcript, 10 December 1949.

⁴⁷ *Ibid.*, 1946, b. 32 N. 101-200, R.G. No. 126/46, closing statement of plaintiffs, November 1947.

⁴⁸ *Ibid.*, 1947, b. 301 -400, R.G. No. 344/47, plaintiff brief, January 28 1946; *ibid.*, R.G. No. 338/47, plaintiff brief, 10 December 1947; *ibid.*, 1947, b. 40 from No. 1 to No.100, R.G. No. 22/47, plaintiff brief, 14 December 1947.

⁴⁹ *Ibid.*, 1947, b. 45 501-600, R.G. No. 530/47, summons, 8 April 1947, *ibid.*, 1946, b. 101-200, R.G. No. 124/46, atto di citazione / document of courts summons, 21 February 1946.

Dora Haber's father had run until his death in 1938, was sold for L. 270,000. The evaluator estimated the value of the property at the time of the contract at L. 374,000: according to this evaluation, the building had been sold for a sum equivalent to 72% of its true value. The case was withdrawn.⁵⁰

Of the lawsuits heard, 6 were closed, which makes it likely that there was an out-of-court settlement between the parties; there was documentation of a further two settlements, 4 verdicts, but it is not possible to find details regarding the outcome of two proceedings.⁵¹

One case in which the property was returned - not to its previous owner since he never returned after being deported - but to the heirs, is that of the property belonging to Lodovico Bondy, sold to Anna Söllner on 6 September 1938. After the war, the *curatore absentis* Langer asked that the sales contract be declared legally ineffective and invalid: in the summons document he wrote that this had actually been a simulated sale, stipulated with the sole purpose of trying to save the owner from possible sequestration or confiscation. Furthermore, at the time, the document had not been approved by the Prefect,⁵² which was required if it was to be considered valid; and at the time the woman's right to the property had not been entered in the land register. It was for this very reason that the judges of the Civil Section of the Law Court of Bolzano declared the sale to be legally void. Following this last verdict and the one that followed by the Court of Appeal of Trento, the land registry judge granted the annulment of the ownership right entered in December 1948 in favour of Anna Söllner. In February 1951, on the basis of the inheritance certificate, the rights to the property were registered in the name of Alfredo Bondy, brother of the deceased.⁵³

It should be pointed out that just after the war, that is in the years between 1945 and 1950, what was to become a widespread and broadly accepted judgement was gradually emerging: that is, the claim that the anti-Jewish laws had been applied half-heartedly and on the whole, their repercussions had proved to be modest. In the verdict of a lawsuit regarding the invalidity of a property transfer, one can read that the anti-Jewish provisions "were applied rather mildly and certainly not with Teutonic rigour."⁵⁴

What can be read regarding the ruling in the civil proceedings Bondy vs. Barbero is therefore rather surprising. Carlo Bondy, a Czechoslovakian tradesman, had been living in Bolzano since the early 1920s. On the basis of the ruling of the anti-Jewish laws of September 1938, he should have left the country by March the following year; his first request, forwarded by the Prefecture of Bolzano to the Head Office for Demography and Race, to be allowed to remain in the Kingdom for commercial reasons was refused, as was his April 1939 request, to be allowed to remain in the country until the month of June and then sail to Latin America. This last document was sent to the Prefecture of

⁵⁰ *Ibid.*, 1946, b. 101-200, R.G. No. 124/46, document of courts summons, 21 February 1946; legal report, 4 January 1947; hearing transcript, 17 April 1947.

⁵¹ See table 2.

⁵² Art. 1 of law 3 June 1935 No. 1095, "Norme per il trapasso di proprietà dei beni immobili siti nelle province di confine terrestre", ruled that any sale of real estate in the border provinces, whether total or partial, required the Prefect's approval to be legally effective, but which could also be denied by the latter without giving any reason. Law Court, Bolzano, *Tribunale civile*, 1948, b. 68 from No. 1401 to No. 1500, R.G. No. 1441/48, summons, 20 November 1948.

⁵³ Ufficio del libro fondiario, Bolzano, p.t. 1014 c.c. Dodiciville; *ibid.*, Documenti, Giornale tavolare 861/48, istanza al giudice tavolare, November 22 1948; document of court summons, 20 November 1948; *ibid.*, Giornale tavolare 962/48, sales contract, 6 September 1938; *ibid.*, Giornale tavolare 551/50, verdict 16 September 1949; appeal registered, 30 May, 1950; *ibid.*, Giornale tavolare 223/5, appeal for issue of inheritance certificate presented in Magistrate's Court, 11 January 1951; application for registration, 15 February 1951; Tribunale, Bolzano, *Tribunale civile*, 1948, b. 68 from No. 1401 to No. 1500, R.G. No. 1441/48.

⁵⁴ Tribunale, Bolzano, *Tribunale civile*, Vol. 1949 Civil rulings from No. 201 to No. 280, ruling No. 224/49.

Bolzano from Rome on 10 July 1939: on 25 July Carlo Bondy had “left the Kingdom sailing from the Port of Genoa” for Santiago in Chile.⁵⁵

As far as can be deduced from the summons, both because of the costs of emigrating and the fear that the laws would be tightened even further in the future, (with the possible sequestration or confiscation of property), he had already decided to sell his villa to Mr and Mrs Wagner in the month of June of that year, for the sum of L. 260,000. They advanced him L. 120,000, a sum that was secured by a mortgage on the property in question. However, the sales contract was not approved by the Prefecture of Bolzano since the couple had decided to leave for Germany. Bondy’s procurator finally sold the property to Tito Lucrezio Barbero for the same sum in May 1941, since the mortgage had to be paid off in regular instalments. In his request for the sales contract to be annulled due to an agreement under duress (with a price of more than twenty-five percent less than the real property value), Erwin Langer showed how the sale of the property had depended on “a chain of circumstances that [had] their roots in racial persecution.” The documents contain no technical evaluation giving the value of the property at the time of the sale⁵⁶ - even if this assessment was requested by Langer.

The ruling reads: “No sanction against the real estate of foreign Jews had yet been⁵⁷ issued by the Fascist government, and it certainly cannot be said that the agreement of the plaintiff for the transaction of the sale of the property was invalidated by the violence endured.” The hypothesis that the contract was invalidated by violence was therefore not only rejected - “the plaintiff’s case [...] is too evidently unfounded to deserve real confutation.” However, not even the request for the rescission of the contract that stipulated a price at more than twenty-five percent less than the real property value was accepted, since the link between the sale and the racial provisions was not accepted. “[...] It may also be admitted that there was a “state of need” in accordance with art. 1448 c.c., for the plaintiff, but for revocability to apply it is necessary that this state of need was the cause of the disproportion between the value of the property and price obtained, and that Barbero took advantage of the state of need of the counter-party, which in the case in point can safely be excluded; however, since there is no link between the sale of the property to Barbero and the “racial provisions” of the old regime, for the revocability of the contract to be accepted, the loss should have exceeded half of the property’s value, which the plaintiff herself never asserted.” Bondy’s claims were rejected in court and he was sentenced to pay costs.⁵⁸

In July 1947, however, the Law Court of Turin had ruled that “after the formulation of the racial directives of the Great Fascist Council, the state of pending threat for the Italian citizens of the Jewish race, [should] be considered, even before these became legal provisions, effective and influential in the final legal decision regarding the rescission of contracts stipulated in that period, out of fear, by those under threat.” A further verdict by the Turin Law Court ruled that due to the admissibility of rescission - in accordance with art. 19 of dlgt 222/1945 of 12 April - for this also to be granted to a Jew of foreign nationality, it sufficed that the other party was aware they were negotiating with a Jew and that a loss of over twenty-five percent was ascertained.⁵⁹

⁵⁵ ACS, MI, DGPS, Div. AAGRR, cat. A16 Foreign Jews, b. 9, fasc. 15 “Bolzano”, Prefect of Bolzano to Ministry of the Interior, 20 October 1938 with attachment of List of Foreign Jews residing in the province of Bolzano; *ibid.*, cat. A16/1939 Foreigner Surveillance, b. 14, fasc. “Bondy Carlo”, letter from the Prefect of Bolzano to the Head Office for Public Security, 19 January 1939, which was a rough copy for the forwarding of the request to the “Demorazza”; communication of the Head Office for Demography and Race to the Prefect of Bolzano, 17 March 1939; letter from the Prefect of Bolzano to the Head Office for Demography and Race, 3 April 1939; communication from the Head Office for Demography and Race to the Head Office for Public Security, 10 July 1939; letter from the Prefect of Bolzano to the Head Office for Public Security, Office for general and reserved affairs, 17 August 1939.

⁵⁶ Law Court, Bolzano, *Tribunale civile*, b. 40 1947 from No. 1 to No.100, R.G. No. 22/47, summons, 2 January 1947.

⁵⁷ Until the date when the property was sold to Mr and Mrs Wagner, in June 1939. *Ibid*, Civil Rulings, 1950 from No. 1 to No. 100, ruling No. 86/50.

⁵⁸ *Ibid.*, Civil rulings, 1950 from No. 1 to No. 100, ruling No. 86/50.

⁵⁹ Ruling of 5 July 1947 of the Turin Law Court, Lawsuit Tedeschi/Cerruti in “Il Foro italiano”, fasc. XI-XII ex 1948, No. 59; Ruling of 5 July 1947 of the Turin Law Court, Lawsuit Haas/Cisitalia in “Il Foro italiano”, cc. 776.

Analysing the disputes and comparing the numbers of properties sold with any technical estimates carried out by the experts appointed by the Law Court, one can deduce that one property was sold at a price that was 72% of its real value, one at 82%, one at 83%, one at 49% and one at 74%.⁶⁰ More than one technical appraisal and related documents showed how the Italo-German agreement on options had resulted in a considerable variation in property prices since the number of properties on the market considerably outweighed the number of purchasers.⁶¹ As ruled by art. 19 of dlgt/222/1945 of 12 April, the technical evaluations estimated the value of the property at the time of the sales contract, usually based on the trend of the free property market, which was particularly low at that time. From a certain date, the Jews who were selling their property were therefore doing so at an extremely disadvantageous time; other factors included the haste, the state of need in which they found themselves and the fact that in small towns such as Merano and Bolzano, it was highly unlikely that the purchaser was not aware that the seller “belonged to the Jewish race” and that he was in a state of need.

It should also be pointed out how extremely complex it is to establish and evaluate which of the alienated properties were undersold if the documentation includes no technical appraisals: the time-frame is extremely broad, going from November 1938 to June 1943, a period in which the property market underwent considerable changes. Furthermore, as far as can be seen from the trial documentation, the price indicated in the sales contract does not always correspond to the sum the purchaser actually paid, since a lower sum might have been declared for tax purposes.

In 1933 Edvino Kohn bought a partially built villa in Bolzano; in financial straits, the previous owner had not been able to complete the work. As far as can be deduced from the summons, adding the sum the seller received in cash, to the amount paid to the material suppliers in credit to finish the work that had been started, carry out improvements and pay the registration taxes and costs, all in all the house cost him L. 325,000; both the documents in the case file and the ruling issued show

⁶⁰ Not all the trial dossiers include legal reports; Bolzano Law Court, *Tribunale civile*, b. 32 Civil proceedings 1946 No. 101-200, R.G. No. 126/46, statement of defence, 11 March 1946; hearing transcript, 10 October 1946; legal report, 20 October 1946; *ibid.*, R.G. No. 125/46, statement of defence, 14 June 1946; expert report, 11 February 1947; *ibid.*, R.G.No. 124/46, summons, 21 February 1946; statement of defence, 13 June 1946; legal report, 4 January 1947; *ibid.*, 1947, b. 301-400, fasc. 343/47, statement of defence, 26 May 1947; legal report, 10 March 1948; *ibid.*, fasc. 339/47, statement of defence, 29 May 1947; legal report, 20 March 1948; hearing transcript, 5 October 1949.

⁶¹ A legal report speaks of “an increased number of houses for sale in Alto Adige due to the options of members of ethnic minorities” and of “limited demand due to the impossibility for *optants* to purchase”; *ibid.*, b. 32 Civil proceedings 1946 No. 101-200, RG No. 124/46, legal report, 4 January 1947. Also see: *ibid.*, RG No. 125/46, statement of defence, 14 June 1946; *ibid.*, RG No. 126/46, legal report, 20 October 1946; *ibid.*, 1947, b. 301-400, RG No. 338/47, statement of defence, s.d.; *ibid.*, b. 45 501-600, RG No. 530/47, summons, 8 April 1947. In the early months of 1939 a Commission was created for the estimate of property, created with the aim of evaluating and transferring assets of *optants*; it also defined the criteria and norms for the evaluation of assets. Once they had been evaluated by the appropriate body, the *optant* could entrust his or her assets to the Ente Nazionale per le Tre Venezia, “which paid the sum to the Banca d’Italia, more specifically into the account “Alto Adige – German credit account”, H. Alexander, *Il lungo cammino* in *Tiroler Geschichtsverein Bozen* (edited by), *Eine Geschichte Südtirol. Option Heimat Optionen. Una storia dell’Alto Adige*, Bolzano 1989, pp. 202-206; the quotation is from p. 204. In his report, the technical advisor appointed to assess Edvino Kohn’s property, sold in July 1941, wrote “there was [...] the phenomenon that a lot of the property in the hands of the Ente delle Tre Venezia could not be sold, not even at the basic price, and as a result they remained unsold or were finally sold for payment in long-term instalments. To avoid the delays and difficulties of the parastatal institutions in charge of the financial transfer of the assets of the *optants*, but also due to the general lack of trust in these Nazi and Fascist institutions, many of the emigrants chose to sell their property on the free market at a very low price, so that they had the sum in cash. [...] On the free market the property offer widely exceeded the demand, since the number of *optants* who had property was much higher than the number of remaining Sudtirolese and Italian landowners, who would have been able and also willing to buy. This fact and the general mistrust in the economic situation were the reasons why it was possible at that time to buy property on the free market at extremely low prices. [...] It was not until after 1941, around the end of 1942, that is, after the first defeats suffered by the Axis in North Africa and in particular after the fall of Stalingrad at the beginning of February 1943 that the public lost faith in the political and military situation, and to protect themselves against the depreciation of the currency, citizens increasingly bought property – real estate and chattels, the value of which did not stop rising, that is, in relation to the depreciation of the currency.” Tribunale, Bolzano, *Tribunale civile*, Civil lawsuits, 1947, b. 200-299, R.G. No. 251/47, report by technical advisor, deposited on 29 May 1948. However, although he has no precise numbers, Karl Stuhlpfarrer presumes that the number of properties sold on the free market was, on the whole, moderate, K. Stuhlpfarrer, *Umsiedlung Südtirol 1939-1940*, Löcker Verlag, Vienna - Munich 1985, p. 341.

two different values regarding the estimate of the property carried out by the Registry Office in 1933; one for L. 300,000 and the other for L. 228,000. To be able to build the villa, the first owner had taken out a mortgage in a German town, a debt that was later taken over by Kohn when he purchased the house; in 1939, as a result of the agreement on options, the woman had to return to Germany and Kohn, who had emigrated to France in the meantime, had to repay the sum quickly. The credit was received by one of the institutions created in relation to the implementation of the agreement on options, either ADEuRST or DAT - *Deutsche Abwicklungs – Treuhandgesellschaft* [German Trustee Company for liquidation]. The latter was also in charge of liquidating personal securities, settling debts and collection of the optant's credits, even when the latter was guaranteed by a mortgage⁶². The administrator of Edvino Kohn's assets, Antonio Kaser, tried in all possible ways to extend the negotiations, even offering lien letters for Reichsmark 77,500 for the settlement of the mortgage. This was refused since payment had to be in lire.⁶³

The defence tried to deny Kohn had been in a state of need, asserting, amongst other things, that the anti-Jewish laws “had almost only a theoretical effect in Italy. Furthermore, a Portuguese citizen was not affected by the relevant Fascist laws, which only applied to Italian citizens. [...] Mr Kohn therefore had no reason to leave Italy and even during the period of German occupation he had no reason to be afraid because, as a Portuguese citizen, Germany would not have taken any measures against him.”⁶⁴ He therefore left the peninsula for purely precautionary reasons. In the closing statement one reads: “no decree affected foreign Jews in Italy who owned property, even less so a Portuguese citizen [...]. Mr Kohn [...] therefore had no reason to sell his property.”⁶⁵

In July 1941 the villa was sold to Francesco Röggl for L. 250,000, and the latter paid all the registration costs, which came to L. 30,000.⁶⁶ During the trial Antonio Kaser was heard as a witness, and he replied affirmatively to the clause: “it is true that the German authorities followed the sales ‘with special rigour and coercion’, knowing full well that Kohn belonged to the Jewish race, threatening Kaser who was trying to act in Kohn's interests.”⁶⁷ Furthermore, the purchaser was well aware of the seller's state of need. In the closing statement the plaintiff's lawyer, relating that the purchaser had agreed to a value of L. 350,000 for the property with the Registry Office, claimed that, “as is known”, such agreements were “always very much” lower than the real value.

The investigating judge appointed a technical advisor to estimate the value of the property in July 1941, the date it was sold; the technical report includes two different estimates: one, of L. 358,286, regarding the value of the property without considering the low value of the market and another, of L. 275,880, regarding the market value of the sale of the property. In the first case vendor's loss was calculated at 31%, while in the second it was 10%.⁶⁸ In its ruling, the court refused the request for the rescission of the sales contract, specifying that the price in question reflected the market value: art. 19 of dlgt 222/1945 of 12 April “talks of the value of the alienated object at the moment of the contract, a value that can be the only one used in commerce, which is based on offer and

⁶² M. Beikircher (edited by), *Sammlung von Anordnungen, Durchführungbestimmungen, Erlässen, Gesetzen, Richtlinien und Verträgen, die Umsiedlung der Südtiroler betreffend*, Quaderno No. 3, Innsbruck 1947, p. 43. It is not clear which of these two institutions were in charge of the issue; Tribunale, Bolzano, *Tribunale civile*, 1947, b. 200-299, R.G. No. 251/47, summons, 6 March 1947; hearing transcript, 16 February 1948.

⁶³ One of the witnesses called to give evidence during the trial was *SS-Hauptsturmführer* Karl Gollob, head of the DAT since 1941; during the debate he declared that he believed these deeds were invalid in Italy: in Germany they would only have been negotiable if “the possessor of Jewish race” had not transferred them abroad or promptly reported them to the State. Tribunale, Bolzano, *Tribunale civile*, 1947, b. 200-299, R.G. No. 251/47, summons, 6 March 1947; hearing transcript, 16 February 1948; H. Alexander, *Die Umsiedlung del Südtiroler 1939-1940* in H. Alexander, S. Lechner, A. Leidlmair, *Heimatlos. Die Umsiedlung del Südtiroler 1939-1940*, edited by the Tiroler Landesinstitut, Deuticke, Vienna 1993, p. 46.

⁶⁴ Tribunale, Bolzano, *Tribunale civile*, 1947, b. 200-299, R.G. No. 251/47, statement of defence, 22 April 1947.

⁶⁵ *Ibid.*, closing statement, 16 September 1948.

⁶⁶ *Ibid.*, summons, 6 March 1947; statement of defence, 22 April 1947; hearing transcript, 16 February 1948.

⁶⁷ *Ibid.*, summons, 6 March 1947; hearing transcript, 16 February 1948.

⁶⁸ *Ibid.*; *ibid.*, closing statement of plaintiff, 26 September 1948; reported by technical advisor, deposited on 29 May 1948.

demand.”⁶⁹ Vendor loss of over twenty-five percent was therefore not recognised and the plaintiff’s request for the rescission of the sales contract was rejected and he was also ordered to pay the costs.⁷⁰

On the outskirts of Caldaro Edvino Kohn also owned a farmstead called “Christ im Loch”, which he had unsuccessfully put up for sale. In August 1940, the Prefect of Bolzano asked the Council and Provincial office of Corporations of Bolzano if, as regard the provisions concerning the restrictions on Jewish property, his “situation” had been studied; the office director replied that since it was an agricultural business, it should be excluded from the directives laid down by rdl 126/1939 of February 9. After further research, the prefectural authorities established that the person in question was a Portuguese citizen.⁷¹ Since November 1940 Kohn had also had a license for an inn, situated in the aforementioned farmstead.⁷²

In February 1946, in an attempt to obtain the annulment and hence the rescission of the sales contract, Dr. Riccardo Stein brought a suit against Candido Corazza, who had purchased his property in May 1940.⁷³

Amongst the revised correspondence preserved in the Central State Archives was a letter written by Mr. Stein in November 1938: “I had been expecting for some time that we will also be stripped of our citizenship and we have no choice other than to leave soon, while we still have our passports. [...] Sooner or later what happened in Germany will also happen here.”⁷⁴ Neither he, a tax advisor, nor his sister, a teacher, were allowed to exercise their profession; stripped of their Italian citizenship and therefore stateless, they were forced to leave Alto Adige, with the possibility of returning for short periods only to settle their affairs. In May 1940 they sold their property for L. 129,000.⁷⁵ After the war the Stein’s cited the purchaser, Candido Corazzo in court, asking for the annulment or rescission of the sales contract; the technical expert nominated by the judge, arguing on the basis of the actual prices of sales during that period and taking into consideration “the increase in the buyers’ market in Alto Adige due to the emigration of people”, stipulated that the property, sold for L. 129,000 had actually been worth L. 264,000, meaning a vendor loss of 52%. In 1948 the lawsuit was declared closed.⁷⁶

In February 1946 the person who had bought the property, Candido Corazzo, had sent a letter to the President of the National Constitutional Court, Count Carlo Sforza⁷⁷ because he had learned that

⁶⁹ *Ibid.*, 1948, Ruling, from No. 201 to No. 296, ruling No. 271/48.

⁷⁰ *Ibid.*

⁷¹ ASBz, *Prefettura, Gabinetto*, “Atti riguardanti gli ebrei in provincia di Bolzano”, cat. XI, b.1, s.fasc. 63 “Kohn Edvino”, the letter from the Prefect of Bolzano to the director of the Council and Provincial Office of Corporations of Bolzano, 6 August 1940; letter from the Director of the Council and ufficio provinciale delle corporazioni di Bolzano / Provincial office of corporations of Bolzano, 10 August 1940; declaration by Antonio Kaser, administrator of Edvino Kohn’s assets, to the Prefecture of Bolzano, 9 December 1940.

⁷² CCIAA, Bolzano, *Registro delle imprese, Ditte individuali cancellate 1929-1956*, b. Case KOG-KO, fasc. “Kohn Edvino.”

⁷³ Tribunale, Bolzano, *Tribunale civile*, 1946, b. 32 Civil proceedingss 101-200 R.G. No. 126/46, summons, 21 February 1946.

⁷⁴ ACS, *MI, DGPS, Div. AAGRR*, cat. A16 foreign Jews, b. 8, fasc. E Revised correspondence, s. fasc. 6. “Repercussions of the provvedimenti per la razza”, letter from the Prefect of Bolzano to the Ministry of the Interior and the Head Office for Public Security, 19 November 1938 with the translation of a revised letter written by Riccardo Stein, 18 November 1938.

⁷⁵ The summons gives no sales figure for the property, while the statement of defence states that the sum agreed upon was L. 129,000, while the figure declared was L. 108,500; in the minutes of the hearing on 13 December 1946 one reads: “It has been established that at the moment of the sale the defendant paid L. 129,000 on 30 May 1940”; Tribunale, Bolzano, *Tribunale civile*, 1946, b. 32 Civil proceedingss 101-200 R.G. No. 126/46, summons, 21 February 1946; statement of defence, 22 March 1946; hearing transcript, 13 December 1946.

⁷⁶ *Ibid.*, summons, 21 February 1946; legal report, 20 October 1946.

⁷⁷ ASCD, *Consulta nazionale / National Constitutional Court*, years 1945-1946, b. 6, fasc. 126, letter from Candido Corazza to the President of the Constitutional Court, 22 April 1946. Law No. d lgt 393 “Rivendicazione dei beni confiscati, sequestrati o comunque tolti ai perseguitati per motivi razziali sotto l’impero del sedicente governo della repubblica sociale” dated 5 May 1946. The various tasks of the National Constitutional Court, officially created in April 1945, included that of giving the government opinions regarding the laws submitted, opinions that became binding in issues regarding accounts, fiscal directives and electoral

“the issue concerning the claim of property belonging to people of the Jewish race” was to be examined. He turned to the President of the Constitutional Court, expounding his case and underlining how his purchase had been done so correctly, without the seller having been put under any pressure; he also pointed out that the rateable value for the property was L. 11,000, and “therefore [it was] not subject to the laws that foresaw the sequestration of the assets of people of the Jewish race.” In reference to Stein’s request for the annulment of the sales contract, the writer took care to point out: “If the laws of the democratic government should somehow support similar requests, it would cause a serious injustice to those [*sic*] purchasers such as myself (and there are many, especially here in Merano) who bought in good faith, paying sound currency; who saved through considerable sacrifice and now find that [the purchase] is to be annulled and [they will be repaid] the stated sum in depreciated currency.”⁷⁸

Below is a table of the lawsuits for the annulment or rescission of the sales contract:⁷⁹

TABLE 2

<i>Plaintiffs/Defendants</i>	<i>Date of Sale / Outcome of trial regarding property</i>
Dora Haber/Tranquillo Pedron	16 March 1943 closed
Edvino Kohn/Francesco Röggl	29 July 1941 ruling ⁸⁰
Paolo Berger/Vittorio Da Ronch	14 November 1938 closed
Ervino Langer and Langer Anna (née Köppl)/ Giovanni Giusto	26 June 1940 special agreement ⁸¹
Roberto Spitzer/ Guglielmina, Vera and Berta Lutteri	October 18 1940
Gisella Schmeichler Spitzer, Caterina Spitzer, Roberto Spitzer / Alberto Zanasi	November 29 1939 ?
Giovanni and Teresa Gerold Goldberger / ⁸² Lorenzo Marcelino	December 10 1941 ruling
Salomea Pröckl Hauser/Società Castel Primavera	September 10 1940 closed
Giuseppe Kohn and Gisella Jöckl in Kohn/ Livia Maffei (née Vinante)	January 17 1940 closed
Symcha Rubinstein/Olga Dal Vò	June 8 1943 ruling ⁸³
Jenny Dienstfertig Vogel/ Gino and Umberto Menegon	January 30 1940 special agreement ⁸⁴

laws, G. Pallaver, L. Steurer; *Ich teile das Los meiner Erde/ I share the fate of my land. August Pichler 1898-1963*, Edition Rætia, Bolzano 1998, p. 77-78.

⁷⁸ ASCD, *Consulta nazionale / National Constitutional Court*, years 1945-1946, b. 6, fasc. 126, letter from Candido Corazza to the President of the Constitutional Court, 22 April 1946.

⁷⁹ Tribunale, Bolzano, *Tribunale civile*, 1946, b. 101-200, RG No. 124/46; *ibid.*, b. 32 Civil proceedings 1946 No. 101-200, RG No. 126/46; *ibid.*, RG No. 125/46; *ibid.*, 1947, b. 1-100, RG No. 22/47; *ibid.*, b. 200-299, RG No. 251/47; *ibid.*, b. 301-400, RG No. 344/47; *ibid.*, RG No.338/47; *ibid.*, RG No.339/47; *ibid.*, RG No. 340/47; *ibid.*, RG No. 343/47; *ibid.*, RG No. 344/47; *ibid.*, b. 501-600, RG No. 530/47; Ufficio del libro fondiario, Merano, p.t. 324/II c.c. Maia; *ibid.*, p.t. 806/II c.c. Maia, from which it can be deduced that the pending suit had been annulled following the request presented to the land registry judge on 23 March, 1949; *ibid.*, p.t. 36/II c.c. Maia, *Giornale tavolare* 67/52.

⁸⁰ Tribunale, Bolzano, *Tribunale civile*, Rulings, 1948 from No. 201 to No. 296, ruling No. 271/48.

⁸¹ *Ibid.*, *Tribunale civile*, List of Records of cases settled, years 1942-1957, agreement stipulated on 27 January 1950.

⁸² The plaintiffs’ requests were overruled; *ibid.*, Rulings 1954, 480-568, ruling No. 502/54.

⁸³ The request to declare the sales contract invalid was rejected; regarding the request for rescission the Law Court of Bolzano declared that, as could be seen in the sales contract, the institution responsible for any controversy from the contract itself was the Law Court of Venice; *ibid.*, Civil rulings 1953, 352-330, ruling No. 326/53.

⁸⁴ As far as can be seen from the trial dossier, the case was closed in 1948; the two parties stipulated a settlement and Jenny Dienstfertig Vogel’s heirs received L. 575,000; *ibid.*, *Tribunale civile*, 1947, b. 301-400, RG No. 339/47, hearing transcript on 14 December 1949; Office of the Land Registry Office, *Giornale tavolare* 94/50, settlement act, 14 December 1949.

Giuseppe Teller/Giuseppina Delle Aste Amonn, July 30 1941 closed
 Enrico Amonn, Gualtiero Amonn, Leo de Pretz,
 Marlene de Pretz Amonn, Marianne Amonn von Walter
 Riccardo and Paola Stein /Candido Corazza May 30 1940 closed
 Carlo Bondy/ Tito Barbero May 14 1941 ruling⁸⁵

In an attempt to save their own property and chattels - or to protect themselves in some manner against the prospect of an uncertain future - some people relied on friends or acquaintances in various ways, perhaps drawing up fictitious contracts or entrusting them with sums of money. To avoid the restrictions on real estate laid down by rdl 1728/1938 of 17 November, Professor Ezio Polacco asked an acquaintance, Maria Adeladie De Paoli (née Reborà), to buy land in the province of Modena on his behalf; This was on the understanding that once the racial laws had finished, the land would be returned to Polacco who gave the woman the money needed for the purchase so that she formally appeared to be the person purchasing of the property. After the war, as a result of the difficulties regarding the restitution of land which had been fictitiously purchased, there was a trial; in the ruling the sales contract was declared to have been a “front” and hence the land belonged to Polacco.⁸⁶

The lawyer, Mr. Langer, who had had to leave the province of Bolzano when he was stripped of his Italian citizenship, sold his house and gave the money to an acquaintance, a certain lawyer named Boni, asking him to buy industrial bearer stocks and to keep them for him in the Banca di Trento. Following the legal directives introduced regarding the obligation of the registration system of stocks they agreed that Mr. Boni should register the numerous shares of the Piemonte hydroelectrical company in nominal 100-lire shares that had been purchased in his name. In 1941 Langer and his brother Arturo drew up a phoney mortgage for L. 125,000 with the same person, and as a guarantee they mortgaged several properties. The lawyer, Mr. Boni, was summoned to Court immediately after the war and the ruling decreed that the shares in question should be transferred and the mortgage that had been registered in the land registers be annulled.⁸⁷

In March and July 1940 Abramo Hammer sold two properties to the Riffini sisters, who promised to pay him and his wife a life income annuity of L. 800 a month until their death; as a guarantee they took out a mortgage on the properties. In September 1943 the elderly couple were arrested in Merano and deported to Auschwitz where they were killed immediately.⁸⁸

As we have already mentioned, following the introduction of the anti-Jewish laws and the particular directives adopted in the province of Bolzano, the total number of Jews in the province of Bolzano dropped drastically, a phenomenon that also had considerable repercussions on the life of the community. Not only was there a considerable reduction in the number of its members, but also a drastic drop in the yield of community taxes, while the costs, in particular those regarding welfare, remained high. The number of Jewish foreigners also dropped from being sizeable - Merano was a well-known resort - to insignificant.

In June 1942, after considering the opinion of the Community secretary, the Prefectural Commissioner of the Merano Jewish Community, decided to sell a field they had bought several

⁸⁵ The requests of the plaintiff’s lawyer were rejected; Tribunale, Bolzano, *Tribunale civile*, Civil rulings 1950 from No. 1 201 to No. 100, ruling No. 86/50.

⁸⁶ 86 Tribunale, Bolzano, *Tribunale civile*, b. 35 Civil lawsuits 1946 401-500, R.G. No. 422/46, summons, 17 June 1946; *ibid.*, Rulings, 1947, from No. 1 to No. 59, ruling No. 45/47.

⁸⁷ Land Registry Office, Merano, p.t. 1383/II c.c. Maia; *ibid.*, p.t. 890/II c.c. Maia, *Giornale tavolare* 619/50. Bolzano Law Court, *Tribunale civile*, 1948, b. 65 from No. 1101 to No. 1200, RG No. 1178/48, summons, 10 September 1948.

⁸⁸ Land Registry Office, Merano, p.t. 324/II and 212/II c.c. Merano; *Giornale tavolare* 647/40, deed of assignment with life income annuity, 5 March 1940; C. Villani, *op. cit.*, pp. 202-203.

years earlier with the intention of expanding the area of the Jewish cemetery in Merano. The decision was taken in an attempt to face the financial difficulties that had arisen but also in view of the fact that the number of burials had dropped considerably over the previous years. From the sales resolution it can be deduced that the decision was also taken because, “since the financial and economic-patrimonial situation of the Community has been studied in great detail and it has been ascertained that for future activities, even with the most careful economies, reducing costs to the bare minimum for the activities the institution is obliged to carry out, it is nevertheless to be excluded that the outgoings foreseen in the budget can be covered with the regular revenue of the budget itself, but it will be necessary to go ahead with the sale of some of the capital”⁸⁹.

As far as can be inferred from the relevant documentation, the sale was at a fair and advantageous price and was authorised by the decree of the Head Office of Religious affairs on 22 December 1942. On 7 September 1943 the Governing Commissioner of the Community asked the Prefect of Bolzano to give his authorisation for the sale. From the documentation that has survived we are unable to say whether this was granted or not.

In an attempt to deal with the deficit that had arisen, as early as 1941 the decision had been made to sell assets: more precisely, registered capital of L. 20,000 State shares – 20,000 belonging to the Community, and the sale of would have resulted in L. 25,650, as well as the sale of a registered certificate with 5% annuity of the nominal value of L. 27,000. The latter, which was in the name of the Community, was replaced with bearer securities. A copy of the resolution had presumably been sent to the Prefecture to receive approval for the sale of the securities. However, it is not actually possible to say whether the shares in question were sold or not.⁹⁰

In January 1942 the business Segrè Rita (née Mayer Boer) in Venice sold to the firm of Felice Tognetti a building with three floors and 21 rooms, situated in Sedicao in the province of Belluno.⁹¹

⁸⁹ Government Commissariat for the autonomous province, Bolzano, *Atti amministrativi*, cat. 6/9 Culto, b. 40; Jewish Community, Merano, copy of the deliberation adopted on 25 June 1942. Also see: *ibid.*, copy of the resolution of the Jewish Community of Merano, 15 October 1941.

⁹⁰ *Ibid.*, request for prefectural permission from the Governing Commissioner of the Jewish Community of Merano, 7 September 1943; copy of the decision of the Jewish Community of Merano, 15 October 1941.

⁹¹ Prefecture, Belluno, *Gabinetto*, fasc. “Beni ebraici 1938-1944” [Jewish property 1938-1944], Head of the Local Tax Office of Belluno to the Local Police Headquarters of Belluno, 9 October 1944; Head of Local Tax Office of Belluno to the Prefecture of Belluno, 10 January 1945.

4. The Prealpine Operations Zone

German occupation of Italy began on 8 September 1943 and on 10 September 1943 a directive by Hitler divided the territory that had not yet been freed by the Allies into “occupation zones” and “remaining occupied territory”; a secret protocol to the ruling decreed the creation of the Prealpine Operations Zone and the Adriatic Coast Operations Zone. Two supreme commissioners, who received the basic guidelines regarding how this was to be done, were made heads of the civil administration, with the power to install and remove employees.

Franz Hofer, former *Gauleiter* of the Tyrolean –Vorarlberg was appointed Supreme Commissioner for the Prealpine Operations Zone. Peter Hofer, former head of the ADO was appointed Prefect Commissioner of Bolzano. The *Arbeitsgemeinschaft der Optanten für Deutschland* – Work Community for those who chose to go to Germany was founded in January 1940 and had the task of helping and supporting those leaving for Germany up until the moment of their departure. In Belluno Italo Foschi was appointed Prefect Commissioner on 20 September 1943 and was followed on 20 October of the same year, by Carlo Silvetti, already Vice Deputy Prefect since 1940, while Adolfo De Bertolini held the same post in the Trento region. Two German administrative Councillors were then appointed, Hubert Lauer in Belluno and Kurt Heinricher in Trento, both of whom represented the true authorities.⁹²

The first arrests of Jews on Italian soil were in Alto Adige. On 9 September 9 1943 the tradesman Renzo Carpi and his son Alberto were arrested in the main city of the province. On the twelfth of the same month the *SS-Brigadeführer* Karl Brunner, head of the German police of Bolzano, sent the various leaders of the ADO division the official order to take *Volljuden* (pure Jews) into custody and four days later 22 people were arrested in Merano. More arrests were made in the province in the following days: overall 43 Jews were deported from Alto Adige.⁹³

As soon as they were arrested some Jews were stripped of their property and belongings, as was the case with Aldo Castelletti and his family, who were stopped in Merano in September 1943; apart from the head of the family, the other members of the family were released - some because they were not Jews and others by mistake. Those who did not flee to Switzerland were forced to live in considerable financial straits, using the savings and valuables that “had not been taken by the German agents who arrested them on 8 September.”⁹⁴ There is very little information regarding the property and belongings taken from the Jews when they were arrested. We do know that when Francesca De Salvo, a Jew of Austrian origins, was arrested in Merano with her young daughter Elena numerous objects were taken from her home. Those responsible for the arrest were two

⁹² L. Klinkhammer *L'occupazione tedesca in Italia 1943-1945*, Bollati Boringhieri, Turin 1993, pp. 53-54; F. Vendramini, *Note sul collaborazionismo nel Bellunese durante l'occupazione tedesca (1943-1945)* in Istituto veneto per la storia della Resistenza - Annali 1982-83, *Tedeschi, partigiani e popolazioni dell'Alpenvorland (1943-1945)*, Marsilio Editori, Venice 1984, M. Garbari; *Il gruppo carabinieri di Trento nei venti mesi dell'Alpenvorland*, Società di studi trentini di scienze storiche, Trento 1995, pp. 46-47; C. Villani, *op. cit.*, pp. 165-166.

⁹³ The ruling in question can be found in: W. Pichler, C. Romeo, P. Rösch, M. Verdorfer, *Dableiber e optanti non partiti* in Tiroler Geschichtsverein Bozen (edited by), *op. cit.*, p. 284; C. Villani, *op. cit.*, pp. 200-205, table 23. In addition to the number of those arrested already stated of 37, are the names of another six deportees discovered during this research project and they are: Ludovico Bondy, Ernestina Vogel, Bernardo Czopp, Annalise Herzberg in Körpel and the children of the latter Rolf and Ellen.; Tribunale, Bolzano, *Tribunale civile*, 1947, b. 301-400, R.G. No. 339/47, summons, 8 April 1947; Land Registry Office, Bolzano, *Giornale tavolare* 223/51, copy of the appeal for the issue of an inheritance certificate, 19 January 1951; AUCEI, *UCII (from 1945)*, b. 66, f. 1 “Patrimonio dei deportati che va all'Unione per mancanza di eredi” [Property of the deportees that goes to the Union due to lack of heirs], s.fasc. 1/7 “Eredità Czopp Bernardo fu Volfango” [Czopp Bernardo son of deceased Volfango inheritance], various documentation; Territorial Office, Bolzano, fasc. “Körpel Annelise (née Herzberg). Unclaimed Inheritance”, copy of the certificate of presumed death issued by the Law Court of Bolzano, 19 December 1986.

⁹⁴ ASTn, *Questura* (1919-1955), b. Ebrei. Updated dossier 1941, fasc. “Questura. Ebrei. Varie”, Territorial Legion of the Royal Carabinieri of Bolzano, External Trento Company to the Bolzano Local Police Headquarters, 20 November 1945.

members of the SOD, *Sicherheit-und Ordnungsdienst*, a local auxiliary police unit that was created as early as August 1943 and that worked for the occupying forces.⁹⁵

The whole of the Tyrolean territory, both to the north and south of the Brenner, had always been marked by widespread forms of anti-Semitism - stereotypes and prejudice towards the Jews, who were considered “diverse” and therefore “dangerous”, had gradually emerged both in relation to several closures by the Catholics, and at a later date, as a result of anti-Semitism that was of a more biological-racist nature. From the mid 1920s on, illegal groups began to be founded in the province of Bolzano. These were clearly oriented towards Nazism and were later merged together in the *Völkischer Kampfring Südtirols*: this was an organisation that was strictly based on the principle of loyalty to their leader (*Führerprinzip*), anti-Semitism and the purity of race. This clandestine movement had proved to be an extremely effective means for the diffusion of National Socialism throughout the territory. It must be remembered that the highly repressive policies carried out by Fascism in the South Tyrol - attempts at enforced de-nationalisation and “Italianisation” - also played a key role in the affirmation of Nazi ideology; proposing itself as a movement committed to the consolidation of “Germanness”, within just a couple of years the VKS had increased the numbers of sympathizers and supporters in its ranks.⁹⁶

After 8 September 1943, one of the features of South Tyrolean collaboration was none other than the widespread participation in capturing the Jews present in loco; a document from just after the end of the war makes this very clear: “the first and foremost responsibility of what happened is that of the local inhabitants of South Tyrol: starting with the population in general, which – the majority being National Socialist - offered the perfect setting for certain operations. Collaborating as informers, the local people all too often expropriated the property of Jews and purchased the property that had been taken from them, thus frequently showing their sympathy with the persecutors rather than with those being persecuted. [...] At present, many of the survivors who escaped the turmoils have returned to Merano – many of whom are in mourning for relatives murdered by the Nazis – and all of them have found their homes and shops completely plundered and pillaged.”⁹⁷

Most of the Merano Jews were arrested by South Tyroleans belonging to the SOD, SS, SD and Gestapo, following the orders of the head of the Gestapo and SD, Alfons Niederwieser.⁹⁸

With regard to the property and belongings taken from the Jews captured in the province of Bolzano, there is neither a complete list nor files regarding sequestration or confiscation; from one document that was found in the archives of the *American Jewish Joint Distribution Committee* – actually the English translation of a letter sent by the *Kommandeur der Sipo-SD*, the *SS-Hauptscharführer* Alfons Niederwieser working for the Merano Gestapo to the *SS-Sturmbannführer* Rudolf Thyrolf, Head of the Security Police and SD for the province of Bolzano in November 1943 – we can find information concerning both the property of the Merano Jews who were arrested and the assets of those who fled. Houses, apartments, offices and shops of the 24 people named in the list of those stopped had already been seized and sealed, with the keys of the properties tagged and taken to the local police office; the bank accounts had been blocked and the provisions confiscated.

⁹⁵ Jewish Community, Merano, notes on the Merano Jews in relation to the German occupation, s.d. This document was certainly written in the months following the liberation. The cited document is reproduced in F. Steinhaus, *Ebrei/Juden. Gli ebrei dell'Alto Adige negli anni trenta e quaranta*, La Giuntina, Florence 1994, pp. 92-99.

⁹⁶ R. Steininger, *op. cit.*, pp. 144-151; L. Steurer, *L'atteggiamento della popolazione di lingua tedesca della provincia di Bolzano durante il periodo 1943-1945*, in Istituto veneto per la storia della Resistenza - Annali 1982-83, *op. cit.*, pp. 145-147; C. Villani, *Antisemitismo ed ebraismo in Alto Adige. La Comunità Israelitica di Merano* in “La rassegna mensile di Israel”, Vol. LV, 1989, pp. 103-118.

⁹⁷ Jewish Community, Merano, notes on the Merano Jews in relation to the German occupation, s.d.

⁹⁸ *Ibidem*.

Even the property belonging to another 29 Jews who were indicated as absent from Merano or as having fled was seized and their homes were sealed.⁹⁹

As can be seen from the documentation found in the Belluno Prefectural Offices, the Supreme Commissioner Hofer had declared himself responsible for any decisions regarding Jewish property in the territory under his command and the statute introduced by the Italian Social Republic was therefore not applied in the Prealpine Operations Zone. In March 1944 Commissioner Leopoldo Passagli, Head of the Organisation for the Management and Liquidation of Property reported a memorandum sent by the Credito Fondiario delle Venezie to the Ministry of Finance; the institute in question was complaining that one of its delegates in Cortina d'Ampezzo had not been able to access two properties seized by the German authorities as enemy assets; (he was meant to carry out an inspection to determine the condition they were in and check the furnishings). The memorandum ended: "This Institution [...] must therefore decline any responsibility regarding the conservation and administration of the property seized, thus calling the particular attention of that Ministry to the legal situation that has arisen in the jurisdiction of the German Supreme Commissariat in the Prealpine zone, with headquarters in Bolzano and including the provinces of Bolzano, Trento and Belluno."¹⁰⁰

On 10 February 1944 the administrating Commissioner of the Cassa di Risparmio of the Bolzano province, Paul Mayr, informed the president of the Istituto di Credito Fondiario delle Venezie that "intervention by this Bank" in the administration of Jewish property confiscated in the province was considered unnecessary.¹⁰¹

Several months later the Ministry of Finance informed the Ministry of Foreign Affairs that the German authorities in the Prealpine Operations Zone and the Adriatic Coast had advocated to themselves all decisions regarding Jewish property, declaring that the law dlgs 2/1944 of 4 January were not applicable in those areas. In the letter one can read: "Furthermore, for all the provinces of the Social Republic it should be pointed out to the above-mentioned authorities that the EGELI is acting for and in the interests of the Italian State, so its representatives or delegates have the right to the total support of the national authorities responsible when carrying out the tasks stipulated by dlgs 4 January 44."¹⁰²

The Prefect Commissioner of Belluno Silvetti wrote to the Presidency of Ministers, which had asked more than once for information regarding the possible presence in the province of agricultural businesses belonging to Jews. He pointed out that in loco only the Supreme Commissioner was responsible for any decisions regarding Jewish property.¹⁰³ In reply to the Società Finanziaria

⁹⁹ *American Jewish Joint Distribution Committee*, letter from the American Jewish Joint Distribution Committee, Intergovernmental Committee on Refugees, Head Office Allied Commission to the American Jewish Joint Distribution Committee, 1945 [the rest of the date is illegible], with an English translation of a memorandum from the *SSHauptscharführer* Alfons Niederwieser to the *SS-Sturmbannführer* Rudolf Thyrolf, 19 November 1943. Thanks go to Klaus Voigt who made this document available.

¹⁰⁰ ASMAE, RSI, DGAAGG, b. 164, posizione S-IV- 1/6 "Sequestro beni ebraici da parte delle autorità tedesche in Italia", letter from the EGELI Commissioner to the Ministry of Finance, General accounting department of the State, General Inspectorate of finance, 6 March 1944.

¹⁰¹ Mediovenezie, Verona, EGELI, b. 3, letter from the *Kommissarischer Leiter* of the Cassa di Risparmio of the province of Bolzano to the president of the Istituto di credito fondiario delle Venezie, 10 February 1944. Paul Mayr, former honorary director of the Cassa di Risparmio was appointed administrating commissioner of the aforementioned on 9 September 1943; he was also appointed head of the Ufficio di vigilanza sulle aziende di credito, established following the ruling of 30 September 1943; L. Lászlóczky, *La Cassa di Risparmio della Provincia di Bolzano dal 1854 al 1979* in Cassa di Risparmio della provincia di Bolzano, *Cassa di Risparmio della Provincia di Bolzano nel 125° anniversario di fondazione. Contributi alla storia economica Altoatesina*, Bolzano 1979, p. 87.

¹⁰² ASMAE, RSI, DGAAGG, b. 164, posizione S-IV- 1/6 "Sequestro beni ebraici da parte delle autorità tedesche in Italia" / ["Sequestration of Jewish property by the German authorities in Italy"], letter from the Ministry of Finance to the Cabinet of the Ministry of Foreign Affairs, 10 July 1944.

¹⁰³ Prefectural Offices, Belluno, *Gabinetto*, fasc. "Beni ebraici 1938-1944" letter from the State undersecretary to the Presidency of the Council of Ministers and to the head of the Province of Belluno, 6 July and 16 August 1944; letter from the Prefect Commissioner of Belluno to the Cabinet of the Presidency of the Council of Ministers, 16 August 1944.

Siderurgica Finsider, which had requested a list of the Jews present in the province so they could comply with the directives that stipulated the declaration of any shares belonging to Jews, Silvetti said he could not grant the request since “in accordance with the directives of the Supreme Commissioner for the Prealpine Operations Zone, with regard to the Jews and their property, it is not foreseen that the Italian central offices and authorities outside the Prealpine Operations Zone intervene.”¹⁰⁴

With regard to the introduction of confiscation orders or directives for sequestration sanctioned by the *Gauleitung*, as far as could be ascertained the order for sequestration was carried out on behalf of the Supreme Commissioner only with regard to the property of two Jews: the Czech national Lodovico Bondy, resident in Bolzano and the German national Giovanni Eiseck, resident in Chiusa near Bressanone. As far as the first case is concerned, the property in question appears to have been seized on 25 September 1941, while the entry of sequestration in the land register regarding the property in Chiusa was carried out in November 1944; the *Arbeitsbereich III-Finanzien, Abteilung Feind-Judenvermögen* under the Supreme Commissioner for the Prealpine Operations Zone notified the Bolzano Land Registry Office as regards the first property, while this was done by the *SS - und Polizeiführer Kommandeur der Sicherheitspolizei und des SD* for the property located in Chiusa. Neither Lodovico Bondy nor Giovanni Eiseck, who was arrested in Civitella del Tronto where he was interned, returned from the concentration camps.¹⁰⁵

What happened immediately after the war to the property in Chiusa was unusual: following the prefectural decree of April 1946, it was seized by the State since it was enemy property; the administrator of the property then submitted a complaint and once the case had been investigated, the sequestration order was annulled and the property returned to the legitimate heirs.¹⁰⁶

With regard to the other properties belonging to Jews, these were certainly seized and used, but as far as can be seen from the research carried out, there was no formal registration of a transfer of the property in the Land Registry Office. From one document found in the archives of the Town Council of Merano it can be seen, for example, that one villa in the outskirts of Merano, described as *Judenbesitz*, i.e. *Jewish property* was, following the orders of the Supreme Commissioner, placed at the disposal of the *Kreisjugendführung*.¹⁰⁷

As far as can be deduced from the little documentation available, any Jewish deposits were frozen and placed in one bank account in the main branch of the Cassa di Risparmio of the province of

¹⁰⁴ *Ibid.*, request of the Società Finanziaria Siderurgica Finsider to the Prefecture of Belluno, 17 October 1944; memorandum from the Prefect Commissioner of Belluno to the Società Finanziaria Siderurgica Finsider, 16 November 1944.

¹⁰⁵ Land Registry Office, Bolzano, p.t. 912/II c.c. Gries; *ibid.*, p.t.1014/II c.c. Dodiciville; *ibid.*, Giornale tavolare 430/44, memorandum from the *Arbeitsbereich III-Finanzien, Abteilung Feind-Judenvermögen/Sezione III -Finanze, Sezione beni* of the Supreme Commissioner for the Prealpine Operations Zone to the Land Registry Office, Bolzano, 4 October 1944 Land Registry Office, Chiusa, p.t. 10/II c.c. Gries di Chiusa; *ibid.*, Giornale tavolare No. 151/44 memorandum of the sequestration dispositive to the Land Registry, Chiusa, 26 October 1944; memorandum from the Supreme Commissioner, Head of the Security Police and the Security Service to the Land Registry Office, Chiusa, 17 October 1944. According to Italian law, these are actually confiscation directives; *ibid.* Also see: C. Villani, *Ebrei fra leggi razziste e deportazioni nelle province di Bolzano, Trento e Belluno*, Studi Trentini di Scienze Storiche, Trento 1996, p. 181.

Research was only carried out for the municipalities of Dodiciville, Bolzano, Gries, Merano and Maia so it is possible that the sequestration was recorded in other registers. The term used in the directives introduced by the German authorities as well as the one in the land registers is always *beschlagnahmen* or *Beschlagnahme*, that is *sequest* and *sequestration* respectively. According to Italian law, these are actually confiscation directives; *ibid.* Also see: C. Villani, *Ebrei fra leggi razziste e deportazioni nelle province di Bolzano, Trento e Belluno*, Studi Trentini di Scienze Storiche, Trento 1996, p. 181.

¹⁰⁶ Land Registry Office, Chiusa, p.t. 10/II c.c. Gries di Chiusa; *ibid.*, Giornale tavolare No. 60/46, memorandum from the Registry Office in the Magistrate’s Court of Chiusa to the Local Tax Office of Bolzano, 18 July 1946; *ibid.*, Giornale tavolare No. 205/49, copy of the annulment of the real estate sequestration ordered by the Vice Commissioner of the Government for the Trentino Region Alto Adige, 6 April 1949. Also see: Jewish Community, Merano, letter from the lawyer Hans Eiseck to the Jewish Community of Merano, 19 July 1948.

¹⁰⁷ Town Council, Merano, *Commissariato per gli alloggi*, b. M, letter from the director of the Housing Office, presumably to the real estate administrator, 10 January 1945.

Bolzano in the name of the Supreme Commissioner – the exact name of the account being *Oberster Kommissar - Arbeitsbereich III – Finanzen*. The monthly rents paid by tenants in houses belonging to Jews,¹⁰⁸ all the amounts from property belonging to Jewish religious institutes¹⁰⁹ and those from the Merano Jewish Community¹¹⁰ were also paid into this account.

In the face of such markedly centralised management that completely disregarded the RSI directives concerning the property of Jewish citizens, there were occasional attempts by institutions or organisations to conform to the statutes that were in force in the rest of the Social Republic. On 26 October 1944, the Special Office of the Banca d'Italia in Alto Adige and of Inspectorate for the Defence of Savings and the Provision of Credit sent the Bolzano branch of the Banca Commerciale Italiana a list of the names of Jewish “residents or former residents in the municipalities of the province of Bolzano”, with the aim of complying with the application of the directives stipulated by dlgs 2/1944 of 4 January. When they informed the Head Office of the issue, the Bolzano branch of the Banca Commerciale Italiana stated that one of their clients was included in the list, Augusto Rovighi, with a bank account containing L. 879; he also had 5% treasury bills for a nominal value of L. 1000. The documentation available does not make it possible to establish what happened to the aforementioned assets, but it is likely they were seized upon the orders from the German authorities.¹¹¹

During the Occupation, the property and assets of the Jewish Community in Merano were also damaged or despoiled: religious objects and doors and shutters were taken from the Merano synagogue, and the office furnishings were taken from the Community chancery, while part of the boundary wall of the Merano cemetery was destroyed; furniture and religious objects were taken from the Jewish cemetery in Bolzano. On 10 February 1945, various pieces of furniture were taken from a building of the Felicia Brabander institute of public assistance situated in Merano Maia Bassa to Castel Primavera, a property that was requisitioned following the orders of the Supreme Commissioner.¹¹²

From 12 January 1945 on, following the orders of the *Arbeitsbereich III-Finanzen, Abteilung Feind-Judenvermögen* (Section III, Finance, Jewish and Enemy Property of the Supreme Commissioner), all questions regarding rent and housing were to be submitted to the *Haus- und Grundstückverwaltung des gegnerischen Vermögen Meran*, the Administration of land and housing belonging to the enemy. From this moment on, rents had to be paid into the bank account of the Supreme Commissioner or the aforementioned office.¹¹³

As far as Trentino is concerned, there is very little information about what happened to the property and assets of the few Jews who were in the region during Occupation; it is known that between the end of October and the beginning of November 1943, Supreme Commissioner Hofer summoned the

¹⁰⁸ AUCEI, UCII (from 1945), b. 65L a. 1946, fasc. 4 “Beni razzati a. 1949 1948 August 12-1949 September 22”, copy of the letter from the State Paymaster General to the Treasury, Paymaster General, Allied Enemy Property Office, 17 November 1947; *ibid.*, b. 65B, fasc. 2 “EGELI”, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Treasury, Treasury Head Office, 21 January 1953, with various copies of documents enclosed.

¹⁰⁹ More precisely, the Sick and Poor Jewish Institute, belonging to the Königswarter and Felicia Brabander Foundation; *ibidem*.

¹¹⁰ *Ibidem*.

¹¹¹ ASBCI, SFI, ex 64A, cart. 3, fasc. 8 “Bolzano”, letter from the Bolzano branch of the Banca commerciale italiana to the Head Office, Secretariat of the Italian Branch Service, 26 October 1944.

¹¹² AUCEI, UCII (from 1945), b. 65L a. 1946, fasc. 5 “Risarcimento danni di guerra a. 1950”, letter from the president of the Jewish Community of Merano to the Union of Italian Jewish Communities, 3 July 1950 including a copy of the application presented to the Head of the Local Tax Office in Bolzano for the war damage compensation; *ibid.*, fasc. 8 “Risarcimento danni di guerra aa. 1957-1958-1959-1960, Memorandum, 10 June 1959; *ibid.*, fasc. 4 “Beni razzati a. 1949”, letter from the president of the Jewish Community of Merano to the Union of Italian Jewish Communities, 10 and 30 May 1949.

¹¹³ Jewish Community, Merano, directives introduced by the Supreme Commissioner, Section III-Finance, Section Jewish and Enemy property, 12 January 1945.

representatives of the various banks in Trentino and asked for a list of the deposits belonging to Jews and Italian military institutions.¹¹⁴

In July 1943, Elio Nacson, a Greek citizen, left the village of Arco, a famous health resort in Trentino, where he ran two sanatoriums; upon his return he found that the property had been partially looted by fleeing Germans who had taken furniture, blankets, bed linen and a microscope. In his report to the Allied Military Government Recovery Office, Nacson wrote that these were expensive items that were difficult to obtain on the market and which were absolutely essential for him to reopen his sanatoriums.¹¹⁵ Mario Castelnovo, who was arrested in December 1943 by the German police, was taken to Trento prison and stripped of all his possessions.¹¹⁶

In Trentino 14 Jews were arrested; in the province of Belluno, with the exception of Clemens Fränkel, a German citizen stopped in Cortina d'Ampezzo, all the people who were captured were interned from 1941 in enforced residence in the area. So far, the number of Jews arrested in this province comes to 34, but this figure is certainly incorrect due to lack of evidence: indeed, research carried out shows that in Quero, a town in the province, the interned Jews there were arrested on 15 February 1944, but unfortunately their numbers are still unknown. Those amongst them definitely included Davide Spira, his wife Elsa Hausner and their daughter Elsa, as well as Leopoldina Snael and her husband Franz Forster. Although the relevant documentation is extremely vague, it can be hypothesised that other interned Jews were also captured on that date.¹¹⁷

The documentation regarding the period between September 1943 and April 1945 found in the archives of the Prefectural Offices of Belluno makes it possible, albeit only partially, to fill in some of the gaps resulting from the almost complete absence of documents regarding the other two provinces. As far as can be seen from memoranda from the Local Police Chief of Belluno, Zavagno, to the Local Prefectural Offices, at an unspecified date in September 1943 measures were taken to block the real estate and any accounts belonging to Jews in banks through the Head of the Local Revenue Office, the Local Police Headquarters and the *Carabinieri*. The information given did not concern the internees, of which there were a considerable number in the province at that time, but only the Jews who had been living in the province for some time: the savings account belonging to the chemist Vittorio Guastalla in the Cassa di Risparmio of Verona and Vicenza with the sum of L. 2,102 was frozen, while the savings book with the sum of L. 4,508.70 belonging to the stateless Massimiliano Lippmann was frozen. It was noted that this latter sum could only be used to pay the costs incurred for the savings account, but there was no way in which the latter could have regained possession of that sum. The apartment belonging to Dionisio Weisz, who had left the area, was

¹¹⁴ ASBCI, *SFI*, ex 64C, cart. 5, fasc. 7 "Trento", letter from the Verona branch of the Banca Commerciale Italiana to the Head Office, Secretariat of the Italian Branch Service, 5 November 1943.

¹¹⁵ ASBz, *Questura*, 2 Divisione, Giudiziari (1942-1946), b. Reati 1945-1946, fasc. "Nacson Elio - Furto cat. S2", letter from Elio Nacson to the Recovery Office of the Allied Military Government, 24 July 1945.

¹¹⁶ Agenzia delle entrate, Direzione delle entrate per la provincia autonoma, Trento, *Servizio danni di guerra*, fasc. "Castenuovo Mario c.c. 16.921", application for compensation of damages, presented on 26 July 1946.

¹¹⁷ *Comune*, Quero, 1944 - 1949, cat. 15 "Pubblica Sicurezza" [Public Security], fasc. 15 "1944", letter from the Prefectural Commissioner of Quero to the Local Police Headquarters of Belluno, 24 August 1944; *ibid.*, b. "Corrispondenza ordinaria. cat. 12, Stato civile dal 1944 al 1957" [Ordinary Correspondence. Cat. Civil state from 1944 to 1957], fasc. "1945 cat.12", letter from Salomon Hauser to the Town Council of Vas, 17 June 1945; letter from the Mayor of Quero to Salomon Hauser, 19 July 1945; *ibid.*, b. 1944-1946 cat. 13 Esteri e passaporti, fasc. "1946 [Foreigners and passports] cat. 13", letter from the American Jewish Joint Distribution Committee, Intergovernmental Committee on Refugees, Head Office Allied Commission to the Mayor of Quero, 17 May and 11 July 1946; letter from the Mayor of Quero to the American Jewish Joint Distribution Committee, Intergovernmental Committee on Refugees, Head Office Allied Commission, 23 July 1946. In *Il libro della memoria* the name of David Spiro appears, without, however, indicating either where he was living or where he was arrested; he appears to have been deported from Fossoli on 22 February 1944 and died after 22 March of the same year; L. Picciotto Fargion, *op.cit.*, p. 562; C. Villani, *op.cit.*, pp. 195-198; pp. 208-213.

sealed; while there is vague information regarding the freezing of the property and assets of several other people.¹¹⁸

Some of the circulars issued by the Belluno Prefectural Offices and sent to other peripheral offices between December 1943 and March 1944 clearly show in whose hands the real authority lay: on 7 December the Prefectural Offices of Belluno and then the public offices of the province were informed that all the incoming post from the ministries and central offices of the RSI was to be submitted to the German administrative Councillor, Hubert Lauer, while all outgoing post was first to be sent to the Supreme Commissioner through the Prefectural Offices. In a prefectural circular dated 25 March 1944, laws, decrees and circulars issued by the RSI government could not be applied in the province of Belluno without the prior approval of Franz Hofer, since the territory was part of the Prealpine Operations Zone.¹¹⁹

With regard to Jewish property, two memoranda respectively dated 30 June and 4 July 1944 from the *Arbeitsbereich III, Finanzen*, (of the Central office of the Supreme Commissioner) to the German administrative Councillor at the Prefectural Offices of Belluno clarify exactly how this property was seized: first of all, the concept of “Jew” was established on the basis of the Nuremberg laws; in Trentino, Alto Adige and the Belluno area the only task of the prefectural offices, the heads of local tax offices and other authorities was to ascertain the existence of any Jewish property and then report the property or assets in question to the Supreme Commissioner’s Central Office, Section I, SS Head of Police (*Arbeitsbereich I - SS - und Polizeiführer*). On the basis of personal directives issued by the Supreme Commissioner, this office was then to deal with the sequestration. Section III Finance of the Central Office of the Supreme Commissioner was responsible for the administration and use of the property or assets in question; the intervention of Italian offices and authorities outside the Prealpine Operations Zone was not foreseen.¹²⁰

As far as can be seen from research carried out so far, the only RSI circular to be applied in the Prealpine Operations Zone was the one issued on 14 June 1944 by the Ministry of Finance, General Head Office for the Public Debt, regarding any income in the possession of Jews: this circular, issued on the basis of dlg 4 January 1944, No. 2, ordered the suspension of the payment of interest on state bonds. This withdrawal of stocks, bonds and coupons was also applied in the three provinces of Bolzano, Trento and Belluno “in particular when presented”, and they were then to be sent to Section I, SS Commander and Police of the Central Office of the Supreme Commissioner.¹²¹

On 10 June 1944 the Prefect Commissioner sent the Commander of the Security Police and the SD of Bolzano the results of investigations carried out at the Local Tax Office, the banks and the Local Police Headquarters to establish the extent of Jewish property and assets in the province of Belluno: as far as can be seen from the inspections carried out by the Local Tax Office in the various

¹¹⁸ Prefectural Offices, Belluno, *Gabinetto*, fasc. “Beni ebraici 1938-1944” [Jewish property 1938-1944], the Local Police Chief of Belluno to the Prefectural Offices of Belluno, 26 September and 12 October 1943.

¹¹⁹ ASBl, *Prefettura, Gabinetto* (1842-1954), b. 380 “Disposizioni emanate dal Comando germanico” / [“Directives issued by the German Command”], fasc. “Applicazione di leggi e decreti nella zona di operazione delle Prealpi 1943-1944”, [Application of laws and decrees in the Prealpine Operations Zone 1943-1944], letter from the German administrative Councillor to the Prefectural Offices of Belluno, 7 December 1943; circulars from the Prefectural Offices of Belluno to the *podestà* and prefectural commissioners *et alii*, 7 December 1943, 25 March 1944.

¹²⁰ Prefectural Offices, Belluno, *Gabinetto*, fasc. “Beni ebraici 1938-1944” [Jewish property 1938-1944], letter from the Supreme Commissioner for the Prealpine Operations Zone, Section III, Finance to the Germanic administrative councillor of the Prefectural Offices of Belluno, 30 June 1944; letter from the Supreme Commissioner for the Prealpine Operations Zone, Section III, Finance to the Germanic administrative councillor of the Prefectural Offices of Belluno, 4 July 1944 with the corresponding translation in Italian.

¹²¹ *Ibid.*, letter from the Supreme Commissioner for the Prealpine Operations Zone, Sezione III, Finanze [Section III, Financial affairs] to the German administrative councillor of the Prefectural Offices of Belluno, 27 July 1944 with the corresponding translation of the circular of the Ministry of Finance, Head Office for the Public Debt, 14 April; circular from Prefect Commissioner of Belluno to the Provincial treasury department in *Banca d’Italia*, 29 July 1944.

municipalities, there were only 9 Jews actually living in the province. The inspection of their property and assets had been thorough and regarded deposits in banks and post offices and real estate, including property that had already been sold; it even mentioned the registration of the sales contract, dated 4 November 1943, stipulated by the Fano family from Belluno at the moment of the sale of a property that appeared not yet to have been concluded.

The previous day, the Local Police Chief of Belluno, Antonio Zavagno had also sent the Prefectural Offices a list of the names of interned Jews, with an indication of the property and assets they had left behind in the place of enforced residence or when “interned in Germany”, without, however, giving any indication of who had already been deported and who had managed to escape arrest; of the 155 internees listed we know from other sources that 59 of them, in enforced residence in the towns of Sedico, Feltre, Fonzaso, Falcade and Forno di Zoldo had managed to escape to an unknown destination “following the German occupation”, while 35 of the people named on the list were arrested.¹²²

The majority of the 155 Jews listed had left behind very little: a savings book of the Cassa di Risparmio of Verona, Vicenza and Belluno and a post-office savings book had been deposited in the *Carabinieri* station of Santa Giustina, and another three bank savings books were in the town hall of Agordo; three internees in Fonzaso had managed to regain possession of their postal savings books before escaping, but it is unclear if they were able to withdraw the various sums of money before fleeing. The assets left behind by the internees did not only consist of money but also of furnishings, crates, suitcases, and trunks containing various objects belonging to Jews interned in Forno di Zoldo - some of whom had been arrested, while others had escaped – had been seized by the German police station at Longarone; linen, kitchen utensils, clothes and personal belongings, once the property of Jews who had been arrested, were deposited with the town council authorities of Falcade or with private people in Mel.¹²³

On 10 September 1943, Grga Mautner and his wife, two Jews interned in that town who fled after 8 September, gave Giuseppe Luzzatto, a resident in Feltre, a sizeable quantity of belongings, some of which, such as furs and silverware, were of considerable value; in exchange he had agreed to lend the couple L. 5,000. On 14 March 1944 Mautner’s belongings were seized by the German police of Feltre and taken to Belluno; in April 1944 Luzzatto, complaining of financial straits, turned to both the German councillor and the Prefect Commissioner of Belluno, Silvetti, asking that the money be restituted plus payment for having looked after the belongings that were later seized. He wrote: “while it is likely that the Mautners lost their lives while trying to escape, their financial ruin is sure.”¹²⁴ Solvetti instructed the Prefect Commissioner of Feltre to inform the person in question, “the ill he did by lending sums of money to interned Jews and fugitives”, and that the German authorities would not adopt any measures in his favour.¹²⁵

¹²² *Ibid.*, letter from the Local Police Chief of Belluno to the Prefectural Offices of Belluno, 9 June 1944 enclosing the List of the Jews already interned in this province with a description of what they had left behind when they fled or were interned in Germany and 5 inventories of the objects Jews interned in Mel had left behind; ASBI, *Prefettura, Gabinetto*, b. 358 cat. XV, fasc. 1 “Difesa della razza. Massime” [Defence of the race. Rules.], s.fasc. 15-1-a “Relazione a Roma”, letter from the Local Police Chief of Belluno to the Prefectural Offices of Belluno, 1st October and 1st November 1943; letter from the Prefect of Belluno to the Ministry of the Interior, Head Office for Demography and Race, 2 October 1943.

¹²³ Prefectural Offices, Belluno, *Gabinetto*, fasc. “Beni ebraici 1938-1944” [Jewish property 1938-1944]; ASBI, *Prefettura, Gabinetto* (1842-1954), b. 358 cat. XV, fasc.1 “Difesa della razza. Massime”, s.fasc. 15-1-a “Relazione a Roma”. Also see the previous note.

¹²⁴ *Ibid.*, b. 358 cat. fasc.1 “Difesa della razza. Massime” [Defence of the race. Rules.], letter from the Prefect Commissioner of Belluno to the Prefectural Commissioner of Feltre, 30 April 1944 enclosing letter from Giuseppe Luzzatto to the Prefect Commissioner, 26 April 1944.

¹²⁵ *Ibidem*

5. Trials after the war for thefts to the detriment of Jews during German occupation (Prealpine Operations Zone)

After consulting the papers of the Local police headquarters conserved in the Bolzano State Archives, the sentences issued by the Bolzano Law Court and the relative court case documents, it was possible to trace around ten reports of cases of theft and despoilment committed between 1943 and 1945 to the detriment of Jews in Alto Adige. This study of the Local police headquarters was not particularly simple since the archives have not yet been put in order; furthermore, it was not possible to find the general protocols in the Bolzano Law Court, which would have been particularly useful to understand whether an accusation actually led to a committal for trial. It is therefore not to be excluded that other people file reports and that there were other trials we are currently unaware of.

As far as can be seen, when they returned, many of the Jews who fled and were forced to abandon their homes found that they had been despoiled and pillaged; those responsible for or suspected of the crimes were private individuals, German soldiers or individuals belonging to the SOD, *Sicherheit- und Ordnungsdienst*, the Security and Order Service. In the attempt to regain possession of their property, those who had been pillaged, or perhaps only some of them, turned to the State Police: the latter carried out investigations and frequently even searches in various homes; in some cases it was possible for the victims of these thefts to have their property and belongings returned, although it can generally be said that much of the despoiled property was never returned. To give a summary of what could be deduced from the documents that were consulted, there is no doubt that Alexander Mayr from Merano played a key role, being nominated specifically by the *Gauleitung* for the administration and liquidation of the property of Jews in the Merano area. Homes and shops belonging to Jews were sealed immediately after 8 September and then placed under Nazi control; as has already been pointed out, these acquisitions were not only carried out by members of the SOD and German troops: there were also cases of sales to private individuals, done in the form of an auction to the highest bidder, but also by individuals acting out of personal interests and who took possession of the property of Jews directly.¹²⁶

The sales carried out by the SOD to private individuals were often in a so-called “official” form, of “legally bureaucratised” theft.¹²⁷ This property was then registered in lists under the name of the purchaser and in one case it was possible to establish without a doubt that the sum agreed upon was then paid into a bank account in the name of the Supreme Commissioner in the main branch of the Cassa di Risparmio. In February 1946 the Merano branch of the Cassa di Risparmio of the Province of Bolzano certified that on 27 March 1944 Hedwig Gutweniger (née Linger) had paid L. 35,000 into the bank account in the name of Franz Hofer; the woman, daughter-in-law of the owners of the house of the Jewish lady who was victim of the theft, and an auxiliary of the German police, had bought objects such as carpets, furniture, linen¹²⁸ and other objects through Alexander Mayr.

¹²⁶ Law Court, Bolzano, *Tribunale penale*, b. 81 1946 61-90, RG No. 80/46 “Procedimento penale contro Gasser Federico”; *ibid.*, 1947, b. 105 411-440, RG No. 418/47; *ibid.*, 1947, b. 95 41-80, RG No. 53/47; *ibid.*, 1945, b. 77 331-265, RG No. 355/45; Law Court, Bolzano, *Corte d'assise*, fasc. “Procedimento 1/55 contro Knapp Paolo di Paolo”; *ibid.*, Sentenze 1945 from 1-fine, ruling No. 157/45; *ibid.*, Rulings 1946 1-400, ruling No. 29/46, 81/46 and 201/46; *ibid.*, Sentenze penali 1946 401-748, ruling No. 459/46; *ibid.*, Sentenze penali 1947 1-750, ruling No. 45/47; *ibid.*, Rulings 1947 351-700, ruling No. 507/47 *ibid.* Rulings 1948 1-300, ruling No. 244/48; *ibid.*, Rulings 1949 / to 967, ruling No. 784/49; *ibid.*, Rulings No. 301/49-No. 597/49, ruling No. 115 ASBz, *Questura*, 2 Divisione, Giudiziari (1942-1946) [Local Police Headquarters, Division 2, Judicial], b. Crimes 1946 cat. 01 (P-PUT), fasc. “Polacco Ezio - furto”; *ibid.*, b. Crimes 1946 cat. 01 (T-V), fasc. “Tuch Anna”; *ibid.*, b. Crimes 1945-1946 cat. 01, fasc. “Bermann Giulio”; *ibid.*, b. Crimes 1945 cat. 01(SPI -STO), fasc. “Spitzer Caterina”; *ibid.*, b. Crimes 1946 cat. 01 (VI-Z), fasc. “Wjgodzinski Luigi.”

¹²⁷The expression was taken from: S. Bon, *Gli ebrei a Trieste 1930-1945. Identità, persecuzione, risposte*, Istituto regionale per la storia del movimento di liberazione nel Friuli Venezia Giulia - Libreria editrice goriziana, Trieste 2000, p. 333.

¹²⁸ Bolzano Law Court, *Tribunale penale*, 1947, b. 105 411-440, RG No. 418/47, declaration by the Merano branch of the Bolzano *Cassa di Risparmio*, 28 February 1946; list of the goods purchased; records of the questioning, 30 July 1945; declaration of one of the accused, 14 July 1945.

The illustration of what took place casts light on such events: Anna Richter, who had already left Bolzano in 1942, went to Florence where she lived under another name until the Liberation; during her absence her villa was seized on 10 September 1943, sealed and later used by those who had lost their homes in bombing raids. When she returned, the woman noted that numerous objects had been taken such as mattresses, blankets, Meissen porcelain, and silverware.¹²⁹

Upon his return, Giulio Bermann, who had fled Merano just before 8 September, found his home had been despoiled of furniture, clothes, silverware and carpets, for a total loss that came to around two million lire. According to (contradictory) declarations made by several witnesses in the investigation that was carried out once this was reported, that those responsible for the looting had initially been members of the SOD who had entered the home and then left with parcels and suitcases. German soldiers then also appeared on the scene with a lorry which they used to take away Bermann's property and personal belongings; Alexander Mayr, the person who had been specifically appointed by the Supreme Commissioner for the administration and liquidation of Jewish property in the Merano area, had then proceeded to sell what remained of the Jewish property to private individuals.¹³⁰ The ruling then referred to an Office for the liquidation of Jewish property, created at the centre of the Supreme Commissariat.¹³¹

A considerable amount of the objects taken from the Bermann home were later recovered during a search of Andreas Prösch's home, who claimed he had purchased them after paying the price requested by the *Gauleitung*. The acts also included the receipt signed by Mayr on 17 March 1944, declaring he had received the sum of L. 40,500 in cash for the sale of the furnishings of Villa Ortler, the property of Giulio Bermann.¹³²

Tried for receiving stolen goods, an offence under art. 648 of the Criminal Code, during the hearing Andreas Prösch admitted he was aware of the fact that the property belonged to a Jew, although he did not know the precise name of the owner.¹³³ The accused was acquitted on the grounds of lack of evidence since "it cannot be proven that he was aware of the illegitimacy of this sale, which was done publicly, by a State office that was part of the highest administrative offices that had been founded for this reason, circumstances which presumably – as he himself affirms - on the contrary made him believe that his purchase was something that was completely licit and legitimate."¹³⁴ The ruling also states that the property sequestered from the Jews "were given to victims of the air raids - the most of which and the best were despoiled by the occupants themselves - and what remained was sold to private purchasers."¹³⁵

Before the "racial laws" Ezio Polacco was a head hospital doctor. In September 1943 he fled Bolzano, where he owned a villa with a private surgical clinic, to avoid being arrested.¹³⁶

¹²⁹ ASBz, *Questura*, 2a Divisione, Giudiziari [2nd Division, Judicial] (1942-1946), b. Crimes 1945 cat. 01, fasc. "Richter Anna - theft", copy of the statement presented by Anna Richter to the Bolzano Local Police Headquarters, 18 September 1945.

¹³⁰ Law Court, Bolzano, *Tribunale penale*, 1947, b. 95 41-80, RG No. 53/47, memorandum of the report from the Deputy Commissioner for Public Security of Merano to the Magistrate's Court of Merano, 26 March 1946; report presented to the Office for Public Security of Merano from Giulio Bermann, 19 August 1945.

¹³¹ This is presumably what in other sources is called Office for the Administration of Jewish property in the Province or *Haus- und Grundstückverwaltung des gegnerischen Vermögen Meran*, Administration of land and homes of enemy patrimony, founded on 12 January 1945 with decree by Supreme Commissioner; ACS, *MI, Gabinetto (1944-46)*, b. 255, fasc. "1946 Bolzano Jewish property"; Jewish Community, Merano, directives introduced by the Commissioner, Section III, Financial affairs, Section Jewish and enemy property, 12 January 1945.

¹³² Law Court, Bolzano, *Tribunale penale*, 1947, b. 95 41-80, RG No. 53/47, memorandum of the report from the Deputy Commissioner for Public Security of Merano to the Magistrate's Court of Merano, 26 March 1946; receipt signed by Alexander Mayer, dated 17 March 1944; *ibid.*, Rulings 1947 351-700, ruling No. 507/47.

¹³³ *Ibid.*, 1947, b. 95 41-80, RG No. 53/47, minutes of interrogation, 23 June 1947; *ibid.*, Rulings 1947 351-700, ruling No. 507/47.

¹³⁴ *Ibid.*, Rulings 1947 351-700, ruling No. 507/47.

¹³⁵ *Ibidem*.

¹³⁶ C. Villani, *op. cit.*, pp. 75 and p. 179 ASBz, *Prefettura, Gabinetto*, "Atti riguardanti gli ebrei in provincia di Bolzano", cat. XI, b.1, fasc. 80 "Polacco Ezio", letter from the Bolzano Local Police Chief to the Prefect of Bolzano, 11 February 1939.

During his absence some of the employees of the Security Police Commando of Bolzano moved into his house, and it would appear they also took with them many objects taken from the homes of Jews in Merano, which the Supreme Commissariat had given them. Upon his return in 1945, Polacco found that many of his belongings had been pillaged and reported it; the Police then searched several apartments in Bolzano and thus managed to retrieve some of the chattels that had been stolen such as furniture, linen and glassware. From some of the witness statements it appears that many of the objects in the house, perhaps only the property of Polacco but also maybe belonging to other Jews, had been taken to Innsbruck: the person responsible for the theft was named as *SS-Hauptsturmführer* Fritz Romaneck, a German who had been sent by the Innsbruck Gestapo to Bolzano to act as administrator for the *Kommandeur der Sicherheitspolizei und des S.D.* Aided in these operations by other members of the Innsbruck Gestapo, it appears that for several months he left for Innsbruck several times a week “with a car full of stolen goods.”¹³⁷

Furthermore, furnishings and surgical instruments were taken from Professor Polacco’s private clinic, which was seized by the *Kommandeur der Sicherheitspolizei und des SD* and was occupied by members of the *Sicherheitspolizei*. As early as May 1945 Ezio Polacco reported Walter Simeck, the former German Commissioner in the Provincial Health Office, accusing him of having entered his clinic on 9 September and holding him responsible for the looting of the building.¹³⁸ Simeck admitted he had gone to the clinic with Dr. Carlo Lageder, the German Commissioner at the local hospital, following the orders of the Gestapo or *SS* to examine the surgical instruments and furnishings; the accused, proclaiming himself innocent of the offence he was charged with, testified he had authorised Lageder to remove all the aforementioned material from the clinic and to have it taken to the local hospital.¹³⁹ During the hearing Lageder claimed that not all the surgical material present was looted and that he did not know what had happened to it. While giving evidence, Ezio Polacco estimated the loss at a million or a million and a half lire, although he also pointed out how difficult it was to give an accurate estimate. Furthermore, the surgical material that had been taken was also very difficult to find on the market. “Over half” the equipment of the operating theatre was returned to him.¹⁴⁰

Brought to trial at the first instance, (not having been able to prove he had acted upon the orders of the German Commander), Simeck was found guilty of repeated aggravated theft. However, the Court of Appeal in Trento reversed the verdict, absolving the accused “because the facts do not constitute a crime.”¹⁴¹

Even the doctor Paolo Knapp and some soldiers gained possession of some of Polacco’s belongings, including his car, which appears to have then been used by the SOD for work. They had

¹³⁷ ASBz, *Questura*, 2 Divisione, Giudiziari (1942-1946), b. Crimes 1946 cat. 01 (P-PUT), fasc. “Polacco Ezio - theft”, reports sent to the Judicial Police by a *Kriminalkommissar*, the Commissioner of the Criminal Police, 25 May and 11 June 1945 with the relative translations in Italian; various minutes of acknowledgement by agents for Public Security; protocol of evidence given, 4 June 1945 with a partial translation in Italian; memorandum from Head Commissioner for Public Security of Local Police Headquarters of Bolzano to the Power of Attorney of the Republic of Bolzano, 28 October 1946.

¹³⁸ Law Court, Bolzano, *Tribunale penale*, 1945, b. 70 61-100, R.G. no. 93/45, report from the Deputy Commissioner of Public Security of the Local Police Headquarters of Bolzano to the Power of Attorney of the Kingdom, 31 May 1945; ASBz, *Questura*, 2a Divisione, Giudiziari 1942-1946, b. Crimes 1946 cat. 01 (P-PUT), fasc. “Polacco Ezio – theft”, report by the Judicial Police by a Police Commissioner, 25 May 1945 and the relative translation in Italian.

¹³⁹ Law Court, Bolzano, *Tribunale penale*, 1945, b. 70 61-100, R.G. no. 93/45, minutes of interrogations on 19 May, 11 and 18 July 1945.

¹⁴⁰ *Ibid.*, records of evidence from injured party, 15 June and 18 July 1945; records of evidence, 18 July 1945.

¹⁴¹ During the same trials, Walter Simek had also been accused and was found guilty of taking material from the dentist’s surgery belonging to a non-Jewish doctor in Merano; *ibid.*, Rulings 1945 from 1 – end, ruling no. 157/45; Court of Appeal, Trento, ruling no. 140 of the Registro inserz., 7 November 1945.

presented themselves at this home on 9 September and had climbed over the clinic gate, hoping to surprise the doctor's family, who had luckily already fled.¹⁴²

As was the case with other properties belonging to Jews, as far as can be seen from the documents pertinent to the case files, the food store and the annexed warehouses belonging to the Götz brothers were seized by the SD and looted. Straight after the war, Walter Götz reported the owner of a food store in Merano, Federico Gasser who, as could be seen from a list of the property looted and rediscovered by the shop owner in a warehouse, had bought a considerable amount of goods from his shop. From what the Deputy Commissioner for Public Security of Merano related to the Magistrate's Court of Merano investigations had shown, other tradesmen from Merano had also taken goods from Götz's shop: however, it was not possible to identify those responsible.

When, at a court of arbitration, the local National Liberation Committee asked Gasser to pay an indemnity, he refused, claiming he had bought the goods legally from the commando of the SOD, a "legally established organisation".¹⁴³

In both the pre-trial phase and the actual trial, the accused claimed to have been aware that the goods in question were Jewish property, but during the trial claimed "his perfect good faith regarding the legitimacy of his actions"; he had been requested to purchase the food products by the head of the Merano SOD, Rungger (probably meaning Franz Runge) and the sale took place, it was pointed out in the ruling, "with the appearance of the most complete legality".¹⁴⁴ As far as could be seen during the hearing of the statement of one witness, who had previously been appointed by the SOD as administrator of Götz's shop, the revenue from the sale had been deposited in a "savings account of the Cassa di Risparmio in the name of Götz, and handed over to the administration of 'non-Aryan property'." The receiver of the business in that period was a member of the Merano SOD, Ernesto Bernabè.¹⁴⁵

From the trial judgement it can be deduced that the investigating squad of the Merano *Carabinieri* had reported Federico Gasser to the allied military Law Court of Merano for receiving stolen goods: as well as the goods belonging to Götz, he had also purchased at auction, a tricycle belonging to another Jew, once again from the SOD. When Gasser was acquitted of the charges against him due to lack of evidence, the Court observed that it had not been proven that the accused had had "knowledge and awareness that such a sequestration, at that time, represented a crime"; furthermore, the sale had taken place "with the appearance of the most complete legality", in part because it was carried out through the SOD, "introduced, albeit indirectly, by the occupying army" and replacing the regular police forces (*carabinieri*, etc.), which had practically been eliminated in Alto Adige on 8 September 1943."¹⁴⁶ In 1947 the Trento Assize Court acquitted the accused because the deed did not constitute a crime.¹⁴⁷

¹⁴² ASBz, *Questura [Local Police Headquarters]*, 2a Divisione, Giudiziari (1942-1946), b. Crimes 1946 cat. 01 (P-PUT), fasc. "Polacco Ezio - theft", letter from the head commissioner for Public Security, head of the Political Office of the Judicial Division, 2 January 1946 with a copy of the declaration made by a witness.

¹⁴³ Bolzano Law Court, *Tribunale penale*, b. 81 1946 61-90, R.G. no. 80/46 "Penal Proceedings against Gasser Federico", notification of the report by the Deputy Commissioner of Merano Public Security to the Magistrate's Court of Merano, 24 October 1945; report presented by Walter Götz to the Commissioner for Public Security, 15 October 1945; invoice for the goods purchased, 19 October 1943; letter from the Committee of National Liberation of Merano to Götz, 9 October 1945.

¹⁴⁴ *Ibid.*, transcript of the questioning on 4 October 1946; *ibid.*, Penal rulings, 1946; 401-748, ruling no. 549/46; Jewish Community, Merano, notes regarding the Jews in Merano in relation to the German occupation, s.d.

¹⁴⁵ Bolzano Law Court, *Tribunale penale*, 1946, b. 81 61-90, RG no. 80/46, "Penal proceedings against Gasser Federico", record of evidence, transcript of questioning, 21 January 1946.

¹⁴⁶ *Ibid.*, Penal rulings, 1946, 401-748, ruling No. 549/46.

¹⁴⁷ Court of Appeal, Trento, ruling No. 232 of the Registro inserz. sentenze, 19 November 1947.

It was also ascertained that the very people who had been entrusted with Jewish property and belongings had expropriated them. Maria Schlesinger (née Erichsen),¹⁴⁸ owner of the 'Scandinavia' Guest House, left Merano with her family in the direction of Lake Garda in August 1939, leaving behind Margherita Santin (née Lang) as caretaker. The house in which Maria Schlesinger was living, a villa apartment full of valuable furniture, silverware and carpets was entrusted to someone she trusted. When the woman returned to Merano after the war, she found that a large number of the possessions, for a total value of several millions, had been looted from both properties. The Merano Police identified Margherita Lang, her husband, Gualtiero Santin, (a member of the SOD) and one of the woman's friends, Carlotta Vigl, as those responsible for the theft; it was also established that other people had participated in the action in various ways, for example by transporting the goods. Many of the objects that had been stolen were later sold to acquaintances and relatives and during the searches carried out in their homes, many of the stolen objects were discovered; according to the evidence given by Schlesinger's lawyer, the latter had managed to retrieve most of the stolen goods.

Margherita Lang and Carlotta Vigl had also managed to convince the caretaker of Schlesinger's apartment to entrust them with certain valuable objects, claiming that otherwise the Nazis would have taken them;¹⁴⁹ as can be read in the ruling, the two women had expropriated the assets "in the firm belief that since it belonged to Jews, it would soon have fallen prey to the SS and that, anyway, it would have been extremely unlikely that the owners would have been able to return and reclaim their belongings."¹⁵⁰

The Law Court of Bolzano declared the Santin couple and Charlotte Vigl guilty of repeated aggravated theft; the two women were sentenced to two years of imprisonment and a fine of L. 4,000 while the man was sentenced to one year and four months with a fine of L. 27,000. Another two accused were found guilty of receiving stolen goods and sentenced to three months' imprisonment and a fine of L. 200; the Court also ruled that all the prison sentences and fines up to L. 3,000 were to be suspended.¹⁵¹ It appears that only one of the two women actually appealed against the above-mentioned ruling, which was confirmed by the Court of Appeal of Trento.¹⁵²

Tobias Glattstein, who left Merano in September 1943, gave the keys to his house to a neighbour, Anna Pirhofer: when he returned, he found that all the apartment furnishings had been taken. From the studies carried out it appeared that many of the stolen goods were hidden in the woman's house and she had even sold some of the furnishings and pieces of furniture to others.¹⁵³

It can generally be said that most of the accused in various penal proceedings, most of whom were accused of aggravated theft and receiving stolen goods, were not sentenced: in four cases the accused were acquitted due to the lack of evidence and in another two the Law Court decided not to proceed because of procedural defects; in other cases, in the first instance, the sentences given were either suspended or pardoned in accordance with the presidential decree of 22 June 1946, No. 4,

¹⁴⁸ She was not Jewish but her husband was; Town Council, Merano cat. XII, personal forms regarding the Merano Jews 1938-1945.

¹⁴⁹ Bolzano Law Court, *Tribunale penale*, b. 77 1945 331-265, R.G. no. 355/45, notification of the report to the Commissioner Public Security of Merano to the Magistrate's Court of Merano, 1 July 1943; various transcripts of questionings; records of searches carried out on 23, 26 and 28 June 1945; examination of witnesses, 1 August 1945.

¹⁵⁰ *Ibid.*, *Tribunale penale*, Rulings 1947, 1-750, ruling No. 45/47.

¹⁵¹ It was decided not to proceed against some of the accused since the offences were covered by a later amnesty, while one person was acquitted due to lack of evidence; *ibidem*.

¹⁵² The woman lodged her appeal on 22 October 1947 with the Court of Cassation, but it was refused as inadmissible. Court of Appeal, Trento, ruling No. 199 of the Registro inserz. sentenze, 22 October 1947; Law Court, Bolzano, *Tribunale penale*, b. 77 1945 331-265, R.G. No. 355/45 declaration of appeal in Cassation, 22 October 1947; ruling by penal ruling due to inadmissibility of appeal in Cassation, 11 December 1947.

¹⁵³ Law Court, Bolzano, *Tribunale penale*, Rulings 1946 1-400, ruling No. 29/46 Court of Appeal Archives, Trento, ruling No. 167 of the Registro inserz. sentenze, 22 October 1947.

“Amnesty and pardon for common, political and military crimes”; as has already been pointed out, upon appeal, two people were acquitted because the deed did not constitute a crime.¹⁵⁴

In 1954 the Bolzano Court of Assize sentenced Paolo Knapp, a fugitive from justice, to fifteen years’ imprisonment for collaboration. This ruling was also confirmed by the Court of Appeal of Trento; indeed, it was proven that the man, an SS doctor and officer, had participated in the arrest of the four Jews from Bolzano, namely Renzo and Alberto Carpi, the lawyer, Guglielmo Loew and the doctor, Otto Haller: none of them returned from the concentration camps.¹⁵⁵ The children of the lawyer Loew, Bruno and Guido, gave evidence against Paolo Knapp during the trial, stating that two or three days after their father’s arrest, which took place in Bolzano around mid-February 1944, some soldiers arrived in Cavalese, a town in Val di Fiemme where the whole family had been evacuated, one of the children remembered that even *SS-Sturmbannführer* Rudolf Thyrolf, *Kommandeur der Sipo-Sd* for the province of Bolzano, was with them. The soldiers had taken away numerous objects from their lodgings such as shoes, food supplies, money and a radio. Valuables, some of which belonged to the lawyer’s clients, were taken away from the home the family had in Bolzano, either at the moment of arrest or later. In the evidence given by Guido Loew one reads: “Ever since then, that is even before my father’s arrest it was known that the Jews arrested by the Nazis were killed in the concentration camp”.¹⁵⁶ The lawyer, Loew, imprisoned in the Bolzano concentration camp where he was treated brutally by several wardens, was deported to Auschwitz on 24 October 1944.¹⁵⁷

6. After the war

Although unfortunately very little information is available on the subject, it is known that on 3 July 1945 the Allied Military Government created an Investigation Committee for the recovery of Jewish property that had been seized by the Supreme Commissioner; it was to assess the extent of the property Franz Hofer had managed using the Office for the Administration of Jewish property in the province¹⁵⁸, founded in January 1945 and administrated by Carlo Reiner. The aforementioned Committee also had to compile the lists of ownership; to “carry out surveys in the banks regarding the existence of bank accounts that were pertinent to the aforementioned administration”; and to contact the previous administrator Reiner to obtain “any useful information regarding the size of individual assets.” The Allied military government also reserved the right to administer the Jewish property in question.

The above-mentioned Committee was abolished in January 1946 but its work was continued by the lawyer Mr. Carbucicchio, who was appointed commissioner for the Jewish property “seized by the defunct Nazi Supreme Commissioner with the task [...] of administering and liquidating the

¹⁵⁴ Law Court, Bolzano, *Tribunale penale*, Rulings 1945, ruling No. 157/45; *ibid.*, Rulings 1946 1-400, rulings No. 29/46, 81/46 and 201/46; *ibid.*, Penal rulings 1946 401-748, ruling No. 459/46; *ibid.*, Penal rulings 1947, 1-750, ruling No. 45/47; *ibid.*, Rulings 1947, 351-700, ruling No. 507/47; *ibid.*, Rulings 1948 1-300, ruling No. 244/48; *ibid.*, Rulings 1949 967, ruling No. 784/49; *ibid.*, Rulings No. 301/49-No. 597/49, ruling No. 514/49 Court of Appeal, Trento, ruling No. 199 of the Registro inserz. sentenze, 22 October 1947; *ibid.*, ruling No. 232 of the Registro inserz. sentenze, 19 November 1947; *ibid.*, ruling No. 140 of the Registro inserz. sentenze, 7 November 1945; *ibid.*, ruling No. 167 of the Registro inserz. sentenze, 30 November 1946.

¹⁵⁵ Law Court, Bolzano, *Corte di assise*, Rulings from No. 1/54 of 5 January 1954 to No. 6/58 of 3 February 1958, ruling No. 8/54 Court of Appeal, Trento, ruling No. 4/55 of the Registro inserz. sentenze, 26 April 1955.

¹⁵⁶ The information in the dossier with the trial documents, without any envelope, is extremely confused; Law Court, Bolzano, *Corte di assise*, fasc. “Procedimento 1/55 contro Knapp Paolo di Paolo”, [Proceeding 1/55 against Knapp Paolo di Paolo], minutes of testimony, 14 December 1954.

¹⁵⁷ L. Picciotto Fargion, *op. cit.*, Mursia, Milan 1991, p. 393, F. Steinhaus, *op.cit.*, p. 251.

¹⁵⁸ ACSM, *MI, Gabinetto (1944-46)*, b. 255, fasc. 24942 “Bolzano. Beni ebraici”, [Bolzano, Jewish property], letter from the Head of the Prefectural Offices, Silvio Innocenti, to the Cabinet, 1 April 1946 with a copy of the decree by the Head of the Prefectural offices, 1 April 1946. Regarding the Office for the Administration of Jewish property in the province, this is probably the *Haus- und Grundstückverwaltung des gegnerischen Vermögen*, which appears to have been established on that very date in another source; Jewish Community, Merano, directives introduced by the Supreme Commissioner, Section III-Financial affairs, Section Jewish and Enemy property, 12 January 1945.

property retrieved and and its restitution to the legitimate owners and their legal representatives”.¹⁵⁹ From April 1946 on, the lawyer Erwin Langer was entrusted with this task: it should be pointed out that despite various impediments that were mainly of a bureaucratic nature, the latter managed to return the property to the injured parties or to their heirs.

After the Liberation, the bank account in Hofer’s name was frozen following the order of the Allied military government. As has already been pointed out, it included other bank accounts belonging to Jews, the rents paid by tenants, and the sums belonging to Jewish charity organisations and the Jewish Community: a total balance of no less than L. 145,184,603.55, a considerable amount for that period. On 31 July 1945 the money was transferred to the bank account of the Allied Financial Agency (AFA) in the Bolzano branch of the Banca d’Italia and was then transferred, together with the other sums in the AFA account, to the Treasury.¹⁶⁰ More specifically, according to the memorandum from the Banca d’Italia to the Treasury, the Cassa di Risparmio accredited the balance in question, together with other assets that had been frozen, to the bank account of the Provincial official of Allied Finance; it was then “used in stages, by transferring funds to the Allied financial agency, and then closed”.¹⁶¹

On 16 March 1946 Domenico Minervini, Prefectural Commissioner of the Merano charity institutions the ‘Sick and Poor Jewish Institute’, the ‘Königswarter Foundation’ and the ‘Felicia Brabander Foundation’, had applied to the financial division of the Allied High Command in Rome, asking that the sum of L. 301,561.60 be repaid. This was the sum that had been seized by Hofer and belonged to the aforementioned Jewish charity institutions, which had been subjected to sequestration in May 1944. However, he was told that such requests had to be sent to the Treasury. He then wrote to them and also described the serious financial straits the institutions in question found themselves in. Both he and Gualtiero Windspach, the prefectural commissioner of the Jewish Community at that time, sent more than one request to the general Treasury Head Office, asking that the sums owed should be restituted: during the occupation, the sum of L. 15,931.19 belonging to the Jewish Community of Merano, had also been seized and this had also been credited to the special bank account in Franz Hofer’s name.¹⁶²

As far as can be deduced from the documentation, it appears to have been no easy task to have the sums requested returned; in part because the Allies did not give the Ministry of Treasury clear lists of names which might have helped somehow to trace the creditor institutions or subjects. They had merely presented “some general ‘bank statements’ which only showed the ‘differences’ of credit or debt, of multiple transactions over certain periods of time”. It was therefore impossible to retrace the indication of the amounts seized from the Community and the charity institutions in this documentation; the President of the Union of the Council Community therefore advised two prefectural Commissioners from Merano to try and produce as much documentation as possible,

¹⁵⁹ ACS, MI, *Gabinetto (1944-46)*, b. 255, fasc. 24942 “Bolzano. Beni ebraici”, letter from the Head of the Prefectural Offices, Silvio Innocenti to the Cabinet of the Ministry of the Interior, 1 April 1946 with a copy of the decree by the Head of the Prefectural offices, 1 April 1946.

¹⁶⁰ AUCEI, UCII (from 1945), b. 65L a. 1946, fasc. 4 “Beni razzati a. 1949, copy of the letters from the Ministry of Finance, Paymaster General, Office for allied and enemy property to the Treasury Head Office, 17 November 1947.

¹⁶¹ *Ibid.*, letter from the Prefectural commissioner of the Jewish Community in Merano to the Union of Jewish Italian Communities, 11 October 1948 with a copy of the letter from the Bolzano branch of *Banca d’Italia* to the Ministry of Finance and c.c. to the Jewish Community of Merano, 7 October 1948.

¹⁶² *Ibid.*, UCII (from 1934), b. 36B, fasc. 1940-1943, s.fasc. “1947 Various”, letter from the Prefectural commissioner of the Jewish Community of Merano to the Union of Italian Jewish Communities, 2 November 1946; *ibid.*, UCII (from 1945), b. 65B, fasc. 2 EGELI, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Treasury, Head Office of the Treasury, 21 January 1953 with copies of various documents. According to this last source, it appears that the procedure regarding the recovery of the sums belonging to the Jewish charity institutions in Merano was already started in November 1945. See also: *ibid.*, b. 65L a. 1946, fasc. 4 “Beni razzati a. 1949”, letter from the Prefectural Commissioner of the Jewish Community of Merano to the Ministry of Finance, Head Office of the Treasury, 12 August 1948; letter from the Prefectural Commissioner of the Jewish Community of Merano to the Union of Jewish Italian Communities, 12 August 1948.

since it was in the direct interests of those involved to reconstruct the events and justify the request for restitution.¹⁶³

On 21 January 1953, acting as prefectural commissioner for the retrieval of the Jewish property that had been seized during the occupation, the lawyer, Mr Langer asked the Head Office of the Treasury in the Ministry of Treasury to unfreeze the accounts where the money seized by the Supreme Commissioner had been placed since, he wrote, “today, all the aforementioned seized deposits appear to be still frozen as a result of the directives by the Allied Military Authorities”,¹⁶⁴ this request was made in accordance with law 11 July 1952, No. 911, that also ruled that the deposits or stocks to be unfrozen had to be reported to the Treasury Head Office or to the Local Tax Office, subject to the presentation of various documentation. The examination of these applications was referred to a Commission that was specifically created by the Ministry of Finance for this purpose.¹⁶⁵

The analysis of the detailed documentation Mr. Langer sent regarding the seized Jewish property is extremely interesting: the Merano branch of the Banco di Roma had carried out most of the payments of deposits belonging to Jews in the bank account in Hofer’s name between June and October 1944 while, on the basis of an order issued on 3 June of the same year, the Credito Meranese per il Commercio e l’industria had completed these operations on the twelfth of that month. The listed names of the people whose deposits had been seized appear to be those of Jews married to “Aryans” (even the name of Baron Filippo Hoffmann was included, who appears not to be Jewish but was married to a Jew).¹⁶⁶ On the other hand, the balance of a bank account in the name of the Götz brothers, opened in the Credito Meranese per il Commercio e l’industria - L. 56,657.70 - had been withdrawn directly in April 1944 “by a certain Mr Kramer, former administrator delegated by the Supreme Commissioner for the Prealpine Operations Zone of enemy property”.¹⁶⁷

In the abovementioned documentation, i.e. regarding the request to unfreeze the money, there is, however, no mention of the sum owed to the Jewish Community nor of the revenue from the sale of the assets that had been seized from the Jews, in particular private figures and mainly carried out by the SOD and Alexander Mayr, the person appointed by the *Gauleitung* for the administration of Jewish property in the area of Merano.¹⁶⁸ Furthermore, the bank documentation that was presented regarded only two banks while there is no doubt that ulterior cases of sequestration of credit, savings books and/or bank accounts were also carried out in other banks in the remaining area of the Prealpine Zone.

¹⁶³ *Ibid.*, b. 65L, fasc. 4 “Beni razzati a. 1949”, letter from the President of the Union of Italian Jewish Communities to Domenico Minervini, Prefectural Commissioner of the Merano charity institutions, 2 May 1949.

¹⁶⁴ *Ibid.*, b. 65B, fasc. EGELI, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Ministry of Finance, Treasury Head Office, 21 January 1953, with various copies of documents enclosed.

¹⁶⁵ L. 11 July 1952, No. 911, “Sblocco dei depositi bancari e postali, delle cassette di sicurezza e dei titoli di credito e devoluzione all’Erario di taluni di essi.” [Unfreezing of bank and postal deposits, safe-deposit boxes and instruments of credit and devolution of inland revenue of some of them]. Titles, deposits and safe-deposit boxes belonging to Germans and Japanese citizens were excluded from this unfreezing/sblocco; military, civil and German police; Italian military institution offices, organisations or establishments that depended on the Italian Social Republic, the National Fascist and Republican Fascist party.

¹⁶⁶ AUCEI, UCII (from 1945), b. 65B, fasc. 2 EGELI, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Ministry of Finance, Treasury Head Office, 21 January 1953, with various copies of documents enclosed. ASBz, Prefectural Offices, Cabinet, “Atti riguardanti gli ebrei in provincia di Bolzano”, cat. XI, b.2, s.fasc. 116 “Tauber Curzio and Colombo”, memorandum from the Territorial Legion of the *Carabinieri reali* of Bolzano to the Prefectural offices of Bolzano, 20 November 1941. Hoffmann’s name does not appear in any of the documents I consulted; Jewish Community, Merano, notes regarding the Jews in Merano in relation to the German occupation, s.d. Town council, Merano, cat. XII, personal forms regarding the Merano Jews 1938-1945.

¹⁶⁷ AUCEI, UCII (from 1945), b. 65B, fasc. 2 “EGELI”, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Ministry of Finance, Headoffice of the Treasury, 21 January 1953 including various documentation such as a copy of the letter from the Credito Meranese per il Commercio e l’industria to the Administration of the Götz house, 21 September 1945.

¹⁶⁸ See paragraph 5.

It is therefore not very clear how the legitimate owners of those valuables were actually able to have their possessions returned: It appears that some of them presumably initiated negotiations for the return of the sequestered capital.¹⁶⁹ In June 1945 the Bolzano branch of the Banca Commerciale Italiana informed its Head Office, following communications from the Financial Office of the AMG, that the unfreezing of the accounts belonging to Italian and foreign Jews would be dealt with differently compared to the procedures adopted in the rest of the Italian territory in the North, that is, all that was needed was a written request from the bank itself.¹⁷⁰

In February 1953, almost seven years after the end of the war and after “entreaties and pleas”, it appears that the Ministry of Finance paid back the sum of L. 319,506 to the Merano Jewish Community, presumably also including both the sums owed to the charity institutions and the sums belonging to the Jewish Community itself. However, since only the total amount is documented and not the individual entries, it is not possible to establish what the sum actually corresponds to.¹⁷¹

Other cases were ascertained in which the property of some people, who never returned from the concentration camps and appeared to have no heirs, were transferred to the Union of the Italian Jewish Community for a nominal consideration, on the basis of a 1947 law.¹⁷²

Bernardo Czopp, a retired town council veterinary surgeon originally from Leopoli, lived in Bolzano at least until 1939, the year in which he was stripped of his Italian citizenship and was warned against continuing to reside in Alto Adige.¹⁷³ In December 1943 he was arrested by the Nazis in the area around Vicenza where he had been interned and was then deported to Germany. The person who had sheltered and helped him for more than a year before he was arrested, Giovanni Battista Baggio, resident in Bassano del Grappa, tried to find out what had happened to him for months; in the end, the latter turned to the President of the Jewish Community in Venice, informing him that he had in his possession L. 16,000 in cash and a savings book, with a balance of L. 92,347.10, dated 2 December 1943, from the Bassano branch of the Cassa di Risparmio di Verona e Vicenza; this latter security had previously been frozen by the Government of the RSI. Some of Bernardo Czopp’s personal belongings that were gradually deteriorating were then sold for L. 5,000, a figure that was added to the previous sums.

On 3 June 1949 Giovanni Battista Baggio sent the Community Union a cheque for L. 21,000 together with the savings book in question. Between June and July 1949 the Union contacted both the EGELI, which was responsible for the procedures regarding the savings book, and Bolzano City Council, so that Czopp’s outstanding pension payments could be settled; in both cases, documentation was required to continue the case, such as a declaration of presumed death or a decree sanctioning the transfer of the assets to the Union¹⁷⁴. Since the records were interrupted, it is

¹⁶⁹ AUCEI, UCII (from 1945), b. 65B, fasc. 2 “EGELI”, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Ministry of Finance, Headoffice of the Treasury, 21 January 1953 including various documentation such as a copy of the letter from the Merano branch of the Banca di Roma to Erwin Langer, 13 January 1953.

¹⁷⁰ ASBCI, SFI, ex 64 A, b. 3, fasc. 8 “Bolzano”, letter from the Bolzano branch of the Banca Commerciale Italiana to the Head Office, *Servizio filiali italiane*, Segreteria, 25 June 1945.

¹⁷¹ Government Commissariat for the autonomous province, Bolzano, *Atti amministrativi*, cat. 6/9 Culto, b. 40 Merano. Jewish Community, copy of the moral report of the Presidency, 27 February 1953.

¹⁷² Dlcp 11 May 1947, No. 364.

¹⁷³ Servizi demografici e anagrafe di Bolzano, *Provvedimenti per la difesa della razza*, Div. III servizi demografici, f. 6 “Authorisation of residence of foreign Jews”, memorandum from the podesta of Bolzano to the Prefectural Offices of Bolzano, 10 October 1939. Bernardo Czopp was struck off the Population Register of Merano since he had moved to Bassano; Bolzano Registry office, individual dossiers.

¹⁷⁴ AUCEI, UCII (from 1945), b. 66, f. 1 “Patrimonio dei deportati che va all’Unione per mancanza di eredi”, [Patrimony of the deportees that goes to the Union due to lack of heirs] s.fasc. 1/7 “Eredità Czopp Bernardo fu Volfango” [“Inheritance of the late Czopp Bernardo Volfango”], letter from the President of the Jewish Community in Venice to the Union of Italian Jewish Communities, 19 February; letter from the President of the Jewish Community of Venice to the Union of Italian Jewish Communities, 31 March 1949 with copy of the letter from Giovanni Battista Baggio to the President of the Jewish Community in Venice, 28 March 1949; letter from the President of the Union of Italian Jewish Communities to Giovanni Battista Baggio, 20 May 1949; letter from Giovanni Battista Baggio to the President of the Union of Italian Jewish Communities, 3 June 1949; letter from the

not known how it ended. In 1953 there appeared to be only one case of unclaimed inheritance in Alto Adige: the property in question was a small house with woods in Avelengo, belonging to Malvina Lehmann (née Weinberger), a German citizen who had been listed in the Register of the Merano population until July 1940. Once she moved to Gussago, in the province of Brescia, the woman was arrested and deported to Auschwitz where she was killed as soon as she arrived. A note the lawyer Mr Langer wrote to the Jewish Community of Merano stated that in addition to this property, a bank account deposit for a total of L. 33,817 also had to be added, which in the past, had been transferred to the account in the name of the Supreme Commissioner and then frozen by the Allies. When the Bolzano Law Court declared the presumptive death of the woman on 13 October 1952 and the Merano magistrate formally acknowledged her inheritance was unclaimed, it initially seemed that the assets in question were to be transferred to the Union of Communities: however, from the studies carried out it appears that the woman had recanted the Jewish religion, so the formal passage of the procedure was automatically interrupted.¹⁷⁵

In 1996 the Bolzano branch of the Banca di Roma paid the unclaimed inheritance of Annelise Körpel (née Herzberg) – Treasury bills for a value of L. 675,000,000 - to the Union of Italian Jewish Communities. Neither the woman nor her two children, Rolf and Ellen, who had all disappeared from Merano at the beginning of September 1943, ever returned from the concentration camps; and in 1987 the Bolzano Law Court declared their presumptive deaths. Before leaving, Annelise Herzberg had deposited gold coins and hard currency in a safe-deposit box in the Merano branch of the Banca di Roma, without anyone ever coming to claim the considerable deposit; the contents of the box were sold and the income from the sale invested, in accordance with the directives from the magistrate in Merano. The Union of Communities made numerous attempts to find any possible heirs but to no avail.¹⁷⁶

7. War damages

While still pertinent to the period after the war, requests for war damages deserve a chapter of their own.

Law 1543/1940 of 26 October 1940, approved by the Senate and Chamber of the Fascists and Corporations, had already foreseen the possibility of claiming compensation “for the loss,

President of the Union of Italian Jewish Communities to the Bolzano City Council, 24 June 1949; letter from the President of the Union of Italian Jewish Communities to the EGELI, 11 July 1949; letter from the mayor of Bolzano to the Union of Italian Jewish Communities, 20 July 1949; letter from the EGELI Commissioner to the Union of Italian Jewish Communities, 22 July 1949.

¹⁷⁵ *Ibid.*, s.fasc. 1/13 “Eredità Weinberger Malvina in Lehmann”, letter from Erwin Langer to the Merano Jewish Community, 20 February 1953 and 26 November 1955; letter from the government Vice Commissioner to the Union of Italian Jewish Communities 18 December 1953; *ibid.*, b. 65B, fasc. 2 EGELI, s.fasc. 2/3 “Lists”, copy of the letter from Erwin Langer to the Ministry of Finance, Headoffice of the Treasury, 21 January 1953 with various documentation including a copy of the letter from the Credito Meranese per il Commercio e l’industria to the Supreme Commissioner for the Prealpine Operations Zone, Section III, Financial affairs, 12 June 1944. In this last document the bank account balance appears to be L. 14,867. Also see: L. Fargion, *op. cit.*, p. 615. The directives regarding the transfer without compensation to the Union of Communities of the assets belonging to Jews who had died as a result of persecution and had left no heirs were not applied to those who “made the declaration in which, article 5 of the r.d. 30 October 1930 No. 1731 (“Those who change to another religion or declare they no longer wish to be considered Jewish, in accordance with this present decree, are no longer members of the Community. This declaration must be presented to the President of the Community or Head Rabbi in person or in an authenticated act”); Land Registry Office, Bolzano, fasc. “Herzberg “Körpel Annelise (née Herzberg). Unclaimed inheritance”, Head Office of State Property to the State Lawyers’ Office, 12 April 1995.

¹⁷⁶ Ufficio del Territorio, Bolzano, fasc. “Körpel Annelise (née Herzberg). Unclaimed inheritance”, copy of declaration of presumptive death issued by the Bolzano Law Court, 19 December 1986; request by the President of the Union of Italian Jewish Communities to the Ministry of Finance, Revenue head office, 14 April 1988; letter from the Bolzano branch of the Banca di Roma to the Territorial Departmental Head Office for Trentino, Alto Adige, Veneto and Friuli V.G., independent department for state services of Bolzano, 23 January 1996 enclosing request by the Territorial Departmental Head Office for Trentino Alto Adige, Veneto and Friuli Venezia Giulia, independent department for the state services of Bolzano the Bolzano branch of the Banca di Roma, 18 January 1996; memorandum from the Bolzano branch of the Banca di Roma to the Territorial Departmental Head Office for Trentino, Alto Adige, Veneto and Friuli V.G., Independent department for the state services of Bolzano, Land Revenue Assessment office, 20 September and 24 October 1996.

destruction or deterioration during the Kingdom of mobile or immobile property, as [...] the consequence of any event of the present war.”¹⁷⁷ The number claims for war damages suffered by Jews in the three provinces was rather limited: in Trentino and the Belluno area because the number of Jews had never been particularly high, while in Alto Adige it was because their numbers had been reduced to a minimum before the war even started.

The reports presented to the Local Tax Office or the District Office for Direct Tax¹⁷⁸ by those who returned to the places where they used to live or by their procurators once the war had ended are a source of interesting information regarding what happened to Jewish property during the occupation. Indeed, the injured parties not only kept the list of the losses they had suffered including a pertinent description, but also short summaries of the events that had led to this damage; the reconstruction of the events was then verified by the Local Tax Office itself, the Land Revenue Assessment Office and if necessary also by the Provincial Office of Commerce and Industry.

Immediately after the Occupation furnishings, linen, clothes and various objects began to be removed from diverse properties belonging to Jews in the province of Bolzano. The apartment that belonged to the couple Lodovico and Giuseppina Balog, who were both arrested on 16 September 1943 in Merano, was requisitioned by SS officers who used it as accommodation for German troops for six months, while their sanatorium was occupied from September 1943 until the end of the war; one hotel was used as a military hospital and offices and a dentist’s surgery was also occupied.¹⁷⁹

On 17 September 1943 German soldiers and SOD members removed various goods from the warehouses and storerooms belonging to Giulio Gentilli, a food products representative; other material taken included three bicycles, a radio, and a typewriter. These goods were taken away by lorry to the Merano SOD headquarters “and then distributed between the German hospitals in Merano and the officers and soldiers of the SOD.”¹⁸⁰

As has already been shown, the people involved in requests for damages caused by the war gave the relevant offices a detailed list of what had been stolen, destroyed or of the damages endured; they also had to state the value of the property in question, basing their calculations on the actual prices at the moment of damage and specifying the indemnity requested. Working for the Land Revenue Assessment Office and Local Tax Office, the Tax Investigation Union verified and assessed the damages suffered; in the case of chattels and real estate belonging to trade and industrial businesses, the evaluation was carried out by the Provincial Trade and Industrial Office. Perhaps in an attempt to reduce costs, it was usually recommended that the compensation to be paid was considerably lower than the sum requested; the amount of time needed for the procedure to be completed was also extremely long. As far as can be seen, for the estimates of property, the market value was calculated on the date 31 June 1943 and a price catalogue was used. Due to the post-war high inflation once the war had finished and the ensuing rise in prices, it was certainly not easy for the aggrieved to replace the property that had been taken or destroyed; sometimes, the material that had been stolen had been needed to practice their profession and was therefore essential if they were to

¹⁷⁷ Art. 1 of law 26 October 1940, No. 1543 “War damage compensation.”

¹⁷⁸ Article 13 of law 26 October 1940, No. 1543 ruled that claims for compensation were to be presented to the Local Tax Office of the province where the damage had taken place if the value declared exceeded L. 20,000, otherwise they were to go to the District Office for Direct Tax.

¹⁷⁹ ASBz, *I.F.*, *Servizio danni di guerra*, b. 96, fasc. “Balog Ludovico, Balog Susanna c.c. 1903”, s.fasc. “Fabbricati”, IVa Legione della Guardia di finanza, Comando compagnia di Merano all’Intendenza di finanza di Bolzano, 9 July 1974; claim for compensation for war damages including an estimate of war damages, 22 March 1946; *ibid.*, s.fasc. “Beni mobili di abitazione”, claim for war damage compensation, presented on 19 October 1946; *ibid.*, b. 207, fasc. “Singer Federico c.c.4618”, s.fasc. “Beni mobili professionali”, Ufficio tecnico erariale, Accertamento e stima dei danni arrecati dalla guerra ai beni mobili, 6 April 1948; *ibid.*, b. 227, fasc. “Bermann Giuseppe and Rachele Löwy c.c. 5149”, fasc. “Immobili industriali e commerciali”, 7 June 1950; C. Villani, *op. cit.*, pp. 202-203.

¹⁸⁰ *Ibid.*, b. 265, fasc. “Gentilli Giulio c.c. 6940”, s.fasc. “Mobili industriali e commerciale”, claim for war damage compensation, presented on 2 September 1948.

reconstruct an existence after the months they had spend in the concentration camps, in hiding, or abroad.¹⁸¹

“Foreign Jews” were in a particular situation: both article 3 of law 1543/1940 of 26 October, regarding war damage compensation and article 1 of law 968/1953 of 27 December,¹⁸² regarding the concession of reparation and contributions, basically ruled that these should only be applied to citizens with Italian citizenship.¹⁸³ As a result, some measures that had been approved for liquidation were then revoked since the applicant or his/her heirs were not Italian citizens. Together with his wife, Giulio Bermann ran a guest house in Merano, which was closed on 1 December 1939 when his license was revoked by Public Security. When in July 1945 he returned to Alto Adige from Switzerland where he had fled with his children, (his wife had been arrested and killed in Auschwitz), Bermann presented to the Local Tax Office in Bolzano a report for the material losses he had suffered. During his “enforced absence”, chattels including furniture, linen, kitchenware, and clothes had been removed from the first floor of the hotel and his home. Bermann had then sent three trunks full of objects (linen, a silver service for six people and various other objects) that belonged to him to an acquaintance, Leopoldo Zadra by train and the latter had promised to return them once the persecution had ended, something he actually never did.¹⁸⁴ With regards to this latter matter, Giulio Bermann wrote: “The loss is to be considered war damages since as a Jew, I was neither able to defend my belongings, nor to have any news or trace Zadra, who was never heard of again. At that time, I entrusted my belongings to an acquaintance. I had no kind of safeguard because of the racist persecution.”¹⁸⁵

After the war Bermann immigrated to America, becoming a cook in New York. As was the case for all the other reports and similar to the procedures regarding property, those pertinent to “personal belongings from homes” and those pertinent to “trade and industrial business property” were treated separately. Investigations regarding the damage the war caused to the chattels at both the private home and hotel were carried out by the Tax Investigation Unit in 1953 and by the Land Revenue Assessment Office of Bolzano in January 1954;¹⁸⁶ in the report on the evaluation written by the latter one can read: “So many years after the day in which the aforementioned objects were looted it is no longer possible to quantify the party’s claims.”¹⁸⁷ The damage was estimated as a whole.¹⁸⁸ In 1956 the Local Tax Office decreed that the sum of L. 157,095 should be paid to Giulio Bermann as compensation¹⁸⁹ for the damage to his home. When his son, Giacomo, who had been nominated

¹⁸¹ *Ibid.*, b. 207, fasc. “Singer Federico c.c. 4618”; *ibid.*, b. “Bermann Giulio c.c.5779”; *ibid.*, b. 96, fasc. “Balog Ludovico, Balog Susanna c.c.1903”; *ibid.*, b. 189, fasc. “Ascher Amalia (née Hirsch) c.c. 4153”; *ibid.*, b. 327, fasc. “Altmann Jenny (née Werner) c.c. 10.126”; *ibid.*, b. 193, fasc. “Weisz Davide procuratore assente di Seif Giacomo c.c. 4279” c.c. 4279”; *ibid.*, b. 225, fasc. “Seif Antonia (née Weisz) and for her Weisz Davide c.c. 5092”; *ibid.*, b. 217, fasc. “Rimini Giuseppe c.c. 4852”; *ibid.*, b. 226, fasc. “Honig Ermano c.c. 5102”; *ibid.*, b. 84, fasc. “Polacco Ezio c.c.1692”; *ibid.*, b. 227, fasc. “Götz Rodolfo c.c.5152”; *ibid.*, b. 265, fasc. “Gentilli Giulio c.c. 6940.”

¹⁸² L. 27 December 1953, No. 968, “Concessione di indennizzi e contributi per danni di guerra”.

¹⁸³ See notes 177 and 178.

¹⁸⁴ ASBz, *I.F.*, *Servizio danni di guerra*, b. 245, fasc. “Bermann Giulio c.c.5779”, s.fasc. “ c.c. 5779/9000 Mobili di abitazione”, application for war damage reparation, presented 10 September 1945 including memorandum by Giulio Bermann to the Local Tax Office, 23 July 1945; s. fasc. “Mobili di abitazione c.c. 5779/9001”, application for reparation of damage to industrial and trade property, presented 10 September 1945; s. fasc. “Mobili aziende industriali e commerciali”, Modena Magistrate’s court, affidavit, 24 July 1945.

¹⁸⁵ *Ibid.*, s.fasc. “c.c. 5779/9000 Mobili di abitazione”, application for war damage reparation, presented 10 September 1945 including memorandum from Giulio Bermann to the Local Tax Office, 23 July 1945; CCIAA, Bolzano, *Registro delle Imprese, Ditte cancellate dal 1925 al 1959*, [Register of Businesses and Companies annulled from 1925 to 1959, b. Pratiche BEM-BERS, fasc. “Bermann Giulio”, Provincial Council of the Corporative economy of Bolzano, amendment report, 29 November 1939.

¹⁸⁶ ASBz, *I.F.*, *Servizio danni di guerra*, s.fasc. “Mobili industriali e commerciale”, Local Tax Office, Bolzano to the Nucleus of investigating tributary police of the Financial Police in Ferrara, 8 May 1953; s. fasc. “Beni mobili di abitazione”, “c.c. 5779/9001”, Bolzano Land Revenue Assessment Office, Investigation and estimate of the damages caused to chattels during the war, 9 January 1954.

¹⁸⁷ *Ibid.*, s.fasc. “Mobili di abitazione c.c. 5779/9001”, Land Revenue Assessment Office of Bolzano, Investigation and estimate of damage war caused to chattels, 9 January 1954;

¹⁸⁸ *Ibid.*

¹⁸⁹ *Ibid.*, decree by the Bolzano Local Tax Office, 21 August 1956.

procurator by his father, accepted the sum he wrote: “although the decree orders a sum of liquidation that is greatly inferior to the damage the applicant suffered, he accepts out of dire need for cash and asks that the sum of [...] be paid immediately.”¹⁹⁰

In 1958 the Provincial Office of Commerce and Industry carried out further investigations into the damage caused to the guesthouse; in September 1961 the Local Tax Office ruled that “since he still possesses the subject requirements foreseen by law 27 December 1953, No. 968” Bermann should be paid the sum of L. 698,600. However, the man, who had in the meantime died, had become a naturalized American citizen in 1951. The disposition to pay his heirs was therefore annulled.¹⁹¹

On 11 September 1943 Jenny Altmann Werner from Merano suddenly left her home to avoid being arrested, taking with her her son and two grandchildren;¹⁹² the latter were the children of a mixed marriage and had been declared not Jewish by the Head Office for Demography and Race.¹⁹³ All the contents of Jenny Altmann’s home were seized by the German authorities and many furnishings – books, furniture, cooking utensils, clothes, underwear as well as pillow covers, sheets and tablecloths – according to the declaration by the woman’s procurator, for an overall value of L. 54,790 were looted in various stages during May 1944 by the owners of a second-hand shop who even used a cart to take away the most cumbersome furnishings. In short, the woman was unable to retrieve any of her assets. According to a memorandum by the Local Tax Office in February 1960, since the woman did not possess the indispensable requisite of Italian citizenship at the moment of the damage, she had no right to reparation.¹⁹⁴

In Merano since 1895 Jenny Altmann had run the *Pensione Ermanno* which - according to the documentation found in the Chamber of Commerce, Industry, Trade and Agriculture of Bolzano - closed in December 1939; the business was passed on to the grandchildren who were at that time, however, minors and it was therefore run by her son-in-law who was not Jewish.¹⁹⁵ In September 1943 the whole family left Merano and the guesthouse was left unguarded. All the furniture, furnishings, linen, crystal-ware and porcelain were looted, most of which was later impossible to retrieve, while the families living there and who had received the assets were sent away. The building was then used as a SD troop Headquarters and was later occupied by the High Commissioner for the management of Jewish assets and also used for official accommodation. In an affidavit drafted before the Merano Magistrate’s Court to confirm the facts declared and countersigned by four witnesses one can read: “In May 1944 the German authorities recognised that an abuse had been committed and restored the administration to the legitimate owners (perhaps

¹⁹⁰ *Ibid.*, letter from Giacomo Bermann to the Bolzano Local Tax Office, 5 October 1956.

¹⁹¹ *Ibid.*, s.fasc. “Mobili aziende industriali e commerciali”, valutazione dell’Ufficio provinciale commercio e industria di Bolzano sent to the Local Tax Office of Bolzano, 31 July 1958; decree by the head of Local Tax Office, 20 September 1961; certificate of American citizenship, issued by General Consulate New York, 13 March 1962; decree by the Local Tax Office to annul the liquidation, 22 January 1962. The first reparation was presumably paid since he had shown his certificate of Italian citizenship in 1948, and which he kept until 1951; *ibid.*, s. fasc. “Mobili di abitazione c.c. 5779/9001”, Merano Town Council, certificate of citizenship, 10 March 1948.

¹⁹² *Ibid.*, b. 327, fasc. “Werner Jenny (née Altmann) c.c. 10.126”, s.fasc. “Mobili abitazioni”, Merano Magistrate’s Court, affidavit, 14 January 1946.

¹⁹³ *Ibid.*, *Prefettura, Gabinetto*, Acts concerning the Jews in the province of Bolzano, cat. XI, b. 1, fasc. 52 “Gandolfo Elena and Maria Grazia”, Ministry of the Interior, Head Office for Demography and Race, 15 April 1940.

¹⁹⁴ ASBz, *I.F.*, *Servizio danni di guerra*, b. 327, fasc. “Werner Jenny (née Altmann) c.c. 10.126”, s.fasc. “Mobili abitazioni”, application for compensation for war damages, 7 October 1946 including and Evaluation of the furnishings and personal belongings taken from Jenny Werner Altmann’s apartment in Merano via Petrarca 15 during the period of German occupation by the German authorities at that time; Merano Magistrate’s Court, affidavit, 14 January 1946; decree by the Local Tax Office, 6 February 1960;

¹⁹⁵ *Ibid.*, Head Office of the Nucleus of Investigating Tributary Police of the Financial Police to the Local Tax Office, 12 August 1947; CCIAA, Bolzano, *Registro delle Imprese, Ditte cancellate dal 1925 al 1959*, [Company register, Businesses annulled from 1925 to 1959, b. 116 Pratiche WEIS-WIELAND, fasc. “Jenny Werner Altmann.”

since they were considered to be “not of the Jewish race,” *editor’s notes*); the Merano Town Council then requisitioned it and established the District Music School.”¹⁹⁶

After investigations by the Head Office of the Tax Investigation Unit in Bolzano, which ruled that the requisition of the property had been irregular and without the stipulation of any compensation,¹⁹⁷ and after having heard the opinion of the Provincial Industry and Trade Office of Bolzano and the Provincial Technical-administrative Commission for war damage compensation,¹⁹⁸ in 1962 the Local Tax Office authorised the payment of L. 1,412,370 as reparation for the war damages suffered.¹⁹⁹

Another interesting fact was found in the documentation in the dossier on Antonia Weisz (née Seif). The owner of a house with an annexed orchard, the woman received monthly of rents from various tenants. Up until June 1944 all these sums were paid by the aforementioned into an account of the Credito Meranese per il Commercio e l’industria; the first credits for September 1943 were before occupation started, which leads to the supposition that the Bank in question was the one Seif usually used. On 13 June 1944, the whole sum in the account appears to have been paid to the “Supreme Commissioner of Bolzano”; a further payment was made to him on the twenty-second of the same month, since another tenant paid the monthly rent on the twenty-first. From the month of June until January 1945 the rents were paid into the account in the Merano branch of the Cassa di Risparmio della provincia di Bolzano: this bank was probably chosen since the Supreme Commissioner’s account into which all monthly rents paid by tenants living in houses belonging to Jews and the sums belonging to Jewish religious institutions (foundations and rest homes) were paid into, had been opened in the Bolzano branch of the Cassa di Risparmio. In May 1944 Alexander Mayr, the person in charge of Jewish property in Merano, wrote a letter on headed paper (“Supreme Commissioner for the Prealpine Operations Zone”) to the tenant of the orchard belonging to the Seif house telling him to transfer the rent for the year 1944 to the Merano branch of Cassa di Risparmio as soon as possible. It was then paid into the account in the Supreme Commissioner’s name in the bank’s Bolzano branch.

From February 1945 on, the rents appear to have been paid "to the Rainer administration" and then "from the Rainer administration directly to the owner"; the person in question here is presumably Carlo Reiner, who was appointed administrator for Jewish assets in the province in January 12 of the same year.²⁰⁰

Acting as Procurator for Antonia Seif was her husband, Davide Weisz, and in December 1946 he presented an application for war damage compensation, which mainly regarded the rents that had been seized. In 1977 the dossier was closed although no compensation had been paid; since they were both Czech citizens in 1938, the couple had no legal right to any compensation.²⁰¹

¹⁹⁶ ASBz, *Intendenza di finanza, Servizio danni di guerra*, b. 327, fasc. “Gandolfo Elena and Maria Grazia c.c.10125”, Magistrate’s Court Merano, affidavit, 28 September 1945; application for war damage compensation, presented on 17 October 1945, including evaluation of the damages and objects removed from the furnishings of *Pensione Ermanno* [...] during the occupation by the German troops from 9 September 1943 until 1 May 1944.

¹⁹⁷ *Ibid.*, IVth Legion of the Financial Police, Tributary police nucleus Head Office Bolzano to the Local Tax Office of Bolzano, 24 September 1959; decrees by the head of the Local Tax Office, 3 November and 10 December 1962.

¹⁹⁸ Article 19 of law 27 December 1953, No. 968 ruled the constitution of a technical-administrative Commission in each main town of the province.

¹⁹⁹ ASBz, *I.F.*, *Servizio danni di guerra*, b. 327, fasc. “Gandolfo Elena and Maria Grazia c.c.10125”, decrees by the head of Finance, 3 November and 10 December 1962.

²⁰⁰ ACS, *MI, Gabinetto (1944-46)*, b. 255, fasc. 24942 “Bolzano. Beni ebraici”, letter from the head of the Prefectural Offices, Silvio Innocenti, to the Cabinet, 1 April 1946 with a copy of the decree by the head of the Prefectural offices, 1 April 1946.

²⁰¹ ASBz, *I.F.*, *Servizio danni di guerra*, b. 225, fasc. “Seif Antonia née Weisz and for her Weisz Davide c.c. 5092”, request for war damage reparation, presented 31 December 1946; memorandum from Alexander Mayr to Bartolomäus Gögele, 17 May 1944; List of rents from houses in Via Manzoni No. 95, Merano, seized by the *Höchstkommissar*, Bolzano, during the German occupation, s.d.; the Credito Meranese per il Commercio e l’industria; bank statement for Antonia Weisz’ account, 5 June 1945; Bolzano Land Revenue

The Trento Land Revenue Office also received applications for compensation for damages suffered. For example, Mario Castelnuovo wrote: “I was arrested in my home in Spera (Stigno) by the German Police on 23 December 1943 because I was Jewish and was taken to the prison in Trento. All my property was seized: I am asking no compensation for this, since I managed to retrieve most of it at a later date. In February 1944 I was taken from Trento to Fossoli (Modena) where I remained until 31 July 1944. While I was in Trento and Fossoli, members of my family purchased a complete wardrobe, including a blanket and 4 sheets which I received in various stages. The Germans allowed me to keep these objects. In the night of the 2nd and 3rd of August 1944, I managed to escape from the train that was taking me to Germany, between Trento and Lavis, and I had to leave all my possessions behind. I am asking compensation for this. The day after my escape I went to my home where I hid for one day.”²⁰² The objects in question were pullovers, sheets, socks, a suitcase, and a haversack declared to be worth L. 24,950 at the moment of loss. The damage he suffered was valued at L. 12,000, a sum that was doubled in 1954 in accordance with article 35 of law 968/1935 of 27 December.²⁰³

In August 1944, the Commissioner Prefect of Trento, Adolfo De Bertolini, ordered the requisitioning of two consignments of larch and fir timber, for a total of 310 cubic metres, which had been abandoned for some time in two towns in the area of Trento. The owner proved to be Giorgio Sadun, a tradesman who lived in Milan. According to the investigations carried out by the Trento Police Headquarters the person in question had not returned to Trento for some time and nobody knew his current whereabouts. At least initially, it was not certain that he “belonged to the Jewish race”, although it had been “insistently” claimed “in logo.” The requisitioned timber should have been allocated to businesses by the Provincial Council for Corporative Economy of Trento and the proceeds paid into a savings book the Council itself then kept.²⁰⁴

In actual fact, the decree that De Bertolini introduced was annulled shortly after: a similar measure, which allocated the timber to the Todt Organisation in Brunico had previously been introduced by the Supreme Commissioner. This latter had ordered that the Todt Organisation was to pay compensation to the town council of one of the two towns where the timber had been seized - the town council authorities then had to pay the money into a bank account or into a savings account in the name of the Sadun business in Milan through a bank in the province of Trento.²⁰⁵

After the war Giorgio Sadun presented an application for war damages, pointing out that the amount of timber that had been requisitioned was 365 cubic metres. Compensation had been paid for part of the property, albeit at a much lower rate than that the other local businesses were usually paid: L. 1,000 compared to the usual L. 1,700. Once the costs for transport, rent and measurements had been

Assessment Office, Investigation and estimate of the damages caused to property during the war, financial period 1948-1949; decree by the Bolzano Local Tax Office, 25 May 1977.

²⁰² Agenzia delle entrate, Direzione delle entrate per la provincia autonoma, Trento, *Servizio danni di guerra*, fasc. “Castenuovo Mario c.c. 16.921”, application for compensation of damages, presented on 26 July 1946.

²⁰³ *Ibid.*, I.F., Trento, Reparto danni di guerra, comunicazione di liquidazione di danni di guerra [War damages division, communication of war damage liquidation], 10 August 1954. Article 35 of law 27 December 1953, No. 968, “Concessione di indennizzi e contributi per danni di guerra” [Concession of reparation and contributions for war damages] states: “The liquidations that have already been paid by the Local Tax Offices prior to the implementation of this current law for damage to property [...] are considered final if there is no reclamation within 60 days once those in question have been informed to be carried out by the Revenue Offices themselves. Should there be no reclamation, the Local Tax Offices will carry out the reparation payment, multiplying the liquidation sum by two.”

²⁰⁴ ASTn, *Prefettura*, Commissario prefetto De Bertolini 1943-1945, b. 3, fasc. “1943-45 requisizioni stabili alloggi per comandi, uffici, enti”, fasc. “1943-45 Requisizioni mobili”, letter from the Trento Police Headquarters, Station of Mezzana to the Provincial Council for Corporative Economy of Trento, 10 July 1944; copy of the decree by the Prefect Commissioner, 16 August 1944; letter from the Prefect Commissioner to the Provincial Council for Corporative Economy of Trento, s.d.

²⁰⁵ *Ibid.*, letter from the Provincial Council for Corporative Economy of Trento to the Prefectural Cabinet, 12 December 1944; annulment of requisition decree, 13 December 1944; *ibid.*, fasc. “1943-1945 Requisizione stabili e alloggi per comandi, uffici, Enti”, copy of the letter from the Supreme Commissioner for the Prealpine Operations Zone to the Todt Organisation, *Gruppo d'impiego Italia, Distributore di legname e cantiere*, 3 August 1944 with relative translation.

subtracted, the money had been paid to “*lt. Oberster Kommissar*”, “in accordance with the Supreme Commissioner” into a savings account in the name of the Sadun Company in Milan. The remaining sum, however, was never paid. In 1952 the Financial Police confirmed these facts, adding that compensation had not been paid because of the armistice. Giorgio Sadun received no compensation for the damages he suffered - indeed, the provincial Technical-administrative Commission for war damages ruled that this omission of payment should be regarded as “frozen credit” since regular invoices had been issued and the request therefore had to be refused.²⁰⁶

As far as the province of Belluno is concerned, the dossier regarding Giuseppe Sterns is of particular interest. Originally from Vienna, in the summer of 1943 the man had been moved to Quero, a town with a high number of internees from the internment camp of Ferramonti Tarsia in the province of Cosenza. He was later taken to Feltre Hospital with a lung illness. After the war he presented an application for compensation for the war losses he had suffered. According to the documentation in the dossiers, Giuseppe Stern had left a suitcase containing his personal belongings with a friend in Quero, (primarily clothes). During a search, German troops had requisitioned the suitcase on 15 February 1944. In all likelihood this was part of the action that was completed on that very date, and which ended with the arrest of almost all the around twenty internees in that town.²⁰⁷

Massimiliano Lippmann, who was stateless and living in Feltre at that time, also asked compensation for war losses, more specifically for a trunk with his personal belongings and fabric for a total value of L. 18,000. The chattels, which had been deposited in Feltre with some friends, had been requisitioned by retreating German troops at the end of 1945. After the war the man moved to Colombia where he died in 1949.²⁰⁸

In Cortina d’Ampezzo two villas belonging to Jews were damaged during the occupation - one belonged to the couple Giorgio and Alice Levi, who had been forced to leave the town with just two suitcases containing their personal belongings. Their house was left unattended and many objects were taken such as glassware, books, furniture and clothes. Some of the furniture, which was not included in the report, was found in other houses in the town “where it had ended up.”²⁰⁹

“Villa Tofana”, which belonged to Paola Almagia was occupied from September 1942 to 2 May 1945; initially, the request for reparation was turned down, since the goods in question were considered luxury goods and therefore, in accordance with article 5, letter e) of law 27 December 1953, No. 968, excluded from reparation.²¹⁰ The Ministry of Finance later accepted the appeal by

²⁰⁶ Agenzia delle entrate, Direzione delle entrate per la provincia autonoma, Trento, *Servizio danni di guerra*, fasc. “Sadun Giorgio c.c. 2738”, request for compensation of war damages, presented 18 August 1945; copy of trade invoice, s.d.; memorandum from the head of the Financial Police Brigade of Malè to the Local Tax Office of Trento, 28 November 1952; Outline of an extract of the minutes by the technical-administrative commission, 22 January 1957; decree from the Local Tax Office of Trento, 25 January 1957.

²⁰⁷ Comune, Quero, b. Years 1944-1949, cat. XV Pubblica sicurezza, fasc. “1944”, Comune di Quero, List of the names of interned Jews divided according to families, probably drawn up following a request from the Local Police Chief of Belluno 17 August 1944; *ibid.*, b. “Corrispondenza ordinaria. Cat. 12 Stato civile dal 1944 al 1957”, fasc. “1945 cat. 12”, letter from the mayor of Quero to Salomon Hauser, 19 July 1945; ASBI, *Prefettura, Gabinetto*, b. 358, cat. XV “Difesa della razza (1942-1944)” [Defence of the race], fasc. 1 “Massime”, s.fasc. 1c “Relazioni a Roma”, memorandum from the Belluno Local Police Headquarters to the Cabinet of the Prefecture of Belluno, 1 October 1943; Agenzia delle imposte, Dipartimento delle entrate per la provincia, Belluno, *Servizio danni di guerra*, fasc. “Stern Giuseppe cc.12.574”, request for compensation for war damages, presented 31 December 1946; Municipality of Feltre, affidavit, 10 August 1945. Inside the dossier is the annotation “Claim refused in accordance with law 593/81”; *ibid.*

²⁰⁸ Agenzia delle entrate, Dipartimento delle entrate per la provincia, Belluno, *Servizio danni di guerra*, fasc. “Lippmann Giuseppe c.c.12.087”, request for compensation for war damages, presented 31 December 1946; Municipality of Feltre, affidavit 10 August 1945; 4th Legion of Financial Police, head of the Feltre *Brigata volante* to the Local Tax Office of Belluno, 20 September 1960. *Comune*, Quero, years 1944-1949, cat. XV Pubblica sicurezza, fasc. “1944.”

²⁰⁹ *Ibid.*, fasc. “Levi Giorgio c.c. 4841”, request for compensation for war damages for home furnishings, presented 27 September 1945 including List of objects removed from Villa Caderies in Cortina d’Ampezzo – owner Prof. Giorgio Levi – during the occupation; Appeal sent by Giorgio Levi to the Ministry of Finance, Head Office for War Damages, 2 May 1957.

²¹⁰ *Ibid.*, fasc. “Almagia Paola c.c. 4835”, request for compensation for war damages, presented 29 October 1946; decree by the head of the Local Finance Office of Belluno, 16 October 1947. Article 5 and relative letter e) of law 27 December 1953, No. 968, “Concessione di indennizzi e contributi per danni di guerra” [Concession of reparation and contributions for war damages], one can

the person in question since the objects inside the villa could not be excluded from compensation.²¹¹

read: “No reparation is granted for damage to the following assets: [...] castles, villas, hunting grounds, parks and other property destined for the exclusive use of luxury.”

²¹¹ *Ibid.*, Ministry of Finance, General Head Office for War Damages to Local Tax Office of Belluno, 31 March 1970 with decree from the Ministry of Finance.