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Series II: Harold P. Manson File (Zionism Files), 1940-1949, undated.

Sub-series A: Main Manson File, 1940-1949.

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Land Case, 1947.

ROSENBLATT & ENSELMAN
COUNSELORS AT LAW

TELEPHONE HANOVER 2-0590
CABLE "ROENS" NEW YORK

ISIDOR ENSELMAN
BERNARD A. ROSENBLATT

80 BROAD STREET, NEW YORK 4, N.Y.

July 24, 1947

Dr. A. H. Silver
c/o Jewish Agency for Palestine
16 East 66th Street
New York City

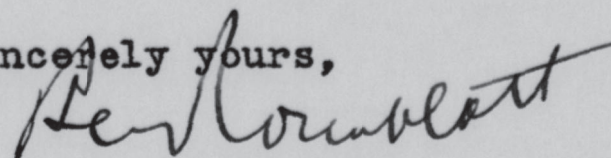
Dear Dr. Silver:

I just returned from Washington this morning, in connection with the land case, where I was accompanied by Judge Jerome Frank who was extremely helpful. We attended two important conferences, one with the counselor for the State Department, Charles Fahey, with whom we discussed the case fully and who advised us to submit a brief as a preliminary move to have the State Department bring the matter before the International Court of Justice. He told us ~~that~~, of course, that even when the legal question is passed upon favorably, there will still be the political question as to whether the State Department will decide to move. That prompted us to make an appointment with Senator O'Mahoney, who happens to be an old classmate of mine at Columbia University, and who is on intimate terms with Judge Frank. I think I can state that once the legal question is solved, we shall have such support on the political angle that it would become impossible for the State Department not to intervene. I should like to meet with you as soon as possible because the question of counsel has come up and Judge Frank has made a number of suggestions for fuller consideration.

Naturally, I am only offering the broad outlines of our conversations in Washington since our departure from New York on Tuesday, but when I meet you I think you will be gratified to learn of the progress already made.

With kindest regards,

Sincerely yours,



BAR/am

ROSENBLATT & ENSELMAN
COUNSELORS AT LAW

TELEPHONE HANOVER 2-0590
CABLE "ROENS" NEW YORK

ISIDOR ENSELMAN
BERNARD A. ROSENBLATT

80 BROAD STREET, NEW YORK 4, N.Y.

July 30, 1947

Dr. A. H. Silver
c/o Jewish Agency
16 East 66th Street
New York City

Dear Dr. Silver:

I am glad to inform you that after the conversation that I had with Judge Frank, I succeeded in securing the services of the law firm of Arnold, Fortas and Porter to represent us in the land case in Washington. Mr. Fortas, with whom I talked on the telephone, understands that we are to keep expenses down to a minimum and I told him that while it was a personal case, it involved such a test of the White Paper policy that naturally the Zionist leadership was directly concerned with it. I have talked with Mr. Akzin and we have arranged to go down to Washington next Tuesday and stay a couple of days in order to help Mr. Fortas in the brief that will be prepared for presentation to the State Department.

I don't have to tell you that I regard the proper pursuance of this case as one of the most important activities that we have undertaken--and I do not believe that I am blinded merely because it happened to be initiated by me in Palestine. It is the first time that we are answering Gt. Britain, not with propaganda, but with a legal test of her right and we will necessarily put the present administration "on the spot" as to whether or not they mean to carry out, not only various pledges--which may be regarded merely as political play for the support of Jewish voters--but the observance of American treaty rights, which is at least of equal importance.

In any event, it seems to me to be axiomatic that while the UN is about to make any decision, which may or may not be implemented, there be pending a lawsuit testing the whole procedure of Gt. Britain in Palestine which may be brought at any moment before the International Court of Justice. Should our State Department refuse to take up this case, it inevitably becomes a political issue next year. Should the case be pressed successfully up to the International Court of Justice, then I feel reasonably certain that America must

Dr. A. H. Silver

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be successful. In either case, it is important that this matter be pressed to final issue.

I must confess that I am somewhat disturbed by a letter received only yesterday from Jacob Salomon of S. Horowitz & Co., who are my attorneys in Palestine, which would seem to indicate that despite assurances given to me by the Jewish Agency in Palestine, there is some reluctance to press the issue for review by the Privy Council in London. I am not so sure whether this may be necessary, if we succeed in getting the assurance of the State Department, they will proceed in any event, for the Privy Council will probably uphold the Palestine decision. But the important thing is to do nothing which may prejudice our future rights, and I hope that some people in the Agency are not taking the position that this is merely something for "the Americans to worry about". In any event, I am at your disposal at any time to discuss it fully with the Jewish Agency members here and point out the significance of the issue involved.

With kind personal regards,



Sincerely yours,

A handwritten signature in dark ink, appearing to read "Dr. A. H. Silver", written over the "Sincerely yours," text.

BAR/am

ROSENBLATT & ENSELMAN
COUNSELORS AT LAW

TELEPHONE HANOVER 2-0590
CABLE "ROENS" NEW YORK

ISIDOR ENSELMAN
BERNARD A. ROSENBLATT

80 BROAD STREET, NEW YORK 4, N.Y.

August 6, 1947

Dr. A. H. Silver
c/o Jewish Agency
16 East 66th Street
New York City

Dear Dr. Silver:

Dr. Akzin will undoubtedly report to you fully about our visit to Washington yesterday and the conference with Mr. Fortas and Mr. Porter in which we retained the firm of Arnold, Fortas & Porter to conduct the land case before the State Department. They understand that it is not merely a legal matter, but one that may have to be pressed before Congress, if necessary, and enlist public opinion on our side even after we shall have convinced the State Department that we have a good legal case--of which Fortas seemed to have little doubt.

I am convinced that we have selected the proper attorneys to represent us and, of course, Dr. Akzin and I will lend them every cooperation on our side. I ought to add that their retainer was a very modest one--\$2,000. besides incidental disbursements, and in no event can it run beyond \$5,000.

I do hope to get a chance to see you before you leave for Europe.

With kind personal regards,

Sincerely yours,

Bernard A. Rosenblatt

BAR/am

ROSENBLATT & ENSELMAN
COUNSELORS AT LAW

TELEPHONE HANOVER 2-0590
CABLE "ROENS" NEW YORK

ISIDOR ENSELMAN
BERNARD A. ROSENBLATT

80 BROAD STREET, NEW YORK 4, N.Y.

August 29, 1947

Dr. A. H. Silver
Baur-Au-Lac Hotel
Zurich, Switzerland

Dear Dr. Silver

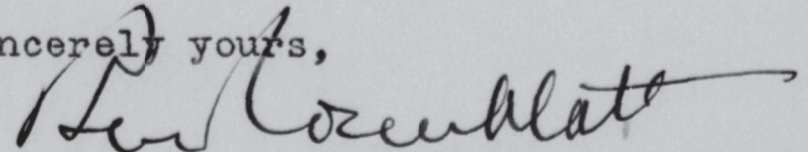
I am happy to inform you that the firm of Arnold, Fortas & Porter are working actively on the land case and that the Washington Post has revealed the fact that they have taken up the law suit, while Mr. Fortas has just written me that he is only waiting for the U.N. report before starting a veritable campaign in Washington. At the same time, I have just been advised by Salomon of the law firm of S. Horowitz & Co. in Palestine that the K.K.L. has allotted £1500 for the purpose of paying counsel in London to argue the case before the Privy Council. In short, we will do everything to bring this on with all our forces at the proper time.

This morning's PM carries an account that the U.N. report will practically be "a Jewish Commonwealth with a Federated Palestine", reserving the custom, railway and post office service to the federal council, while leaving the rest, including the vital matter of immigration, to the two states. I assure you it is not with any sense of pride that I hail a report that I have been championing for so long, because I realize that everything will depend upon "adequate territory". My reason for writing to you now is to urge whether it isn't possible for you, as the leader of American Zionism, to intimate in the proper quarters that this might be a possible "American solution", provided adequate territory including all of Galilee should be allotted to the Jewish Commonwealth.

I have discussed the matter with Emanuel Neumann before his departure, and if I had had the opportunity of being present in Zurich, I would have urged it in person.

With kind personal regards and best wishes for successful deliberations,
I am

Sincerely yours,



BAR/am

ROSENBLATT & ENSELMAN
COUNSELORS AT LAW

TELEPHONE HANOVER 2-0590
CABLE "ROENS" NEW YORK

ISIDOR ENSELMAN
BERNARD A. ROSENBLATT

80 BROAD STREET, NEW YORK 4, N.Y.

November 13, 1947

Dr. A. H. Silver
c/o Jewish Agency for Palestine
16 East 66th Street
New York City

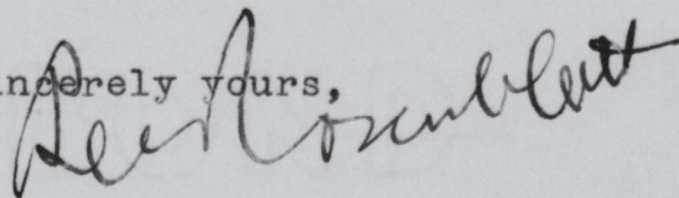
Dear Dr. Silver:

I am leaving for Palestine in a fortnight--sailing on the Mauretania on November 28th. I should very much like to see you before my departure as there are some things in connection with my Palestine sojourn that I would like to discuss with you.

I have just received word from Jacob Salomon, who handles the land case for me in which the Jewish National Fund of Palestine is cooperating, that they have already filed their petition for special leave to appeal to the Privy Council and that he expects the hearing to be held before the end of the month. I wonder whether in view of the political situation we should try to expedite that appeal or to let it take its normal course. That, too, I should like to discuss with you.

With kind personal regards, I am

Sincerely yours,



BAR/am