

The Dispossession of the Lachmann-Mosse Family

The Mosse Corporation until 1932

With the founding of the “Annoncen-Expedition Rudolf Mosse” on January 1, 1867, Rudolf Mosse laid the cornerstone for his publishing empire, converting the company three years later into an “offene Handelsgesellschaft” (oHG) or open partnership.¹ This legal form makes the owner liable with his entire assets, and in this way he was able to underscore his creditworthiness. In 1910, Hans Lachmann-Mosse joined the firm as an additional shareholder;² he had married Mosse’s daughter Felicia briefly beforehand. Just half a year before the death of her father, Felicia Lachmann-Mosse also became a personally liable shareholder in February 1920.³

Like many businesses, the Mosse company found itself in financial difficulties at the start of the 1920s as a result of inflation during the 1920s and beginning in 1929 with the onset of the Great Depression and the bank crisis that it triggered in Germany. The political turbulence during the final years of the Weimar Republic, when the Mosse newspapers, in particular the Berliner Tageblatt, were banned several times, did further damage to the company. Hans Lachmann-Mosse is supposed to have submitted a declaration of bankruptcy to Amtsgericht Charlottenburg on September 13, 1932,⁴ but no evidence of this can be found in the extant commercial register file. After Adolf Hitler was named chancellor on January 30, 1933, the Nazi smear campaign against the “Mosse Bolsheviks”⁵ intensified and publications were once again banned. At the same time, according to the first chief of the Gestapo Rudolf Diels, Storm Troopers (SA) entered the private home of the Mosses in Maaßenstraße ⁶ and the family was threatened with the withdrawal of their passports.⁷

Forced Transfer of Ownership in April 1933

¹ Certified copy, excerpt, January 18, 1934, AG Charlottenburg HRB 1429, Bl. 10-11.

² Ibid.

³ Ibid.

⁴ See Elisabeth Kraus, *Die Familie Mosse: Deutsch-jüdisches Bürgertum im 19. und 20. Jahrhundert*, (Munich: C. H. Beck, 1999), 506 and 518–519, and Peter de Mendelssohn *Zeitungsstadt Berlin. Menschen und Mächte in der Geschichte der deutschen Presse* (Berlin: Ullstein, 1959), 335ff. The later editions of Mendelssohn’s book from 1960, 1982 and 2017 repeat the same version. Current versions of the publishing house’s history are based on Elisabeth Kraus and refer to her information on the reported bankruptcy proceedings.

⁵ Rudolf Diels, *Lucifer ante portas Es spricht der erste Chef der Gestapo* (Stuttgart: Deutsche Verlagsanstalt, 1950), 183.

⁶ Diels, *Lucifer ante portas*, 223; Verfahren Felicia Lachmann-Mosse gegen Treuwa-Treuhandverwaltung GmbH, 23.11.1954, LAB B Rep. 0 25-04, Nr. 1397/50, Bl. 383ff.

⁷ Aktenvermerk Alfred Schwabacher (Leiter der Mosse-Dependance in Zürich), 22.3.1933, Leo Baeck Institute, Mosse Family Collection, Reel 10

It was in this situation that Hans Lachmann-Mosse signed a contract, also in the name of his wife, in which for an annual payment of 120,000 Reichsmarks both “leased” the oHG with all its subsidiaries in Germany and abroad for a period of fifteen years and surrendered all their private real estate with the exception of their furnishings and personal objects. In addition, they promised to take out security mortgages worth six million Reichsmarks on all homes and properties, including the Mosse-Palais at Leipziger Platz 15 with its art collection, their private home on Maaßenstraße, and three country residences near Berlin in order to secure liquidity.⁸ In return for this de facto disempowerment, the Lachmann-Mosses obtained passports for themselves and their three children Rudolf, Hilde, and Gerhard and were all able to emigrate legally to Switzerland by March 31.⁹

The contract partner of this lease contract signed on April 8, 1933 was the Rudolf Mosse Stiftung GmbH founded that same day.¹⁰ Its business purpose was defined as “operation and administration of the printing house and similar businesses with the stipulation that the profits of the society are solely used for charitable purposes,”¹¹ The founder of the foundation with starting capital of 100,000 RM was Dr. Kurt Häntzschel for the Ministry of the Interior, Paul Hamel, chairman of the Berlin stock exchange and owner of the private bank Sponholz und Co., and the notary Fritz Scheuermann.¹² Häntzschel and Scheuermann made up the board of governors together with Wilhlem Ohst, who had been named state commissioner for the Mosse oHG in early March.¹³ Managing director of the foundation was initially Karl Vetter, the head of publishing at the Mosse company, followed by Otto Meyer in September 1933.¹⁴

Additional Steps toward “Aryanization” until May 1933

After this first step in the process of “Aryanization,” others soon followed: on April 15, 1933, Lachmann-Mosse, as shareholder of the oHG and in the name of his wife, was forced to sign over general power of attorney to the Rudolf Mosse Stiftung as he wrote in a letter to his daughter Hilde.¹⁵ ¹⁶ The final step was essentially a usufruct contract veiled as a so-called “foundation contract”¹⁷ that was dated May 5, 1933. In contrast to the lease contract, Lachmann-Mosses now relinquished their lease fees and also promised to take over two Swiss

⁸ Pachtvertrag, 8.4.33, BArch Berlin R 109/413, Bl. 19ff.

⁹ Felicia and Hans Lachmann-Mosse first settled in Switzerland, then moving to France in May 1933. The last member of the family to leave Germany was the youngest son Gerhard, the later historian George L. Mosse: he left the country on March 31, 1933. See George L. Mosse, *Aus großem Hause, Erinnerungen eines deutsch-jüdischen Historikers* (Berlin: Ullstein, 1993), 113–115. Hans Lachmann-Mosse returned to Berlin briefly at the end of April 1933.

¹⁰ Certified copy, excerpt, AG Charlottenburg HRB 1429, Bl. 10-11.

¹¹ Ibid.

¹² Gesellschaftsvertrag, copy, no date, BArch Berlin R 109/413, Bl. 29ff. Hamel was Lachmann-Mosse’s stand-in: for a brief time, he held the shares, making it seem as if the Rudolf Mosse Stiftung belonged to the Mosse family.

¹³ Ohst received a monthly salary of 5,000 RM, see Verfahren Felicia Lachmann-Mosse gegen Treuwa-Treuhandverwaltung GmbH, May 1933, LAB B Rep. 0 25-04, Nr. 1397/50, Bl. 109.

¹⁴ Certified copy, excerpt, Jan. 18, 1934, AG Charlottenburg HRB 1429, Bl. 18; BArch Berlin R 109/413, Bl. 29ff.

¹⁵ Hans Lachmann-Mosse to Hilde Lachmann-Mosse, May 30, 1933, Mosse Family Collection, Reel 6, Leo Baeck Institute.

¹⁶ Generalvollmacht, certified copy, April 19, 1933, AG Charlottenburg HRB 1429, Bl. 9.

¹⁷ Verfahren Felicia Lachmann-Mosse gegen Treuwa-Treuhandverwaltung GmbH, Mai 1933, LAB B Rep. 0 25-04, Nr. 1397/50, Bl. 231ff. For more on the circumstances under which the contract came about, see Bl. 108, 139, 141 and 298.

bank loans of the oHG of around 5.2 million Reichsmarks¹⁸ and to agree to take out additional loans of over two million Reichsmarks. In addition, the contract stipulated that they pay 500,000 Reichsmarks from their private estate in cash to the oHG¹⁹ and surrendered to the foundation the Palais on Leipziger Platz (including the painting collection), the mansion on Maaßenstraße, and the three castles in the countryside.

Despite this new financial influx, the oHG became insolvent on June 12, 1933. After futile efforts to obtain loans and government guarantees from the president of the state of Prussia Hermann Göring and with Hitler personally, at the end of June 1933²⁰ the foundation opened settlement proceedings via the oHG at Amtsgericht Charlottenburg presenting a general power of attorney on July 12.²¹ The goal was a liquidation settlement in which the creditors could be satisfied step by step using the private assets of the Mosse family. The transactions were to take place via a trust company where the national government and the Nazi party secured all influence without publicly seeming to do so.

Settlement, September 1933

On September 13, 1933 the court opened proceedings.²² Since legal insecurities existed pertaining to the relationship between the oHG and the Rudolf Mosse Stiftung, on November 14, 1933 the foundation submitted a proposal for settlement.²³ On December 29, 1933, the Rudolf Mosse Treuhandverwaltung was founded: the purpose of which was carrying out settlements and the fiduciary administration and liquidation of the private assets of the Lachmann-Mosse family.²⁴ The shareholders were the Rudolf Mosse Stiftung GmbH with capital stock of 19,000 RM and Ferdinand Schimmelpfennig as the representative of the creditors with a share of 1,000 RM. The settlement agreed to by both creditor groups included the transfer of the oHG with all domestic subsidiaries and shares and the surrender of all domestic private assets of the couple Lachmann-Mosse as of Sept. 9, 1933, including the art collection at Palais Mosse and the furnishings and art objects located at the homes on Maaßenstraße and in Schenkendorf. The only exception was made for depictions that showed members of the family.²⁵ The subsidiaries abroad with their own legal form were not part of the settlement and remained in the possession of the Mosse family.

Auction of the Art collection, May 1934

With the agreement of the creditors, Amtsgericht Charlottenburg suspended settlement proceedings on February 5, 1934. Briefly afterward, the Rudolf Mosse Treuhandverwaltung

¹⁸ Alfred Schwabacher to Wilhelm Ohst, April 13, 1933, Mosse Family Collection, Reel 9, Leo Baeck Institute.

¹⁹ Alfred Schwabacher to Rudolf Mosse Stiftung, April 26, 1933, and Alfred Schwabacher to Rudolf Mosse Stiftung über Rechtsanwalt Levy, May 5, 1933, Mosse Family Collection, Reel 15, Leo Baeck Institute.

²⁰ Akten Reichskanzlei, handwritten comment without a name, June 29, 1933, BArch Berlin R 43 II 360, Fiche 1, Bl. 31-43.

²¹ Rudolf Mosse Stiftung GmbH, Antrag auf Eröffnung eines Vergleichsverfahrens für die Rudolf Mosse oHG, 12.7.1933, BArch Berlin R 109/413 Bl. 1f.

²² Entry, Sept. 19, 1955, AG Charlottenburg HRB 1429, Bl. 13.

²³ Dr. Haupt/Vergleichsverwalter an Amtsgerichtspräsidenten, no date, BArch Berlin R 109/I 413, Bl. 108.

²⁴ Certified copy, excerpt, Handelsregister Charlottenburg, January 18, 1934, AG Charlottenburg HRB 1429, Bl. 3ff.

²⁵ Verfahren Felicia Lachmann-Mosse gegen Treuwa-Treuhandverwaltung GmbH, Feb. 23, 1934, LAB 25-08, Nr. 581/51, Bl. 154-158.

GmbH commissioned art dealer Karl Haberstock and Hans-Carl Krüger, the co-owner of the Berlin auction house Lepke, with the liquidation of the art collection.²⁶ The auction was held on May 29–30, 1934 at Mosse-Palais. A week later, Auktionshaus Union auctioned off the inventory of the residence on Maaßenstraße and Gut Schenkendorf.

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²⁶ Hans Carl Krüger to Mosse Treuhand GmbH, Feb. 19, 1934, KMA-HA, HB/3/BE/470.a.

