

**FEDERAL RESERVE BANK  
OF DALLAS**

Dallas, Texas, September 4, 1941

**LUXEMBURG DECREE-LAWS OF APRIL 22, 1941, AND  
OFFICIAL NOTICE RELATING THERETO**

**To All Banking Institutions, and Others Concerned,  
in the Eleventh Federal Reserve District:**

Reference is made to our circular dated May 16, 1941, enclosing copies of a letter dated April 22, 1941, from the Secretary of State to the Secretary of the Treasury, and its enclosures, including copies in translation of Luxemburg Decree-Laws of February 28, 1940, and February 5, 1941.

At the request of the Secretary of the Treasury, we now enclose, printed in a separate pamphlet, copies of the following:

Letter dated July 29, 1941, from the Secretary of State to the Secretary of the Treasury, enclosing copies of a note dated June 23, 1941, from the Luxemburg Minister and its enclosures.

The note dated June 23, 1941, from the Luxemburg Minister to the Secretary of State, enclosing copies of two Luxemburg Decree-Laws of April 22, 1941, English translations thereof certified by the Luxemburg Minister, and a copy of an Official Notice relating to such Decree-Laws taken by the Luxemburg Government, copies of which note and enclosures were enclosed with the letter from the Secretary of State.

The English translations, certified by the Luxemburg Minister, of the Luxemburg Decree-Laws of April 22, 1941, which were enclosed with the foregoing communications.

The Official Notice relating to the Decree-Laws of April 22, 1941, taken by the Luxemburg Government, which was enclosed with the foregoing communications.

Additional copies of this circular and the enclosed pamphlet will be furnished to interested parties upon request.

Yours very truly,

**R. R. GILBERT**

**President**

**Luxemburg Decree-Laws of April 22, 1941, and  
Official Notice Relating Thereto**

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This pamphlet contains copies of the following:

Letter dated July 29, 1941, from the Secretary of State to the Secretary of the Treasury, enclosing copies of a note dated June 23, 1941, from the Luxemburg Minister and its enclosures.

The note dated June 23, 1941, from the Luxemburg Minister to the Secretary of State, enclosing copies of two Luxemburg Decree-Laws of April 22, 1941, concerning the effects of measures taken by the German authorities occupying Luxemburg and acts of dispossession committed by them and relating to dispositions taken by the Luxemburg Government, English translations thereof certified by the Luxemburg Minister, and a copy of an Official Notice relating to such Decree-Laws taken by the Luxemburg Government, copies of which note and enclosures were enclosed with the letter from the Secretary of State.

The English translations, certified by the Luxemburg Minister, of the Luxemburg Decree-Laws of April 22, 1941, which were enclosed with the foregoing communications.

The Official Notice relating to the Decree-Laws of April 22, 1941, taken by the Luxemburg Government, which was enclosed with the foregoing communications.

Copy of Letter to the Secretary of the Treasury.

ADDRESS OFFICIAL COMMUNICATIONS TO  
THE SECRETARY OF STATE  
WASHINGTON, D. C.



DEPARTMENT OF STATE  
WASHINGTON

In reply refer to  
Eu 850A.00/106

July 29, 1941

My dear Mr. Secretary:

Reference is made to the Department's letter of April 22, 1941, enclosing copies of a note dated April 8, 1941 from the Luxemburg Minister, with copies, in translation, of the Luxemburg Decree Laws of February 28, 1940 and February 5, 1941.

A further communication, dated June 23, 1941, has been received from the Minister of Luxemburg enclosing copies of two Luxemburg Decree Laws of April 22, 1941 concerning the effects of measures taken by the German authorities occupying Luxemburg and acts of dispossession committed by them and relating to dispositions taken by Luxemburg Government. Copies of the note and Decree Laws are enclosed.

The Minister of Luxemburg would be grateful if copies of this letter and enclosures could be transmitted to the Federal Reserve Bank with his request that such documents, in appropriate form, be brought to the attention of interested persons and institutions in the United States.

Sincerely yours,

For the Secretary of State:

(Signed) DEAN ACHESON

Dean Acheson  
Assistant Secretary

The Honorable  
Henry Morgenthau, Jr.,  
Secretary of the Treasury.

Enclosures:

Copies of note and Decree  
Laws as stated above.

Copy of Note from the Luxemburg Minister to the Secretary of State.

Legation Du Grand-Duche  
De Luxembourg  
Washington, D. C.

June 23, 1941.

Sir:

I have the honor to enclose copies of two Luxemburg Decree-Laws of April 22, 1941 concerning the effects of measures taken by the German authorities occupying Luxembourg and acts of dispossession committed by them and relating to dispositions taken by the Luxemburg Government.

Copies of an English translation of these two legislative acts are transmitted herewith to the Department of State, as well as an Official Notice on the subject.

I shall be grateful if Your Excellency will furnish a copy of this note to the appropriate authorities of the United States Government and if they will take any steps deemed necessary to bring the contents of the Decree-Laws of April 22, 1941 to the attention of interested persons and institutions in the United States.

I avail myself, Sir, of this occasion, to renew to Your Excellency, the assurances of my highest consideration.

(Signed) HUGUES LE GALLAIS.

The Honorable  
The Secretary of State.  
Enclosures as stated.



OFFICIAL NOTICE RELATING TO THE DECREE-LAWS  
OF APRIL 22, 1941, TAKEN BY THE LUXEMBOURG GOVERNMENT

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A decree-law of April 22, 1941 proclaims the complete nullity of all measures which the German authorities in Luxembourg might take, whether they concern public law, administrative organization, the social order or private laws and interests of citizens.

A number of these measures are manifest violations of international conventions regulating the exercise of 'de facto' power and the duties of the occupier. Others constitute a violation of property rights and are, in fact, only acts of spoliation. Others, finally, constitute attacks on the sovereignty of the Luxembourg State, particularly on the constitutional principle of the equality of all Luxembourg nationals without distinction of beliefs, race or language. They find their origin in an occupation effected by violence in defiance of international law. They are, accordingly, vitiated in their very essence. They can produce no effect with regard to Luxembourg law. Any interested party will be entitled to oppose or to have recorded, before any competent jurisdiction, the nullity of the measures in question and of the acts performed in consequence thereof, as respects anyone who should seek to avail himself thereof.

Decrees issued by the occupier, appointments which he has made, and Contracts which he has approved as a public power will automatically cease with the disappearance of his 'de facto' power.

The nullity in question affects all conventions or juridical acts exceeding mere measures of protection and conservation. The same shall be true, in particular, as concerns alienations of movable or immovable property, transfers of credits and, in a word, of all acts of disposition.

All those who, in Luxembourg or abroad, are made instruments of the occupying power with a view to the drafting or execution of measures exceeding the scope of conservational acts, expose themselves to prosecution and condemnation to most severe penalties, through application of the provisions which may be made with respect to particular categories of infraction.

Representatives, outside occupied Luxembourg territory, of Luxembourg or foreign firms or companies would seriously endanger their civil and penal responsibility by executing instructions relative to the management of these companies which might be given them by the occupying authority or its representatives.

Furthermore, another decree-law dated April 22, 1941 applies the principles defined above to the special case of movable or immovable property belonging to the State, the provinces, communes, public establishments or to private persons, which has been or will be the object of acts or dispossession and spoliation committed by the enemy.

The nullity of such acts entails for the dispossessed owners the right of reclaiming these properties, without the owner being in any case required to reimburse the holders of the properties for the amount they cost them. The same decree furthermore provides penalties from three months to three years imprisonment and from 2000 to 20,000 francs fine for the act of having lent assistance to the execution of measures taken by the enemy with respect to the said properties or for having sold or purchased them or given or accepted them as security.

The Luxembourg Government wishes to warn against the possible legal consequences which any operations effected with agents without valid powers might entail.

Montreal, April 22, 1941.



GRAND DUCAL DECREE OF APRIL 22, 1941, RELATING TO  
THE MEASURES OF DISPOSSESSION EFFECTED BY THE ENEMY.

In view of the laws of September 28, 1938 and of August 29, 1939 concerning the extent of the executive power;

In view of Article 27 of the law of January 16, 1866 concerning the organization of the State Council, and considering that a state of urgency exists;

Upon the report and upon the deliberation of the Government in Council:

**HAVE DECREED AND DO DECREE:**

Article 1. Are void and cancelled, unless originating as a result of normal administration, all acts of disposition or acts pledging as security, holdings of property or real estate belonging to the State, to the communes, or to establishments of public interest, seized by the enemy since May 10, 1940.

Article 2. Are likewise void and cancelled all acts of disposition or acts pledging as security, holdings of property or real estate, which were confiscated, seized, or sold by force, or by any other measures used in appropriating private property by the enemy since May 10, 1940.

Article 3. The properties mentioned in articles 1 and 2 may be claimed by the original owners from any holder thereof, and without obligation in any case on their part to indemnify such a holder for the price paid; the latter in turn may have recourse only from his seller. No action for claim may be made after the expiration of three years following the conclusion of peace.

Article 4. Any person, who, since the publication of the present decree, has voluntarily supported the execution of the irregular measures taken by the enemy in regard to the mentioned property, sold, acquired, given or accepted as security the property stated in these regulations, will be punished by imprisonment of from three months to three years and a fine of 2,000 to 20,000 francs or either one of these penalties.

These infractions will be persued before the tribunals of the Grand Duchy whatever the place where they happened and even if the accused is not found in the Grand Duchy.

Article 5. Our Prime Minister, President of the Government and our Minister of Justice are charged with the execution of the present decree, which will become valid on the day of its publication in the Mémorial.

Montreal, April 22, 1941

CHARLOTTE.

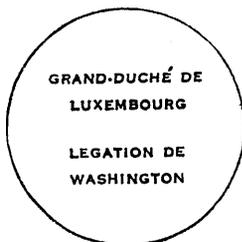
The Prime Minister  
President of the Government  
PIERRE DUPONG  
The Minister of Foreign Affairs  
JOSEPH BECH

The Minister of Labor  
PIERRE KRIER  
The Minister of Justice  
VICTOR BODSON

I, the undersigned, Hugues Le Gallais, Luxembourg Minister to the United States, hereby certify that the above is a true translation of the official text in the French language of the Luxembourg Decree-law of April 22, 1941, published in the "Memorial" of April, 22, 1941.

WASHINGTON, June 23, 1941

(Signed) HUGUES LE GALLAIS





GRAND DUCAL DECREE OF APRIL 22, 1941, DETERMINING  
THE EFFECT OF MEASURES TAKEN BY THE OCCUPIER.

In view of the laws of September 28, 1938 and of August 29, 1939 concerning the extent of the executive power;

In view of article 27 of the law of January 16, 1866 concerning the organization of the State Council and considering that a state of urgency exists;

Upon the report and upon the deliberation of the Government in Council:

HAVE DECREED AND DO DECREE:

Article 1. The measures taken by the occupying enemy are held to be repealed entirely as and when the territory becomes liberated.

Article 2. Unless other dispositions are made, the Grand Ducal decrees, ministerial decrees, regulations and as a general rule all dispositions taken by the legal authority are obligatory throughout the Grand Duchy. The administrative and judicial authorities will continue the application of the measures, without further notice, as and when the territory will be liberated.

Article 3. Our Prime Minister, President of the Government is charged with the execution of the present decree which becomes effective on the day of its publication in the Mémorial.

Montreal, April 22, 1941

CHARLOTTE.

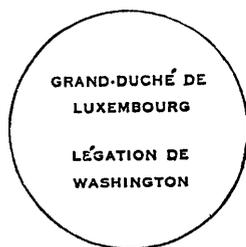
The Prime Minister  
President of the Government  
PIERRE DUPONG

The Minister of Foreign Affairs  
JOSEPH BECH

The Minister of Labor  
PIERRE KRIER

The Minister of Justice  
VICTOR BODSON

I, the undersigned, Hugues Le Gallais, Luxembourg Minister to the United States, hereby certify that the above is a true translation of the official text in the French language of the Luxembourg Decree-law of April 22, 1941, published in the "Mémorial" of April 22, 1941.



WASHINGTON, June 23, 1941.

(Signed) HUGUES LE GALLAIS  
Hugues Le Gallais