11 April, 1945

Honorable Samuel Rosenman,
The White House, W. C.

Dear Judge Rosenman:

1. Conference with Treasury Solicitor, etc. 15 April. In the rush of your departure we did not have a chance to report to you our talk with Mr. Thomaess (Treasury Solicitor) and Mr. Green (Foreign Office) on Thursday afternoon, 13 April. They urged in substance that both the U.S. and U.K. start digging out the documentary proof of the two principal cases which they contemplated:

   a. The case against the Nazi leaders
   b. The case against the principal Nazi organizations (common enterprise theory)

   They also urged that draft messages, one from the U.S. and one from the U.K., to the Russians be prepared and tentatively forwarded to them. We are not sure that too much effort has been made but are prepared to carry it out if you wish.

2. Draft message to Russian. To meet the last suggestion, we have worked out a very rough draft of message for your consideration and possible discussion with the State Department. Whether it should be presented in Washington or in London may be a question. You will observe that it does not advert to the British arrangement proposal. That seems to us a matter for them to advance. Our draft is not tried to avoid being too explicit in this first approach to the Russians.

3. Mr. Stimson's message. This morning a cable arrived from the Secretary of War. It confirmed his previous expression of a strong (not a political) disposition of the Axis criminals and indicated that your suggested conditions to Lord Ismay's original plan would be insisted upon—and possibly some others. The proposed note (see para. above) was drafted with his views in mind.

4. Conversation with Mr. Chidester. 13 April. In a telephone conversation (referred to Mr. Chidester) yesterday, we were informed that the Lord Chancellor's formal memorandum of the War Cabinet decision would not be delivered until Monday the 16th. We shall forward it to you by cable the same day if it arrives seasonably.

5. Mr. Ismay's arrival. Mr. Ismay is still expected here tomorrow evening (Monday) the 13th. I think it will be helpful to have by cable any informal views you may have, in case further development of the situation turns out to be desirable before Mr. Ismay's departure. With his permission.

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we shall obtain as much information as we can on detailed U.S. plans for developing their program and for approaching the Russians — and shall have at least one further talk each with Mr. Thomas Barnes, Mr. Jess and Mr. Golstroom, with a view to finding out what further steps may be profitable, when you receive your instructions from the State Department.

We both wish to express to you our very warm appreciation of your kindness during our work with you and the pleasure which it has given us both.

We enclose an extra copy of this letter which you may wish to send to Mr. Buckworth.

Sincerely yours,

John M. Weld
Brig. Gen., U.S.A.

R. A. Cutler
Col. CEC