

Brady O. Bryson (1915-2006), Nuremberg Prosecutor

*John Q. Barrett**

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Brady Oliver Bryson, a New York, Washington, D.C. and Maryland lawyer, died on February 9, 2006, at his Maryland home. He was 90 years old.

Sixty years ago, United States Navy Lieutenant Bryson worked on Justice Robert H. Jackson's staff in Nuremberg as Assistant Trial Counsel for the United States. In January 1946, Lt. Bryson presented the prosecution's evidence against defendant Hjalmar Schacht, former minister of the Reichsbank and, later, German minister of the economy, to the International Military Tribunal. Bryson was the youngest of the U.S. prosecutors who addressed the IMT during the Nuremberg trial.

Brady Bryson's path to Nuremberg was typically idiosyncratic. He was a U.S. Navy reservist who entered active duty in 1943. After receiving Russian language training, he worked in intelligence in Washington. In spring 1945, the Navy's personnel office, determining that Bryson was the only man on its roster who spoke Russian, asked him to go to Germany or Japan to participate for six months in war crimes prosecutions as U.S. liaison to our Soviet allies. Bryson chose Germany.

Arriving in Nuremberg in fall 1945, Bryson served first as the very underutilized United States liaison to the Soviet prosecution staff. He then arranged—using a reference from a former law partner, Arthur Kent, who in 1934-35 had been Associate General Counsel Robert Jackson's deputy in the Bureau of Revenue at the U.S. Treasury Department—to work on case preparation. Bryson, working with colleagues, first assembled evidence of German crimes against Jews. In December 1945, as other U.S. staff members were embarking on holiday travel during the trial recess, Bryson volunteered to take on the preparation of the case against Schacht, which had become something of an orphan. (It also was a difficult case—Schacht ultimately was acquitted by the Tribunal.)

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On January 10 and 11, 1946, Lt. Bryson presented the evidence against Schacht. His presentation, which is available in published form¹ and on line through Yale Law School's Avalon Project,² was interrupted frequently by the chief judge, Geoffrey Lawrence of the United Kingdom, who in general was frustrated by the slow, repetitive presentations of evidence by U.S. personnel. Bryson handled each of Lawrence's questions and challenges deftly, demonstrating poise, intense preparation and mastery of the evidence. (Lawrence later commented privately to Jackson's executive officer how impressed he had been by the courtroom work of a young prosecutor he recalled by name: "Brady Bryson.") In March 1946, having kept his six-month commitment and having earned enough points to be discharged from the Navy, Bryson returned to the U.S., civilian life and his young family.

Brady Bryson lived a long and happy life. Some of the details can be found in the BALTIMORE SUN article that is reprinted below.³ To note only one of his interesting pastimes, Brady wrote and distributed regularly during the past decade a newsletter, SECOND THOUGHTS, with his reflections on events current and historical.

In 2004, Brady wrote a tribute essay, "Remembering Robert H. Jackson at Nuremberg Decades Ago," that is available on line.⁴

Brady was a gentle, thoughtful, decent and generous friend. You can glimpse some of his personality and qualities in a video clip from December 2001, available on the Jackson Center website,⁵ where Brady reflected on the lasting significance of Nuremberg.

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¹ See V TRIAL OF THE MAJOR WAR CRIMINALS BEFORE THE INTERNATIONAL MILITARY TRIBUNAL, NUREMBERG, 14 NOVEMBER 1945 - 1 OCTOBER 1946 ("The Blue Set") at 119-45 (proceedings of Jan. 10-11, 1946).

² See <http://www.yale.edu/lawweb/avalon/imt/proc/v5menu.htm>.

³ See Frederick N. Rasmussen, *Brady Oliver Bryson, 90, lawyer at Nuremberg trials*, BALTIMORE SUN, Feb. 16, 2006, at 6B; *accord* Brady O. Bryson, 90, of Westminster, CARROLL COUNTY TIMES, Feb. 14, 2006; *Brady Oliver Bryson, Tax Lawyer*, WASH. POST, Feb. 16, 2006, at B5.

⁴ See Brady O. Bryson, *Remembering Robert H. Jackson at Nuremberg Decades Ago*, 68 ALBANY L. REV. 9-12 (2004). A PDF version of this article is available at [http://www.roberthjackson.org/documents/Bryson%20\(final\).pdf](http://www.roberthjackson.org/documents/Bryson%20(final).pdf).

⁵ See <http://www.roberthjackson.org/Center/videolist/>.

**Brady Oliver Bryson, 90,
Lawyer at Nuremberg Trial**

By Frederick N. Rasmussen
Adapted from the
BALTIMORE SUN
February 16, 2006, p. 6B

Brady Oliver Bryson, a lawyer who had been a member of the prosecution team at the Nuremberg War Crimes Trial and later was a prominent tax attorney, died of kidney failure Feb. 9 at Father's Care, his Westminster farm. He was 90.

Mr. Bryson was born in Overton, Nev., and moved to Catonsville [Maryland] with his family in 1920. He was a 1931 graduate of Catonsville High School and earned a bachelor's degree from Western Maryland College in 1935.

Mr. Bryson earned his law degree in 1938 from Columbia University Law School in 1938, where he had been an editor of the law review, and began his career practicing tax law in Washington.

In 1943, he drafted the contract for the National Broadcasting Co.'s sale of its Blue Network, which was renamed American Broadcasting Co.

He joined the Navy in 1944 and was assigned to an intelligence unit that specialized in breaking Russian codes. At the end of the war, he was sent to Nuremberg to serve as liaison between American and Soviet legal staffs. When a vacancy occurred on the trial staff, Mr. Bryson was put in charge of a small team assembling American documentary material and preparing a trial brief on the persecution of Jews.

When that job was completed, he joined the trial team that prepared the case against Hjalmar Schacht, the former Reich minister of economics and president of the Reichsbank, who had been dismissed by Adolf Hitler in 1939.

"And of course his defense was that, as soon as he realized where the Nazis were going, he discreetly went in the other direction and tried to get out of it all, that he was ultimately out of any governmental position of importance before the war started in 1939, and remained merely a minister without portfolio," Mr. Bryson told Hilary Gaskin, author of *EYEWITNESSES AT NUREMBERG*.^[6]

Mr. Bryson's view was that a bitter rivalry had developed between Hermann Goering, founder of the Gestapo, who felt that Schacht had failed in assembling the necessary funds for Germany's rearmament.

"Schacht was afraid of breaking the economy," Mr. Bryson told Ms. Gaskin. "There was a basic policy among these conspirators to wage aggressive war, and Schacht was right at the center of it. Our evidence indicated that Goering won out, and that's why Schacht fell into disfavor and was downgraded and demoted and gradually eased out - and this enabled him to argue that he was personally unsuccessful in heading the war off."

Schacht was acquitted at Nuremberg but was arrested by the German government, found guilty of other charges and imprisoned until 1948.

Mr. Bryson donated his Nuremberg records to the Robert H. Jackson Center in Jamestown, N.Y., named for the Supreme Court justice who had been the principal American prosecutor at the trial.

In 1947, Mr. Bryson moved to New York City and became a partner in the firm of Chapman, Bryson, Walsh and O'Connell, and eight years later became a partner in the Washington and Philadelphia law firm of Morgan, Lewis & Bockius.

"He was an international and national figure in tax law," said Wilbur D. "Woody" Preston, a partner in the Baltimore law firm of Whiteford, Taylor and Preston.

⁶ See HILARY GASKIN, *EYEWITNESSES AT NUREMBERG* 17-19, 61-66, 76, 115-16, 167-73 & 182-83 (London: Arms & Armour Press, 1990) (quoting Bryson's memories of and reflections on Nuremberg).

Notable achievements during his career included assisting in the writing of the Internal Revenue Service Code in 1954 and representing Thomas McCabe, whose gift of his property on Assateague Island became part of Assateague National Seashore in 1965.

As a member of the board of Independent Publications Inc. in Philadelphia, Mr. Bryson had arranged for the sale THE BULLETIN, one of its newspapers. He also had been a member of the board of Remington Rand Corp. and an adviser to S.H. Tevis and Son Inc., a Westminster oil company.

Though he retired in 1980, Mr. Bryson remained a vigorous presence in Westminster, which he had fallen in love with during his student days at Western Maryland College.

In 1950, he and his wife, the former Mary Elizabeth Brown, purchased Father's Care, a 100-acre farm with a brick house dating to 1836 and barn to 1817. They restored the home and furnished it with their collection of English and American furniture.

In 1980, Mr. Bryson, a wine aficionado, purchased an old building on Main Street in Westminster, and for the next 20 years owned and operated Locust Wines and Antiques. He also wrote a weekly wine column for the HANOVER EVENING SUN in Pennsylvania.

He was an avid fox hunter, and for 57 years, until he was 88, Mr. Bryson had ridden with the Carrollton Hounds, for which he had been master of foxhounds. He also was a life member of the Green Spring Valley Hounds and at times had hunted with the Elkridge-Harford Hunt, Howard County-Iron Bridge Hounds and Mount Carmel Hounds.

Mr. Bryson was a supporter of the expansion of his *alma mater*, now McDaniel College.

"He was a wonderful conversationalist, a deep thinker, and was always fascinating to be around," said William B. Dulany, a longtime friend who is managing partner of Dulany, Leahy, Curtis and Williams, a Westminster law firm.

BRADY O. BRYSON (1915-2006)

In addition to his wife of 67 years, Mr. Bryson is survived by two sons, John A. Bryson of Washington and Timothy S. Bryson of Westminster; a daughter, Linda Lucatorto of Washington; 10 grandchildren; and six great-grandchildren. Another son, David Brady Bryson, died in 1999.