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**Schreiben Konsul Don. S. Haven an das State
Department of the United States (24.03.1923)**

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Regest:

In dieser Quelle beschreibt der US-amerikanische Konsul Don S. Haven am Beispiel des Pelzhandels anschaulich die Schwierigkeiten, in Deutschland Handel zu treiben. Insbesondere während der Inflationsjahre (hier auf dem Höhepunkt der Hyperinflation) gab es eine weitverbreitete Angst vor einer "Überfremdung" der deutschen Wirtschaft und des weiteren Verlusts von Handelspositionen. Das führte am Standort Leipzig zu zahlreichen Behinderungen und Sanktionen von ausländischen Geschäftsleuten. Die Industrie- und Handelskammer spielte dabei eine wichtige Rolle, in dem ihre Bewertungen offensichtlich entscheidend für den Aufenthaltsstatus von - in diesem Fall - US-Amerikanern waren. Im Hintergrund wurde hier aber auch die Frage verhandelt, wie stabile Wirtschaftsbeziehungen Deutschlands mit dem Ausland in Zukunft möglich sein könnten.

Subject: Squeezing the American Buyer out of Germany

From Consul Don S. Haven

Leipzig, Germany

Date of Preparation: March 12th

Date of Mailing: March 24th

Seen for Approval and Transmission: [handschriftlich: Hernando de Soto:]

The Leipzig Chamber of Commerce, by recommending to the local police authorities that the business interests of any American tradesman are not sufficient to justify his presence in the free State of Saxony, Germany, can prevent him from obtaining the required residence permit and force him to leave. It is customary, for the police, to rest their decision to grant residence permits to foreign trade representatives upon such recommendations from the Chamber of Commerce, and certain American fur buyers, well known to the local fur market have bitterly complained of being squeezed out by the local Chamber of Commerce and have in personal conversations with the writer and Mr. Ernst A. Boettcher of [2]this office strongly intimated their belief that the Chamber's acting prejudicially against American representatives is due to its sympathies for the local commissioners who wish to have the control of the local fur market entirely in their own hands.

After obtaining statements from several Americans affected, and in addition a statement from an officer of the Leipzig police, the writer, in company with Mr. Boettcher, who acted as interpreter, called upon the Recorder of the Leipzig Chamber of Commerce, Justizrat Dr. Wendland, and interviewed him in the presence of Dr. Uhlich, Secretary of the Chamber of Commerce.

The substance of the statements and interview above referred to follow.

Statement made by Mr. H. Weitzer of H. Weitzer and Sons, Inc., 143 West 27th Street, New York City:

"In the latter part of 1921 or the first months of 1922, I intended to open a branch office of my New York firm in Leipzig and sent my commission agent, Mr. Leopold J. Cohn, of 33 to 35, Reichsstrasse, Leipzig, to Mr. Selter,

Imperial Japanese Consul, partner of M. Bromberg & Co. Nachfolger, 47–51, Nicolaistrasse, Leipzig, who is a member and confidential man of the Leipzig Chamber of Commerce, in order to bring my case before him. My request for assistance in this matter was turned down by Mr. Selter who stated that through the establishment of a branch office a legitimate profit of the German commission agent would be lost, as it was too easy for Americans with their dollars to compete with the German firms ("if I would allow you to open a branch here it would take away their bread and butter.")

It is obvious from the Imperial Japanese Consul's state-[3]ment that concern is had for the commissioner's job as commissioner and not for the general interests of the fur trade, for the reason that an American purchasing agent in Leipzig might eliminate the commissioner or middle man's tax, but his presence here could in no way restrict the fur trade. On the contrary it might easily increase purchases by Americans.

Statement made by Mr. Leopold J. Cohn, 33–35 Reichsstrasse, Leipzig:

"In my conversation with Mr. Selter, when speaking for my employer, Mr. H. Weitzer, Mr. Selter said to me: "Mr. Weitzer's request to be permitted to open a branch office in Leipzig can not receive a favorable recommendation from me because he has a very good commission agent here through whom he can transact his business."

The commissioners' and not the industries' interests were accentuated again by Mr. Selter.

Statement of Mr. Henry J. Orlove, an American Citizen, residing at 769 Dawson Street, New York City (339 Lafayette Street, New York City, Scandinavian American Fur Company):

"In August 1922 Mr. Orlove was ordered by Police Headquarters at Leipzig to leave the Free State of Saxony on short notice.

He came to the Consulate for help and the assistance given him resulted in a 6 months extension of his residence permit.

In the course of the interviews with Police Headquarters it was possible to examine the decision of the Chamber of Commerce called upon by the Police Headquarters to express its opinion whether a stay should be granted or not. The letter of the Chamber of Commerce dated August 1, 1922, reads substantially in translation as follows:

..... "the Chamber of Commerce can not recognize any imperative reasons why Mr. Orlove's stay in Leipzig should be absolutely necessary. Further-more there exists[4] an unfavorable report from the German Passport Bureau at Malmo according to which Mr. Orlove in the year 1920 tried to enter Germany without a passport or visa and further more the father of Mr. Orlove during the war had acted as an agent of the enemy."

Regarding the Chamber's charge that Mr. Orlove attempted to enter Germany in 1920 without a passport or visa, Mr. Orlove explained the matter to the writer by saying: "While in Sweden visiting our branch office I applied at the German Consulate (temporary) at Malmo for a visa. After a five weeks delay I was advised by the German Consul that a visa could not be granted me. I then went to Stockholm and took up the matter with the German Embassy. I was favorably received. The Embassy communicated immediately with the Consul at Malmo with the result that upon my return there I was given the German visa."

The objection to Mr. Orlove on the ground that his father had assisted the enemy during the war can not reasonably have any bearing on the case.

Statement made by Sergeant Werner, of the Leipzig Police Headquarters:

"If a foreigner comes to Leipzig in order to establish a branch office here or to stay for any length of time order to look after his business interests he must obtain from the police a permit to stay (Aufenthaltsbewilligung). In his application he must state the reasons for his intended stay. Usually he is told that he will get the answer at an early date, and the matter is brought before the Chamber of Commerce. The Chamber of Commerce has in every branch of business certain confidential men, to whom the matter is referred. It is my impression that frequently these men are not guided by the only important[5] question whether the applicant is a straightforward honest business man, but that they also allow themselves to be influenced by the consideration whether the proposed branch or stay is harmful or detrimental to their own business interests. The opinions of the confidential advisors are communicated to Police Headquarters by the Secretary of the Chamber of Commerce, Mr. Uhlich, a man who is frankly opposed to anything and anybody foreign. The decision of the Chamber of Commerce is accepted

by the police. The incongruity of this procedure is that the foreigner in question is passed judgement on by his own competitors and that he is held in the dark as to the reasons for his undesirability.

Noteworthy is the fact that even if the police have no objections to the stay of a foreigner and regard him favorably, and without bias, they can not grant a residence permit after the Chamber of Commerce has ruled against him."

Interview had with Justizrat Dr. Wendland, recorder of the Leipzig Chamber of Commerce and Dr. Uhlich, Secretary of the Chamber of Commerce:

As I wished to know the relative number of American buyers competing with German commission agents I asked the Secretary if he could give me the approximate number of local commission agents and the number of American firms with direct buying representatives in Leipzig. He was unable to do so.

I then asked him if it was true that the Leipzig commission agents were antagonistic toward the establishment of American purchasing agents in Leipzig. The secretary replied: "As a rule not; but if the business of German commissioners is liable to be unfavorably influenced by the foreign enterprise they are."

[6]

"Have any commissioners complained to the Chamber of Commerce about Americans purchasing direct," I asked.

"No", replied the Secretary.

I reminded the Secretary that Americans residing in Leipzig paid the required residence tax and, when staying longer than six months, the income tax as well, and further more since the expenses of the buyer were met by his firm, I asked the Secretary if he did not think the need of a buyer's being placed here with should logically rest with the firm and not with a body like the Chamber of Commerce.

The Secretary did not reply directly to this question but generalized saying, "The Chamber of Commerce has to decide whether industry and commerce have an interest in the establishment of a foreign agency. The decision is subject to general economic considerations and to reciprocity in the treatment of German business men in the country in question and to the desire that Leipzig remain the center of the fur trade. It is furthermore considered whether through the establishment of such a foreign enterprise harm might be done to Leipzig firms; in other words it will not be recommended if the foreigner is liable to take away business from German firms."

In reply I requested Mr. Boettcher to ask the Secretary if he did not believe that the best form of reciprocity from America would be an increased American market for German goods. And also if by "taking away business from German firms" he meant actually reducing the fur trade or merely the cutting down of the commissioner's percentage.

He did not have an answer, or apparently declined to give it.

I then asked the Secretary if the Chamber of Commerce at Leipzig had ever recommended to the local police authorities that certain American business representatives should not be granted[7] residence permits because their business did not justify their presence here.

"No", he said.

Nevertheless as may be seen from the following copy of a letter addressed by the local police headquarters to Mr. Ernst Jacob, an American Citizen residing temporarily in Leipzig, the local Chamber of Commerce has recommended the withholding of residence permit to Americans the Secretary's Statement to the contrary notwithstanding.

(Translation)

Police-Headquarters, Leipzig,

Register No. A. R. II 2405

Mr. Ernst Jacob,

Leipzig

Leipzig, February 8, 1923

The Administration of the City of Leipzig had declined your request dated December 19th, 1922, in which you solicit a three month extension of your permit to stay, because, according to the result of careful investigations there is no economic necessity warranting your further stay for the reason that your firm has a commission agent in Leipzig.

Your and your wife's stay can therefore not be tolerated any longer. You are herewith ordered to leave the Free State of Saxony within the two weeks after the receipt of this letter in order to avoid coercive measures.

The administration has fined you M 1000.- costs which must be paid to the Police Cachier within one week in order avoid further proceedings against you.

Police headquarter Department 4.

Signed i. A. Merger