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NO. 1221

AMERICAN CONSULATE GENERAL,  
Berlin, Germany, April 6, 1933.

SUBJECT: Reporting further cases of the molestation  
of American citizens.

THE HONORABLE  
THE SECRETARY OF STATE,  
WASHINGTON.

SIR:

I have the honor to refer to my despatches Nos. 1184 and 1187 of March 14 and 1212 of March 31, 1933, in which I reported attacks upon or molestation of American citizens by persons wearing the uniform of the S.A., and now have to transmit herewith affidavits executed at this Consulate General and at the Consulate at Breslau, covering further cases. For the convenience of the Department a brief resume of these cases is given.

Lilie Steinlauf-Blutinger, an American citizen domiciled in Berlin and who conducts a hair-dressing establishment, was visited on the evening of April 3 at about 7 o'clock by two persons in National Socialist uniform who asked where her husband was. She states that fearing for his life, her husband who is evidently not an American citizen, had left on April 2 for Holland. On Tuesday, April 4, three persons in National Socialist uniform came to her home again asking for her husband and she told them that he had left the country. Noticing several bundles of bedding which had been

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gotten together by her as she was preparing to leave the country, they cut these bundles open to search for money. They took possession of her passport and also her pocketbook which they returned after taking out 30 marks. They left with her a paper indicating that she would be able to get the passport returned through the Polizei Praesidium. At 8:45 that evening one of the men returned, requesting a small amount of money for a few glasses of beer and saying that if she would give him the money he would talk with the leader of the S.A. group and have him telephone to the Polizei Praesidium so that she could get her passport back. She identifies the man to whom she gave the money as one "Herz". At 8:15 o'clock on the morning of April 5, a person in National Socialist uniform came to her house and told her that she was arrested. With him was a former employee of her hairdressing establishment. They asked that the hairdressing establishment be turned over to them by her, which she refused to do, and two police officers were called who took her to the Police Presidency in Berlin where she was told that she had been arrested for smuggling money out of the country. The police questioned the S.A. man and her former employee as to what proof they had that she had been smuggling money out of the country, to which they replied that they had none. The police then allowed her to go. The man in National Socialist uniform who was responsible for her being taken to the police station by the

police,

police, then apologized saying that he was not responsible for the affair.

Bernard S. Lustig, the bearer of a Departmental passport and who has been in Germany since 1930, states that on Saturday, April 1, 1933, he was in a restaurant where his passport was demanded by several men in S.A. uniform. When they noticed that his German visa expired on April 1, 1933, he was detained in the restaurant awaiting the arrival of a man who was not in uniform but who seemed to be an authority and who was intoxicated. Mr. Lustig was later taken to the nearest police station accompanied by four men in S.A. uniform, where he was questioned, his papers examined and his pockets emptied, and he was placed in a cell where he was kept until about 4 o'clock on the morning of April 2. He was then taken in a patrol wagon to the Police Presidency where he remained until noon, April 3, and when asked to be allowed to use the telephone, permission was denied. He states that in the Police Presidency he was confined in a large cellar compartment with about 50 other people of whom the majority appeared to be members of the criminal class. About 10 o'clock on the morning of April 3 he was brought before a police official and was released towards noon as there were no charges against him and he was advised to immediately take the necessary steps to have his German visa extended. He states that upon return of his personal effects, RM. 2.40 were deducted for his "upkeep" while in the Police Presidency,

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and a paper to this effect was given him.

Louis Samuel Chase, the bearer of an American passport issued by the Department, has been in Berlin since November, 1932 and has been studying medicine at the University of Berlin. On Saturday, April 1, he was walking along the Kurfuerstendamm with his sister and several friends, his sister also being an American. At 3o'clock in the afternoon he stopped to take a photograph when a man in the Stahlhelm uniform told him he was not to take a photograph which Mr. Chase then did not do. He was annoyed by this man further, and a group of men in S.A. and Stahlhelm uniform collected. After further annoyance he was placed under arrest by these men and taken first to an S.A. headquarters and threatened with a beating. After questioning and improper treatment, Mr. Chase was released. His story is substantiated by his sister, Eleanor Chase, an American citizen, and whose substantiating affidavit is also transmitted herewith. The story is further supported by the affidavit of Samuel Somers, an American citizen, a fellow medical student at the University of Berlin, which affidavit is also transmitted herewith.

Hersch Roth, a naturalized American citizen, bearer of a Departmental passport, stated that he came to Berlin on March 29, 1933 to look after some of his private business and that on April 3 two men, one a policeman and one in civilian clothes, appeared at the house where he is living with his uncle and asked where

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he was. His aunt replied that he would call at the police station as soon as he returned home, which he did, going to the station at Josty Strasse 3 where he was asked various questions particularly with respect to the rent of the houses which he owns in Berlin. The police official asked why he insisted on getting his money so quickly whereupon Mr. Roth said that he never asked for rents before they are due. He was thereupon allowed to go and when he returned to the home of his uncle where he is staying, he found two men at the door, wearing the Stahlhelm emblem, one of whom he has identified as one of his tenants. These men took him to the police station where he was again questioned as to his rents. The police official in charge according to Mr. Roth, treated him very considerately and when the Stahlhelm people wanted to take him away by force, the police official advised him to remain until the Stahlhelm members had left the police station.

The affidavits executed by the above mentioned American citizens have been sent with a covering letter to the Polizei Praesidium in Berlin with the request that an appropriate investigation be made and that the Consulate General be informed as to the specific action which has been taken by the authorities in each case in arresting and giving appropriate punishment to the persons who molested these American citizens.

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There is also transmitted herewith an affidavit executed by Charlie Schockner, a naturalized American citizen who is the bearer of a Departmental passport and who temporarily resides with his parents at Ratibor, Upper Silesia. This affidavit was executed before the Consul at Breslau but as it has the appearance of covering a coffee-house brawl, the Consulate at Breslau has informed this Consulate General that it has taken no cognizance of the incident further than to take Mr. Schockner's affidavit. The Consulate General believes that as Mr. Schockner is a professional boxer without employment here and without apparent means of support and that as he had already been notified by the German authorities that he must depart from Ratibor within eight days, the Consulate at Breslau was correct in not taking up this case with the German authorities and it is not the intention of the Consulate General or of the Consulate at Breslau to take any further action on this case or to aid Mr. Schockner in remaining in Germany.

There have come to the attention of the Consulate General, five cases of Americans who have been placed under arrest, kept in confinement for various periods - in every case under 36 hours - and refused permission by the police to communicate with the Consul. Mr. Charles Mudge and Mr. Arthur Isquith in Breslau, Mr. Van Buren in Dresden, and Mr. Morris S. Sonders and Mr. Alexander Adler in Berlin, are the Americans in

question.



question. There is transmitted herewith an affidavit executed by Mr. Mudge and Mr. Isquith before the Consul at Breslau, and there are also transmitted herewith the copies of the affidavits executed by Mr. Sonders and Mr. Adler at the Consulate General at Berlin. An affidavit in the case of Mr. Van Buren is being executed in the Consulate General at Dresden and will be transmitted to the Department later when it may be received by this office. As in these five cases the police refused permission to these Americans to communicate with the American Consulate, I brought these cases to the attention of the Embassy which immediately made the necessary representations to the Foreign Office. There are enclosed herewith with this despatch, copies of my letters of April 6, 1933 to the Embassy, in which a resume of the circumstances in the five cases is given, so no further details are being recited in this despatch.

It is significant to note from the cases above recited and from the circumstances set forth in the appended affidavits, that there is the closest cooperation between the men in S.A. uniform and the police. The mere fact that Americans <sup>were</sup> brought before the police by men in S.A. uniform, was sufficient even though these men in S.A. uniform did not have the armband showing that they were authorized "Hilfspolizei". There is curious division of authority - or rather duplication of authority - which it may be difficult for the Department to appreciate but which is becoming more and more apparent to the

officers

officers of our Government in Germany. There is first of all in Germany the Government machinery including police as it heretofore existed, which is now however solely and completely under the control of the National Socialist Party. There is in addition the National Socialist Party with its very complete organization and with its uniformed men to exercise its authority. It is at times difficult to determine whether the authority lies with the Government or with the Party; but there is increasing evidence that the Party organization is the controlling factor. The Consulate General in Berlin is handling several other cases which it has taken up with the regularly constituted authorities and through the regular channels, but on which it cannot get any action from the regularly constituted authorities as the S. A. organization refuses to permit the action to be taken which the authorities wish to take, on the ground that there would be a loss of prestige by the S. A. This circumstance is merely recited to show to the Department the difficulties which the Consulate General experiences in getting protection and adequate satisfaction in matters affecting American citizens. It is possible that this situation is temporary and it is obvious that it cannot definitely continue.

Respectfully yours,

800 - GSM:P

Enclosures:

George S. Messersmith,  
American Consul General.

Copies of affidavits of:

Lillie Steinlauf-Blutinger; Bernard S. Lustig;  
Louis S. Chase; Eleanor Chase; Samuel Somers;  
Hersch Roth; Charles Mudge and Arthur Isquith;  
Morris S. Sonders; Alexander Adler.

Copies of two letters to Embassy.

A true copy of  
the signed original  
JMM