

HEADQUARTERS SECOND SERVICE COMMAND
ARMY SERVICE FORCES
Governors Island, N.Y.

BJOR/jf

In Reply Refer To
O'Rourke-5

Address Reply To:
INTERNAL SECURITY DIVISION
INVESTIGATIONS BRANCH
39 Whitehall Street
New York, N.Y.

Mr. Fred Pabst
Manchester
Vermont

Dear Mr. Pabst:

This office is conducting an investigation on ERNEST G. CONSTAM, the originator of a device known as the Constam Ski Lift.

We understand that you have had some business dealings with him.

We would appreciate it if you would apprise us of any contacts or royalty agreements which you have negotiated with him and your opinion of his business ethics, his character, and his loyalty to the United States; also, if you could advise us whether in his dealings with you he seemed to have Nazis sympathies and a vast fund of knowledge of the latest ski devices used by the Germans. Finally, could you tell us if he seemed excessively inquisitive about ski devices used by the United States Army and whether you would consider him trustworthy enough to be allowed access to confidential information on devices used by the United States Army for ski patrols.

We would appreciate a prompt reply to this request. An addressed envelope, which requires no postage, is enclosed for your convenience.

Very truly yours,

INTERNAL SECURITY DIVISION

By B. J. O'Rourke
E.J. O'ROURKE, Agent

1 Inclosure

May 6, 1943

Internal Security Division
Investigations Branch
39 Whitehall Street
New York City, New York

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Attention; Mr. E. J. O'Rourke
Agent

Dear Mr. O'Rourke:

Received your letter in reference to Ernst G. Constam. First of all let me say I do not know as to his loyalty to the United States as my understanding is that he is a Swiss subject. I have had no opportunity to discover whether he has any Nazi sympathies or whether he has a vast fund of knowledge of ski devices used by the Germans. He has never asked about ski devices used by the Army and did not know that he knew enough to justify his having access to confidential information on devices used by the Army or Ski Patrol.

It is difficult to describe in a few words my trouble with Constam, but I'll attempt to make it short. Mr. Thomas Schlytter of Norway had carte blanche authority to act for Mr. Constam, photostatic copy of which is part of the agreement that I have as licensee on Constam patents. A few days after the agreement was signed, Mr. Schlytter notified my lawyer in writing that it would be perfectly all right and that he had promised me that in spite of the fact that it had not been made part of the agreement, he had given me permission to move any of my ski trams to any location East of the Mississippi as long as it did not involve Canada.

In the first place, it was very questionable as to whether Constam's patents were good but rather than get into a complicated law suit at the time, around 1939, I decided it would be better to pay Constam \$2000 on a lineal footage cable basis. I have since paid Constam \$250 to guarantee my right to move one tram to Canada. Some of my locations turned out badly and I therefore moved two of these trams to my Manchester, Vermont location known as Big Bromley where I personally had in the last five or six years two rope tows. Mr. Constam has actually threatened me and in his last letter which I

believe was written somewhere around February, stated that I would have to remove the equipment immediately or be sued. I wrote Mr. Constam that I was no longer interested in receiving letters from *him* but that he could write directly to my lawyer, Henry Ashton, Fish Richardson and Neave, 20 Exchange Place, New York City. I have not heard from him since. My reaction, however, is that he is out to get every penny possible and I think his attempt to keep me from moving my equipment on which I have paid a license fee is a far cry from being ethical or showing any sportsmanship and I intend fighting him if he brings up the suit which would probably result in his patents not being adjudicated. I only wish to be left alone but it seems as if Constam is out to cause as much trouble as possible and as far as I am personally concerned, without any feeling of vindictiveness, he is just another European that is trying to squeeze money out of the United States. I hope that I shall never have any more dealings with him and hope that he soon returns to Europe permanently. His agent at the time, Mr. Thomas Schlytter, in spite of the fact that I had to pay money to get a license, nevertheless seems to be a perfect gentleman and fair about his dealings. I hope I have been of some assistance.

Very truly yours,

Fred Pabst, Jr.

FP:BS

P. S. I know nothing about Mr. Constam's character or his loyalty although I should assume offhand that he would have no reason for any loyalty to the United States as he is a Swiss subject and I have always felt that as soon as Mr. Constam makes some money that he will again immediately return to Switzerland.