

Petition by the Citizens of Ulm (October 1862) and Report from Bavaria's Central Office for Industry and Commerce (January 1863)

Abstract

This 1862 petition by Ulm citizens attests to growing concerns about pollution caused by local industry, especially enterprises that ran on highly polluting hard coal. The 1863 report from the Bavarian Central Office of Trade and Industry shows that although governments acknowledged such problems, they often did nothing, asking citizens to cope with industrial [pollution](#).

Source

I. Petition by the Citizens of Ulm, October 1862

In recent times, the firing of hard coal, especially Mießbach coal, has become very prevalent in larger industries, such as breweries, malt kilns, tobacco factories, so much so that individual dwellings are literally surrounded on all sides by such facilities, as, for example, in the vicinity of the undersigned Teichmann and Baur there are no less than six of these fires, namely Winkler's malt kiln toward the east, the beer breweries Hohe Schule and Breite, the tobacco factory of the Bürglen brothers, and the breweries Pflug and Löwen toward the south and west. During strong winds or when fog compresses the smoke, phenomena that are known to be only too common in this city, the houses in proximity to such fire-installations end up swimming in a sea of smoke. Not only does this cut off the inflow of fresh air entirely, but because Mießbach coal contains a lot of sulfur, a pestilential stench spreads, penetrating all openings; this makes remaining inside the houses unbearable and even harmful to health. Moreover, the smoke and fumes that rise from the chimneys carry very fine particles of ash and soot, which settle on the wallpaper in rooms and soil curtains and furniture. But if the wind is unfavorable, it is utterly impossible to remain in courtyards and gardens. Now, we are well aware that neighbors must tolerate a good deal from one another. On the other hand, though, it must just as surely be affirmed that everything, including the right to the indulgence of others, must have its limits. If one person has the right to dispose freely over his property, the other person has the right to demand that he will not be impeded in the use of his own property. If one person can lay claim to his activities for his purposes, the other person rightfully demands the possibility of being able to live alongside him a life that is in keeping with the needs of his well-being.

Our positive law also affords help against such nuisance from the neighbor's use of his property as is caused by the emission of substantial matter, smoke, and dust, to the extent that it occurs as the result of an unusual manner of use, namely by means of special installations for this purpose. Moreover, they extend protection where property is used in such a way that the physical integrity of neighbors is endangered, especially where the air is polluted in a way that runs counter to the considerations of the policies of the general welfare.

All these conditions apply in this case; and we have all the more reason to complain, in concert with all the others who are in the same situation, as technology today has found perfectly reliable ways to prevent the nuisance to neighbors from the operation of burning installations, namely by consuming the smoke before it is emitted. It is well known that this method has long since been used in England and has proved itself there in every way, even if it may not be known yet—or known sufficiently—to our builders. We believe, however, that it should be easy for the Royal Central Office for Trade and Commerce to offer

advice on this.

We therefore submit the humble petition that the Royal Ministry of the Interior will graciously issue a general decree that will protect neighbors against unusual nuisances like those in question.

II. Report from the Bavarian Central Office for Industry and Commerce, January 1863

Compared to other fuels, hard coal is so cheap in most parts of the land that it is becoming more and more widely used for ordinary room and kitchen heating as well as for industrial operations. Even the smaller hard coal heaters in private homes already cause much nuisance by spreading soot, as is evident when drying clothes or collecting rainwater from roofs. Of course, such problems are even more pronounced in larger coal-burning installations, such as breweries. However, given the advantages of hard coal burning, especially in terms of cost compared to other fuels, the increasingly widespread use of these coals for private consumption as well as for industrial operations cannot be prevented.

Where such use is new, complaints will inevitably be voiced at first, insofar as the firing installations that are used for the new fuel are not well suited to hard coal, and the stokers are not yet familiar with the handling of this new fuel.

This is also the case in Ulm, where, incidentally, the problems associated with coal heating are not worse than in other places; however, the people there are not yet used to this kind of heating and its unavoidable consequences.

Nevertheless, the defendants should be instructed to ensure smoke-free combustion of the hard coals, if necessary by raising the height of the chimney, and especially through careful stoking and the appropriate grates, which is in the interest of the owners of the furnace, who thereby save on fuel.

Source: Petition Ulmer Bürger (Oktober 1862); Bericht der Bayerischen Central-Stelle für Gewerbe und Handel (Januar 1863); reprinted in Franz-Josef Brüggemeier and Michael Toyka-Seid, eds., *Industrie-Natur. Lesebuch zur Geschichte der Umwelt im 19. Jahrhundert*. Frankfurt and New York: Campus Verlag, 1995, pp. 67–69.

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