

COPY: ROBERTS COMMISSION.

London, England.

No. 207

CONFIDENTIAL

SAFESHAVEN REPORT

July 7, 1945.

Subject: Painting, allegedly sold by Juan Bujo Gottesleben to Santiago Marco, Barcelona.

Reference: Embassy's Safehaven Report No. 35, May 10.

The following details of the painting referred to in Embassy's reference report have been forwarded to the British Consulate-General, Barcelona, by the British Embassy, Madrid with a request for confirmation of the reported sale to Santiago Marco:

"Details of picture entitled 'Incredulity of St. Thomas' attributed to Rubens, depicting Christ showing to St. Thomas and two other Apostles his right hand, perforated and bleeding.

"The picture was brought to Spain by Mr. Bujo (Juan Bujo Gottesleben), concealed among his furniture. It measures approximately 80 cms. x 60 cms. and is painted on oak. Sr. Bujo alleges that this was a preliminary copy of a work to be executed by Rubens, who used to train his pupils by this method. Bujo also states that the picture comes from Maguncia (Magdeburg) and that the documents relating to it are buried in a strong-box somewhere in Germany. When Bujo arrived in Palma de Mallorca he employed a connoisseur named Costa to try to sell it to Sr. March (Juan March ?) for Pts. 60/70,000 but Costa did not approve of this. A number of people visited Bujo's house to inspect it and later he lodged it with the Circulo de Bellas Artes in Palma, without, however, attracting a buyer. A few months ago Bujo decided to send it to Barcelona by a friend of his; the latter called on several people, among them the director of the Museo de Bellas Artes, who informed him that the picture in question was not an authentic Rubens but was probably executed about sixty years ago by one of three brothers in Cologne who specialised in the reproduction of masterpieces. He also said that the genuine original was a triptych, the centre depicting this scene, the left a portrait of the buyer (?) and the right his wife, a Spanish lady. This triptych is (or was) in the Museum of Painting at Antwerp. The authenticity is further discounted as the 'patina' is not of Rubens' period and the dimensions and depth are not those employed by the Flemish master.

"The picture has now been sold for Ptas. 10,000 to Santiago Marco, resident in Calle Aragon between Paseo de Gracia and Via Layetana (second staircase, 5th floor, beside the 'Cafe Terminus') Barcelona. The price paid is considerably below its real value, as it is a good copy."

Distribution by American Embassy, London.

One copy to Roberts Commission, London

One copy to [redacted] (Art.)

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R6251
Box 39

COPY: ROBERTS COMMISSION.

London, England.

No. 209

SAFETYHAVEN REPORT

July 7, 1945.

CONFIDENTIAL

Subject: Constable Painting reported to have been looted from France.

The following is the text of a letter and enclosure from the British Legation, Bern, copies of which have been forwarded to the British Embassy, Paris by MRWCO with a request for comments and any details which will assist further investigation of the case:

"Acting like the police on information received, we asked Geneva to get in touch with Kundig of the IMPRIMERIES KUNDIG concerning a Constable which we were informed had been looted from France and offered on the Swiss market.

"We attach herewith copy of Geneva's report of the 28th May and are asking them to make further enquiries from Jaquemond & Chapuis.

Report from British Consulate General, Geneva, May 28:

"We saw Mr. William Kundig, 45 rue du Rêve, who stated that in 1943 he was visited by two Frenchmen, Lieut. Garconnin and a Mr. Gilly, who offered him a Constable for 30,000 Sw. Frs.

"Kundig was suspicious of the origin and as he heard a few days afterwards on the British wireless that a Constable had been stolen, he would have nothing to do with it, and informed Garconnin and Gilly of the fact. Kundig wished to hold onto the picture and inform the police but he had no legal right to keep it.

"Later it was offered to Francis Gallay of the Usines Gallay and to Messrs. Jaquemond & Chapuis, 8 rue du Vieux Collège. Mr. Chapuis advanced 3,000 Sw. Frs. and kept the picture as guarantee; this sum was later returned and the picture taken away. This is all Kundig knows of the story but he believes that Lieut. Garconnin is, or was, on the staff of the Comte de Leusse."

Distribution by American Embassy, London.

1 copy to Roberts Commission, London.

1 copy to C.S.S. (Art) London.

Original and hectograph to the Department.

HFB:JW:dr

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Encl # 1.

American Embassy, London

~~SECRET~~

SD. 12175

Bern, Switzerland

Reference: SH No. 87
Date: July 25, 1945

SAFETY BOX REPORT

Subject: Inventory of Valuables Stored in Vienna by Baroness de Rothschild

Baroness Clarice de Rothschild, an English national now resident in the United States (care of Kuhn-Loeb, 52 Williams Street, New York, New York) and widow of Baron Alphonse de Rothschild, who died in the United States September 2, 1942, commissioned her attorney in Switzerland to prepare an inventory of the furniture and objects d'art which were located in her Vienna residence (Theresienstrasse).

Under her instructions, a microfilm of the inventory of these valuables has been prepared by Etude Clerc, Retairea, Rue du Musée 4, Leuchtel, Switzerland. She has requested that Mme. Clerc submit copies to the Allied Missions charged with uncovering works of art stolen from Jews by the Axis. One copy of this was submitted by her attorney for despatch by British diplomatic courier to London.

We are transmitting to the Roberts Commission in London a box of the Microfilm for its use and appropriate disposition.

650.3/711.2
SH/TC/cb

Original and hectograph to the Department
Two copies to American Embassy, London
Two copies to British Legation, Bern.

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MAY 1945
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HAROLD DE LYS

RECEIVED Robert Com.

DIA - 1945
AMERICAN
COMMISSION

LONDON

No. 234

July 14, 1945.

~~CONFIDENTIAL~~

SUMMARY REPORT

Subject: Gobelin tapestries at present in possession of Antonio Facetti, 1 Bellerivestrasse, Zurich.

Reference British Censorship Submission No. LOX/36932/45, January 31 (copy of which can be obtained from the Division of Reports, Washington) and intercept cable, dated January 29, from Facetti, Lausanne to Bernard Smith, New York City, which was the subject of Office of Censorship's Traffic Analysis No. 159 of January 31, 1945. Both these references relate to Gobelin tapestries at present in possession of Antonio Facetti, Zurich, Switzerland.

HWPO asked the British Missions at Bern, Lisbon and Paris to investigate. The following letters, dated May 3 and July 5, 1945, addressed to Director of the N.P.A. and A. Branch of the British Control Commission, summarize the information obtained from the British Missions:

1. Letter dated May 3, 1945:

"Please refer to your letter concerning Gobelin tapestries. We have the following information regarding seven tapestries which I think are the ones to which you refer:

- (a) In January/February 1942, one, Adolfo Weiss at the Grande Hotel Monte Carlo received three telegrams from Facetti, Vichy, from which it appeared that he owned certain tapestries lying in France and Facetti was trying to sell them for him.
- (b) Lisbon Consulate-General in August, 1943, making investigations on our behalf, contacted Weiss who informed them that the tapestries which were in Switzerland were inherited by the Arch Duke Frederick of Austria, and were handed over to Weiss in payment of big debts owed to him by the Arch Duke, so that they were now his property.
- (c) In September, 1943, the French Government were interested in them through the intermediary of Facetti, and an Italian Jew (since reported an Axis agent), and made arrangements to purchase them. Owing, however, to the total occupation of France by the Germans, they were unable to fulfil the conditions, and Weiss considered the contract null and void.
- (d) Weiss has since tried to sell the Gobelins in this country, and in November 1943 Lisbon reported that Weiss had had other offers and was pressing for a reply from this country. After enquiry, however, we informed them that the prices made purchase by interested parties here out of the question.

In/

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- 2 -

Safehaven Report No. 284

In February of this year, at the request of the Trading with the Enemy Department, we asked Bern for a full report on Pacetti. I enclose copy of their reply. You will note that he now claims to own the tapestries, which is in contradiction to our previous information, and I am writing to Lisbon to see if they can contact Veiss again.

In view of this full report on Pacetti I have not communicated again with Bern as you suggested, but will let you know when we hear any further news from Lisbon."

1A. Enclosure mentioned in above letter - report from British Legation, Bern:

"We interviewed Antonio Pacetti today and, though we had asked him to bring his passport with him, he stated that it was in the hands of the Swiss authorities in Bern in connection with the renewal of his permit of residence in this country and not available at the moment.

We are nevertheless quite satisfied that he is the person referred to throughout MEW's letter.

In the course of our conversation with him, the reports mentioned in the said letter were entirely confirmed.

Regarding the last paragraph he informed us that he has been domiciled in Paris for the last thirty years. That he was well known to the British Government having had many business dealings with them.

He states that he is well acquainted with Sir Oliver Hoare, brother of the Rt. Hon Sir Samuel Hoare and that it was the former who wrote and informed him that he could not help him with the release of the \$15,000 mentioned in MEW's letter.

He is the type of man who claims and prides himself on close acquaintances with most people holding positions of importance and authority, but whose general attitude inspires one with doubt and suspicion.

He alleges that the \$15,000 asked for have no connection with the sale of the tapestries but are required for his maintenance here and for settlement of liabilities incurred during his stay in this country.

Asked what his activities have been since the outbreak of war he said he had been several times to Denmark on his private business and also to London for the British Government.

At the outbreak of war (3rd Sept., 1939) he states that he was in Paris, that he was arrested there by the Germans on 15th June 1940 was in prison in Germany for a time, then taken to Brussels and that he was released there by the Germans as the result of the intervention on his behalf of a Catholic priest in November 1940, on the understanding that he would not return to France.

He alleges that he then went to Rome and there, early in 1941 obtained permission from the Germans to return to Paris.

Asked

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Asked what his private business consisted of, he said that he had premises in Oslo and Copenhagen connected with patents for inventions in connection with the trajectory of high explosive projectiles etc., and special caliber guns, one of which he was particularly anxious to submit to the British Government.

He states that he has a considerable amount of works of Art in Switzerland, that in 1942 he obtained a permit from the Germans for eight days to come and see to them and that he has been here ever since. He proposes to return to Paris as soon as travelling facilities are available.

Asked whether he came here direct from Paris he said yes, but when the question was put to him, he admitted having gone first to Lisbon where he met Weiss in connection with the sale of the tapestries mentioned in MEW's letter.

As a result of the interview we were left with an unfavourable impression of the man and, as will be gathered from the foregoing, that he was well in with the Germans, though he professes to be violently anti-fascist.

He encloses copies of a report just received and which he had asked from one of our usual sources. This report does not give much light on Pacetti's activities. One thing is however striking, that he is a friend of Alexandre Colin who was on A List and has been deleted. It is presumed that they do all sorts of business together and, as you know, we have never liked Alexandre Colin.

Copies of this letter go to Zurich and Geneva for information and for their American colleagues."

2. Letter dated July 3, 1945:

"Although we have not as yet heard from Lisbon about the present status of Weiss in this business, we have recently received a letter from Paris, from which the following extract is relevant.

"The Direction des Accords Techniques have written to inform us that Pacetti was not the owner of the seven Gobelin tapestries and it was probably for that reason that the Vichy Government refused to deal with him. Enquiries are underway concerning Pacetti and the transaction in which he was involved and we shall be kept informed of any further development."

Distribution made by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to S.S. (Art), London.

H.M.:JH:JH
Original and photocopy to Department.

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FBI - NEW YORK	

ROBERTS COMMISSION

RECEIVED

AMERICAN
COMMISSION

No. 24,317

London, England, July 17, 1945.

BY AIR MAIL

Economic Warfare (Safehaven) Report No. 283

Subject: Raphael Minochio Leo X. at present in possession of Adolf Schmid, Switzerland.

~~CONFIDENTIAL~~

The Honorable
 The Secretary of State,
 Washington, D.C.

Sir:

I have the honor to inform the Department that EWO telegraphed the British Legation, Bern on May 29 to the effect that Adolf Schmid, Edenvog 30, Arlesheim had offered a Raphael Minochio Leo X. to Louis Weier, London for one million Swiss francs. In its telegram EWO requested the British Legation to interview Schmid and to obtain details of the history of this painting since the beginning of the war.

On June 10 the British Legation replied to EWO's inquiry, enclosing a photograph of the picture and copies of documents at present in the possession of Schmid, with the following comment:

"It is perhaps curious that Schmid, who (Basel tells us) is a man of little means, should be offering a picture for which Fr. 1,000,000. are being asked and that the owners should offer so valuable a work through intermediaries of little or no standing. Schmid appears, however, to be very willing to co-operate and we have little doubt that we could obtain through him any further information which you may require."

Copies of the documents referred to above are transmitted herewith for the Department's information, but Embassy is unable to forward the photograph in question as only one copy was sent to London and this is being retained for EWO's files.

Respectfully yours,
 For the Ambassador:

Avery F. Peterson
 First Secretary of Embassy

Enclosure:

Copies of documents, as
 listed above.

Distribution made by Embassy, London:

Copy sent Roberts Commission representative, London.

Copy sent G.S.C. (Art), London.

Original and photocopy to Department

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WPA Dec 6-1945
 Author: [Signature]
 WPA 750168
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**Einiges zur Herkunft der "Madonna Leo X" von
Raphael**

und zur Orientierung, waren das Gemälde un-
bekannt blieb.

Das Gemälde von Raphael, späterhin nach dessen erstem
Eigentümer Papst Leo X

"Madonna Leo X"

genannt wurde von

Herrn Jakob Weiss-Sulzer, Bürger
von Winterthur, wohnhaft gewesen in Wien
und Winterthur.

erworben.

Zur Geschichte des Gemäldes ist folgendes zu bemerken.

Durch die auf dem Gemälde "Madonna Leo X" angebrachte
Widmung, s. Expertise Prof. Bibner, geht hervor, dass
Raphael das Gemälde zur Intronisation Leo X im Jahre
1513 malte. Beim Tode Leo X ging das Gemälde an sei-
nen Neffen.

Kardinal Cibo, Bischof von Genua,
über. Durch Verschwiegerung gelangte es in die Familie
Cambiase.

Über das in der Sammlung Gaetano Cambiano, Genua, sich
befindende Original geben Passavant & Ricci folgende
Notiz aus "Rattis Istruzioni, p.270": "RARISSIMA E
POI QUELLO DELLA SACRA FAMIGLIA OPERA DI RAPHAELLO
D'URBINO E DI RARA FINITERRA. NEL LEMBO DELLA VESTE
DELLA VERGINE DA PIEDI VI SI LEGGE IL NOME DELL'AUTORE."

Keine andere Madonna Raphael ist am Fussaum des Gewan-
des signiert. Sie galt im Hause Cambiase von jeher als
Original, was auch in der Literatur vermerkt ist. Aus
dieser Sammlung wurde sie circa in den 60er Jahren ver-
kauft an den Grossvater der jetzigen Besitzerin des
Gemäldes anlässlich seiner zahlreichen Aufenthalte in
Italien.

Herr Jakob Weiss-Sulzer von Winterthur bestätigte sich
als Vertreter der Schweizerischen Kreditanstalt in Wien
und dasselbst später als selbständiger Bankier, wodurch

/er 114227

JK MARA Date 6-10-79

Autonum 750168

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er sich ein grosses Vermögen erwarb (u.a. war er einer der Begründer der Österreichisch-ungarischen Staatsseisenbahnen).

Auf seinen zahlreichen Reisen kaufte Herr Jakob Weiss-Gulzer Gemälde und erwarb ein grosses Haus in Winterthur, die sog. "Gloria" als Sommeraufenthalt, wo er eine Gemäldegalerie errichtete und eine Anzahl Bilder aus seinem Wiener Hause dislozierte. In der Stadtbibliothek Winterthur befindet sich ein Verzeichnis seiner damaligen Sammlung. Ein echter Cranach aus der Sammlung wurde bereits nach Basel verkauft.

In der Schweiz pflegte Herr Weiss-Gulzer wenig gesellschaftlichen Werkehr in seinem Hause. Circa 1878 baute er in Zürich-Engi die "Bellaria" und schenkte seiner Tochter, Frau Dr. Bertschinger-Weiss als Mitgift Villenbesitz und Gemälde.

Nach deren Heimgang blieben die Gemälde noch ca. 20 Jahre in der Nutznießung als Erbgut in der Familie. Das Gemälde bekam man höchst selten zu sehen, da dasselbe im privaten Audienzzimmer des damaligen Besitzers hing. Nach endgültig erfolgter Teilung des Erbgutes wurde das Original "Madonna Leo X" nebst anderen Gemälden (Cranach etc) der erberechtigten Tochter und derzeitigen Besitzerin, Frau Dr. Bendiner-Bertschinger, zugesprochen.

Die heutige Eigentümerin, die Kunstverständnis besess und sehr viel Zeit in den Gallerien des Auslandes zubrachte, fand es der Mühe wert, umfassende Studien über das Gemälde in ihrer freien Zeit zu machen und wurden von ihr auch die Expertisen (Eibner etc.) beantragt.

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SY WMA Date 6-10-99

MC

Authenti No 750168

DEGLASSIHEID

B e s t a t i g u n g

(Rapfangsbescheinigung)

Der unterzeichnete S C H M I D Adolf, Kaufmann,
wohnhaft in Arlesheim (Bld.) Bodenweg 30, best-
atigt Hiermit, von

N i e d e r h a u s e r R u n e, Kfm. Buchenweg 491,
Buchs/Aarau.

als Vertreter des Eduard Willfratt-Gessner Zürich
 und der Frau Dr. Rosa Bendiner-Bertschinger, namens
 der Erben des Herrn Weiss-Sulzer, ehemals in
 Winterthur, nachbezeichnete Aktenstücke über
 das den vorbenannten gehörende Original - Ganzfälle

"M a d e n n a L e c o x"

von Raphael di Urbino heute erhalten zu haben,
 zwecks Anbahnung von Verkaufverbindungen.

Gleichzeitig bestätigt er, davon Kenntnis zu haben,
 dass die ihm überlassenen Aktenstücke stets
 Eigentum der Uebergeber sind und bleiben. Er
 haftet für deren Rückgabe nach Verlangen. Die
Dokumente dürfen nur ernsthaften Interessenten
ausgehändigt werden.

Vergleichnis:

- 1) Bild-Anhang zum Gutachten von Prof. Dr. A. Eibner.
 (6 Fotos)
- 2) 1 separate Foto des ganzen Bildes.
- 3) Auszug aus dem Gutachten Prof. Dr. A. Eibner
 Geh. Reg. Rat München, Leiter der Abteilung für
 Metalltechnik an der Techn. Hochschule München.
 (Auszug: Coulomat et Celerier)
- 4) Photokopie des Original briefes Von Prof. Dr.
 Eibner dat. vom 2.5.37 (4 Blatt)

Buchs-Aarau, den 27.4.45. Unterschrift

(signed) NIEDERHAUSER RUNE.

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5/1 WMA Date 6-10/97

Author: JW
NWD 750168

DEKLASSIERT

U N D E R L A P P A B E S

M A D O N N A E H O X.

Zusammengestellt auf Grund des Gutachtens von
 Prof. Dr. Alexander Sinner, Sek. Reg. Ab., Vorz.
 v. Inst. und Leiter des Versuchsausschusses für Malakologie
 an der Technischen Hochschule, München und der
 Expertises von Fernand Colleter, Conseil du lab-
 oratoire des recherches scientifiques du Musée du
 Louvre et J.G. Coulinat, Expert près les Tribunaux
 Paris.

Original

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Die werkstofflichen Befunde des Gutachters Eibner erbringen den eindeutigen Beweis dafür, dass die Madonna Leo X. in ihrer Gesamtheit zu Anfang des 16. Jahrhunderts erstellt worden sein muss.

1. Die grobe Leinwand ist durch das Alter braun geworden und entspricht im Gewebe der in der Raffael-Schule gebrauchten.
2. Der sehr alte Firnis deckt noch das ganze Gemälde. Seine starke Vergilbung beeinträchtigt die optische Wirkung des Bildes, doch könnte er als Essenzfirnis leicht abgenommen werden.
3. Die Farben sind die bereits im Mittelalter gebrauchten (Weinrot, Bergzimber, Bergblau, echter Ultramarin, Hennigelb) in seitgemässer grober und mittlerer Mörnung. Die Anwendungskunst des Haubler-Gelbes dürfte später als im ersten Viertel des 16. Jahrhunderts nicht vorkommen.
4. Das Gemälde ist auf Bolusgrundierung gemalt. Ein weiteres Gemälde Raffaels auf Bolus ist das Porträt des Grafen Castiglione im Louvre. Dieses hat Raffael aber in venezianischer Manier gemalt. Da die Madonna Leo X. hingegen noch die alte koloristische Manier zeigt, so muss sie vor dem Castiglione gemalt sein, was sie ja auch ist. Sie dürfte der erste Versuch Raffaels sein auf Bolus grundierung zu malen. Die Alte und originale Widmungsinschrift des Heiligen Pudenzio Leo X. beweist, dass der Bolusgrund auf dem es liegt, schon im Jahre 1513 hergestellt sein kann.
5. Die Bolusgrundierung ist auch ein Beweis dafür, dass die Madonna Leo X. keine Kopie sein kann, denn jeder Kopist hätte einen Grund angewendet, da die allgemeine Meinung dahinging, dass Raphael nur auf weissen Grund gemalt habe.
6. Die französischen Experten Cellierier und Coulinat, Paris haben zu 2,3 und 4 die summarische Feststellung: "Es ist kein Unterschied zwischen den Materialien des Bildes Weies (Madonna Leo X.) und denjenigen von der Schule Raffaels anwendbar zu erkennen." Cellierier & Coulinat stellen ferner auf Grund von Untersuchungen mittels Polarisationsmikroskop fest, dass sich die Harmonie der Farben bestätige und dass die Gesamtheit seiner Komposition die harmonischen Beziehungen zeige, welche man zu der Zeit der grossen Meister der Malerei der Renaissance Raffaels finde. Das Gemälde zeigt also die Kunst der grossen Meister und nicht eines Kopisten.
7. handschrift.

Die Signatur an Papst Leo X. am Brustbaum sowie die Signatur im Mantelkragen sind original. Beidseitliche Buchstaben sind mit sehr spitzen Pinsel in gelber Farbe derart dünn gemalt, dass man unter der Doppel-Lupe die Herstellungsart bis in Einzelheiten verfolgen kann. Auf dem oberen und unteren

Gewandsaum/

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Autograph
WMA 750168

DEUTSCHES

REPRODUCED AT THE NATIONAL ARCHIVES

Gewandsaum & sind die Buchstaben von gleicher Grossen, Farbe und Art, also im Ganzen von gleichen Künstler hergestellt.

Der Text auf dem oberen Gewandsaum des Bildes lautet:

LEONI P. O.M. I.R.U.

Zu den drei Buchstaben P.O.M. ist folgendes zu bemerkern:

Das P und das M sind unzweckhaft original, d.h. vom gleichen Künstler gemalt, der das Wort Leonī erstellte. Dagegen fand an den ersten Buchstaben P eine spätere unsachgemäße Änderung in ein R statt. Unter der Doppel-lupe erkennt man noch das ursprünglich dünn und elegant gezeichnete P. Daran wurde mit frecher, dicker, gelber Farbe in unsicheren Zug der Haken angehängt, der das P zum R machte. Als R O M liefert diese Abkürzung keinen Sinn. In der ursprünglichen Fassung als P O M heiast es.

PONTIFICI OPTIMO MAXIMO

Den drei Buchstaben P O M folgen auf dem Bilde Madonna Leo X. unmittelbar die weiteren I N U. Wenn man an, dass der erste Buchstabe die Abkürzung für das Wort "instaurare" ist, so können die beiden weiteren Buchstaben nur Abkürzungen für den Namen des Malers sein. Der ganze Text hiesse dann:

PONTIFICI OPTIMO
MAXIMO. INSTAURATUM
RAPHAELLO URBINATI.

D.h. "dem Papst Leo gewidmet von Raffaello aus Urbino."

Am unteren Gewandsaum folgt dann die eigentliche Signatur mit dem Text R A F F A E L L O U.

Durch diese persönliche Widmung an den damaligen höchsten Wurdenträger der Christenheit ist dieses Bild mit der Person des Papstes Leo X. enger verknüpft als durch die Signatur mit dem Autor.

Die Schrift gehört in den Anfang des 16 Jahrhunderts und stimmt durch Besonderheiten mit der Schrift anderer Werke Raffaels überein, welche in den Jahren 1513-1516 ausgeführt worden sind.

8. Vergleiche mit anderen Gemälden ergeben, dass sich die Madonna Leo X. zeichnerisch und malerisch sehr wohl ins Werk Raffaels einreihen lässt für das Jahr 1513.

Vergleiche mit der Belle Jardiniere ergeben, dass die Madonna Leo. X. zeichnerisch der Belle Jardiniere eben buntig ist und in vielen Teilen überlegen.

Die Schattenebung ist besser.

Von der Belle Jardiniere ist sie keine Kopie wegen der Wignung am Papst Leo X. und wegen des abweichenden Hintergrundes, aber auch weil sie andere Personen aufweist und anderen Ausdruck.

Die Belle Jardiniere zeigt einen in schlechter Technik ausgeführten Mantel, der die Körperformen absolut nicht erkennen lässt. Auf diesem Mantel liegt die Signatur, die ganzlich abweicht von denen auf anderen Werken Raffaels.

Ausserdem/
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Autograph
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DEGLASSIHEU

Wiederum zeigt das ein ganz exaktes "o". Auch das Datum kann auf diesem Mantel nicht als original angesprochen werden. (Ribner).

9. Vergleiche mit den Kopien in London, Dresden, Avignon und Wallfahrt ergeben, dass die Madonna Leo X. als ein Original anzusprechen ist, da sie allein den eindeutigen Widmungstext trägt. Die Kopien in London und Dresden weisen dadurch, dass sie am Brustkamm wenigstens das Wort Leon tragen, auf ein solches Original, das dieses Wort in sinnvoller Anwendung trägt.

10. Vertlicher Schluss des Gutachtens von Professor Ribner:

"Aus den Untersuchungen ergibt sich, dass die Madonna Leo X. als alt und noch fast unberührt anzusprechen ist und dass sie ein Bild vom Alter dieser Madonna zu wenige Übermalungen aufweist, wie dieses. Auch über die Tatsache kommt man jedenfalls nicht hinweg, dass die Widmung, welche die Madonna Leo X. um diesen Fasnet aufweist, dieses Bild mit dem Namen Raffael starker verknüpft als irgend ein anderes mit seinem vollen Namen allein signiertes Bild einschließlich des Louvre-Bildes. Von Gehrungsmeister die Madonna Leo X. keine Kopie, weil die Belle Jardiniere den Widmungstext der Madonna Leo X. nicht enthält und ausschließlich einen anderen Hintergrund aufweist. Das Gesicht der Madonna ist ausschließlich vergleichsreicher als jenes der Belle Jardiniere und von Raphaelitischen Gepräge. Auf der Madonna Leo X. ist sodann der Jesus-Kinde älter und ernster dargestellt als jener auf der Belle Jardiniere, der Johannes schone. Die Madonna Leo X. ist auch deshalb keine Kopie der Jardiniere, weil ihre Personen von jenen dieser verschieden sind und auch dieses Bild eine Widmung trägt, die kein anderes Meisterwerk noch vorhandenes dieser Art aufweist."

Auch die makrostilliche Gefundeneheit zeigt die Madonna Leo X. als durch Übermalungen sehr wenig verändertes Original.

"Die Wahrscheinlichkeit so-wiede als seitgewandt befindene und durch den Text direkt auf eine Dedikation an Leo X. vermittelnde einzigartige Beschriftung dieses Bildes sprechen für ein Original von Raffael."

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II.

in den altenen Funktionen wäre noch hinzurüttigen:

44. 3: Untermauern echter Raffaelzulie war eine sehr kostbare Farbe (teurer als Gold), dass sie von Besteller gewünscht und selbst zum Voraus bezahlt werden musste. Sie überstieg oft das Honorar des Malers sogar beträchtlich. Darauf dient diese Farbe in großer Münung auf diesem Bilde verwendet beweist, dass es für einen hohen Beppfänger bestimmt war. Ein Kopist würde niemals diese kostbare Farbe verwendet haben.

44. 4: Um auf farbigen Grund einen coloristischen Effekt zu erzielen ähnlich dem auf seinen früheren Gemälden wie Saffrei Gezungen, sollte Malftechnik zu ändern resp. eine Teil Beschreibung zu verwenden. Da er durch die Anwendung des Polungrundes also vor neue Probleme gestellt war, so musste er das Bild selbst malen, es konnte es gar nicht den Schülern überlassen. Die Eigenhändigkeit erbrachte sich also im verlängerten Falle bis auf die vorbereitenden abholzen, welche sonst der Schulem überlassen blieben. Auch deshalb, dass die Madonna Leo X. das offensichtlich erste Lehrwerk des Raffaeles auf Holz aufwärts ist, ist sie ein kunstgeschichtlich sehr interessantes Bild. Ausser dem Porträt des Kardinals Girolamo Riogen violonché noch einige Gemälde Raffaeles auf Holz. Für die Donna Velata muss in dem Grunde, Porzia teilte die Direction eine Zeiggrundierung von Holz mit. Dies ist ein erneuter Hinweis dafür, dass Raphael sich mit dieser neuen Art der Grundierung beschäftigte und sich mit derselben ausführungsmeister zu machen suchte.

44. 5: Es ist vorausgesetzt worden, dass die Madonna Leo X die Harmonie der Farben und im ganzen Gemälde die harmonischen Beziehungen der Gemälde der grossen Meister der Carracci Epoche zeigt. Es wird also zugegeben, dass die Madonna Leo X. den Stil des grossen Meisters der Renaissance trage. Damit ist eine optische Arbeit speziell die eines Kopisten angeordnet. Würden es gleichfalls ausgeschlossen ist, dass ein anderer als Raffael diese Münung en Tahat Leo auf dem Bilde gemalt habe und damit auch hier die Eigenhändigkeit als bewiesen zu gelten hat, so ist es geboten, diese Eigenhändigkeit abgänzlich noch durch Vergleichs der Malweise ansonstlich zu machen. Zu diesen Zwecke sind eine Reihe von Photos gesammelt worden von Originalwerken Raffaeles zum Teil in guten Nachaufnahmen. Zu beachten ist vor allen die meisterhaften, genauen, farbige Reproduktion in Uffizianalyse des Kopfes der Maria aus dem Sposalizio Medici, eine sehr gute Beobachtung der Harmonie ihres Ordnens, Wien; grosse Detailaufnahmen von anderen Werken des Meisters. Nun kann eine grosse Ähnlichkeit der Malweise zu allgemeinen feststellen, aber auch im Detail, dagegen Ausführung in Beziehung und Proportionalität irgend einer Partien seiner Werke mit der Ausführung derselben Partien der Madonna Leo X. übereinstimmen. Die

/Madonna

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DEKLASSIFIERT

Madonna Leo X. zeigt, also die spezielle Manier Raphaels und nicht diejenige eines andern grossen Meisters der Renaissance.

ad 7. Die Beschriftung der Madonna Leo X. ist von Girolamo Bibbo als Original begutachtet worden.

zu 7. Frage:

Die Quellen sei hier zunächst auf eine Publikation Francesco Cancellieri hingewiesen, welche Aufschluss gibt über die Anwendung P.O.M. und deren Anwendung.

Cancellieri zitiert in seiner "Storia dei secoli passati da S. Rom. Pontifici...", Rom 1882 aus "Openiche dello magnifice et onorate Regne fatto in Roma per la Creazione et Inaugurazione di P. Leone X. P.O.M.", einem handschriftlichen Maestro Jo. J. Penni, Medico Fiorentino L.P.D." die in Anführungszeichen gegebenen Inschriften wörtlich:

pag. 67 "Für die Krönung war in S. Peter ein "Palco ligneo" errichtet mit 8 Säulen, die eine "cornicione" trugen mit der Inschrift in Majuskeln "LEONE X. P.O.M. litterarum praesidio ac Pontificis Reptoris".

pag. 72. Penni: "an dem Triumphbogen, den Agostino Chigi vor seinem Palast errichtet hatte, stand die Inschrift: Leon X. Pont. Opt. Max. Fecit restitutori facilius".

Cancellieri sagt u.a.: "Bei keiner der Vorgänger Leo X. derartige Inschriften".

Die Apostrophierung eines Fabretti mit "Pontificis Optimus Maximus" ist also erstellt zur Anredeung gekommen wahrscheinlich der Intronisation Leo X. In den Stücken findet man nur immer P.K. Pontificis Maximus, dagegen auf H.s., Dokumenten P.O.M. ist also eine gesteigerte Form der Adressierung zu einem Papst und kann auch später eingesetzt werden.

In der Bericht Pennis an ein Mitglied der Medici Familie interessiert war und bemüch in die Bibliothek dieser Familie kam und bis 1800 der Öffentlichkeit unbekannt blieb, andere Verdachtsfälle bestanden jedoch keine. Die entsprechenden Details geben, so blieb die Anwendung dieser gesteigerten Form der Anrede unbekannt. Allerwegen kann ohne Zweifel gefolgert werden dass eine spätere Erstellung des Gemäldes als aus ll. März 1513 nicht wahrscheinlich, man darf wohl sagen nicht möglich ist. Eine Kopie oder Fälschung mit einer Widmung an Papst Leo zu diesen Lebzeiten ist sowieso ausgeschlossen, eine Spurlos wegen des angewandten P.O.M., weil ein Kopist nichts mehr gewusst hatte von den am 11. März 1513 gebrauchten Formen der Adressierung. Wohl aber spricht die Anwendung des Titels P.O.M. für die Autorschaft Raphaels, weil Raphael als erster und beliebtester Maler Rom und des päpstlichen Hofes die Leitung der den Künstlern Rom vertrauten Ausgestaltung der Cavalcata hatte und verantwortlich oder wenigstens mitverantwortlich war für die Anwendung dieser gesteigerten Form der Anrede.

So ist es nicht nur offiziell, nein selbstverständlich, dass eine Madonna von ihm dem Fabretto zur Zentralisation gewidmet

diese/

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REICHSLICHE MUSEUMSVEREIN

ihre geprägte Form des Mittels folgte die andere Dokumentations-Inchriften. Dass sie ihm traut, ist der sichere Indiz dafür, dass sie mit dem 11. März 1518 zu datieren ist, also am Tag genau. Welche Ausnahme im Verleih bestand? In den jüngst neuveröffentlichten zur Entdeckung vermittelten Berichten ist über in Arbeitsacht des hohen Tempelherren, das Wortlautab der Widmung, im Verlin mit der Signatur als eigenhändig anzusprechen, was auch die Urkundlichen Gefüge exakt besagt.

Ausser den vorliegenden Beispielen für die Fertigkeit der handschriftl. Cancellerie, Elbner, ist die Sammlung von weiterem handschriftl. Material möglich.

Wir werden hier als Beispiele einige Handschriften Raffaelischer Werke beschreiben, z.B. in Originalgröße und auch vergrössert. Darauf folgen einige handschriftl. Signaturen von Werken der Schuler und Zeitgenossen.

Es ist nun interessant zu sehen, dass Raffael's Schrift, obwohl er sich die Majuskelhandschrift auch auf seinen Gemälden bedient, diese dort meist einen scheinlich individualen Charakter zeigt, eine leichts rautierliche Ausführung, keine strenge Gleichmässigkeit und dass die sich hiervon von der Schuler Schule und Zeitgenossen unterscheidet. Seine Schrift hat also auf Gemälden einen sehr individuellen Ausdrucklichen Charakter.

handschriften, die monumentalen Charakter vorherrschen sollen auf Gemälden, z.B. an gemalten Altären oder Kreuzen oder Inschriften in den Titeln sind weniger gehalten und gleichmässiger in der Ausführung, weniger individuell, doch ebenso gewisse Eigenheiten der Ausführung sind hier eine solche Inschrift als von Raffael abzuführen zu erkennen, die allein von der Schrift seiner Zeitgenossen zu unterscheiden.

Auf den genannten Bildern ist auch ersichtlich, dass Raffael seine handschriften und Signatur dem Werkstücke angepasst hat. Sie beherrschen ein ein Nochantell dominieren. Sie wirken nie auffällig. Sie sind z.B. eine Verzierung des Bildes oder eines Monumentalschildes. Im ersten Falle handelt es sich oft um Scheininschriften, besonders in kleinen Inschriften. Hier es handelt sich um die Inschriftung eines Altares oder des Kreuzes. Wir finden seltsam Namen, die nicht von dargestellten Personen, von Heiligen. Manche Inschriften vermitteln irgendwelche Wissenssorten in Bezug auf das betreffende Werk. In solchen Fall benutzt Raffael eine Schreibrolle, eine Steinplatte zum Abdringen derselben. Man findet auch eine handschriftl. die direkt im Werk gemalt sinden.

Einige Buchstaben werden von Raffael in den einzelnen Perioden seines Schaffens verschieden ausgeführt, z.B. das O und das H, um nur hier zu nennen.

In seiner Jugend möchte Raffael das O noch leicht aus, wie überhaupt die meisten seiner Buchstaben erst gegen 1507 grossen Breite erhalten. Das O wird nach und nach vollkommen kreisrund bis es dann im Jahr 1511 schon leicht breiter als hoch zu finden ist. Einmal steht es unten noch auf einer Linie mit den anderen Buchstaben, ist aber kleiner als diese. Ein so unregelmässig kann im Jahr 1511 schon leicht breiter als hoch zu finden ist. Besonders nicht ken diese beim Roman nicht wo in den Jahren 1516-1517. Das H macht plötzliche Veränderungen durch. Auf frühen Werken sind eingang- und Schlussstrich beachtet, später aber meist das H läuft sich nach vorne.

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vorne die Tendenz unten schräg auszulaufen. Zwischen 1513 und 1515 findet man vorne und hinten schräg stehende Endstriche.

Diese beiden Buchstaben O und N erscheinen auf der Madonna Leo X also absolut passend für das Jahr 1513. Auch die anderen Buchstaben auf der Madonna Leo X zeigen keine Hand, ganz besonders aber erkennbar nur den allgemeinen künstlerischen Charakter seiner Schrift in der flüssigen und unauffälliger Ausführung.

ad.3. Vergleiche mit der Belle Jardiniere.

Die Belle Jardiniere zeigt keine Inschrift am Brustbaum, nur Angaben in dinklem Gründel. Im Mantelkraum trägt sie ebensofalls die Signatur Raffaello S. wie die Madonna Leo X., doch ist diese Schrift gänzlich abweichend von allen Beschriftungen Raffaelischer Werke. Das O am ganz ungewöhnlich im Werke Raffaelo. Zumal auf der Hofmeileung 1510 erscheint ein schmales O.

Gemeinrat Böhmer stellte der weiteren fest, dass für die Jahre 1507/08 die Schrift in Gold ausgeführt sein sollte und nicht im Geltarbe wie bei der Belle Jardiniere. Die Belle Jardiniere trägt am Mantelkraum ein Datum, das jedoch in von den Armbinden ganz abweichender, knallig gelber Farbe gewalt ist, wie wir zum Ausdrucke wiedergeben in zwei Linien unter dem Brustbaum, die den Mantel unterhalb der Brust zusammenfassen sollen, jedoch ganz scheinbar hinzugezettet sind. Das Datum reicht auch in der Form der Buchstaben von den getrockneten Formen Raffaelo ab. Gemeinrat Böhmer urteilt sowohl Signatur wie Datum als nicht original, schon deshalb weil sie auf dem schlechten, späteren Mantel liegen.

Weder ähnlich noch Katologe geben oder erwähnen ein Datum auf der Belle Jardiniere vor 1550.

Dass die Madonna Leo X. der Belle Jardiniere zeichnerisch überlegen ist, hat Gemeinrat Böhmer schon festgestellt. So sei nur noch einmal darauf hingewiesen, dass durch das unrichtige Faltenwerte des Mantels die kleinen direkt abgeschnitten erscheinen oberhalb der Füsse. Sie stehen wie abgesetzt da. Der Künstler hatte offensichtlich keine Kenntnis der vorbereitenden Studien zu dieser Madonna.

Auf der Madonna Leo X. erscheint dieser Mantel in einzugesse Falten gelegt. Hände und Füße sind viel sorgfältiger ausgeführt, die Körper der Kinder besser modelliert, ebenso ist die Schattengebung eine bessere und einheitlich im ganzen Sammeln. Die Madonna Leo X ist aus diesen Grunde unmöglich eine Kopie der Belle Jardiniere. Die vorliegenden Rechnungen sprechen dafür, dass sie ein Original ist.

Auf der Belle Jardiniere habt sich aussorden die Bergkette mit scharfen, ja harten Umrissen vom Horizonte ab, eine Manier, die sich auf keinen eigenhandigen Werke Raffaelo findet, wohl aber auf Bildern der Hauptschüler Fr. Romiti und C. Morando. Wäre die Belle Jardiniere in Florenz fertig gemacht worden, so müsste sie die Manier Raffaelo zeigen.

Bei der Madonna Leo X. verschmelzen die Berge nach der Mitte des Horizontes quasi mit denselben, sodass die gern er scheinen, wie allgemein in seinen Werken, ein Effekt, den Raffael dadurch erzielt, dass er eine oder zwei Schichten der Farbe des Horizontes über diese Berge gibt. Die Madonna Leo X. zeigt auch hierin die persönliche Manier Raffaelo.

ad.9./

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III. Kopien.

In den Gemälden Bibner ist festgestellt, dass von den in Photo reproduzierten Exemplaren die drei älten in London, Dresden und Avignon den Hintergrund der Madonne Leo X zeigen und nur die jüngere Kopie in Wallau den Hintergrund der Belle Jardinière.

Die Kopien in London und Dresden sind in Majuskeln beschriftet. Sie geben am Brustkranz das Wort Leon, gefolgt von Buchstaben ohne Name und am Mantelkragen die Signatur Raffaello S. Diese Buchstaben sind aber nicht mehr breit wie bei Raffael von ca. 1505-1517, sondern schmal und hoch und wirken wie Druckschrift. Die Kopie in London trägt außerdem das Datum 1518 in unüblichen Ziffern. Wie ist sie die Beschriftung in leuchtig gelber Farbe genannt. Die Kopie obwohl gut ausgeführt, verrät sich sofort durch die Unschärfe der Farben und die Körte der Zeichnung.

Seymour de Ricci zählt in seinem Katalog du Louvre 16 Kopien auf. Diese Liste entfuhr auf Verjüngten von Passavant, sodass einige darin liegen demnach signiert bei Ricci, weil sich bei späteren Entdeckungen wieder genannt werden. Acht der vierzehn genannten Kopien sind noch an selben Ort oder nachweisbar. Einige der heute bekannten Bilder dürften identisch sein mit den 6 übrigen von de Ricci zitierten.

Obwohl der aufgeföhrten Gemälde folgen der antizisterziensischen Hintergrund der Madonne Leo X., einschließlich dieser. Sie gehören wie oben vielleicht leicht etwas späteren Ausnahme der ersten Hälfte des 16 Jahrhunderts an, während Elemente in allen Bildern der Madonne der Belle Jardinière zeigen. Mit der Ausnahme der Kopie von der Belli auf ca. der Mitte des 15 Jahrhunderts dagegen diese Kopien jedoch aus dem 17 und 18 Jahrhundert, also aus einer Zeit, in die die Belle Jardinière als Original in die Kunstsammlungen eingingen war.

Dass die italienischen Kopien der ersten Hälfte des 16 Jahrhunderts den Hintergrund Leo X. zeigen, beweist, dass ein Gemälde mit diesem Hintergrund zu jener frühen Zeit als Hauptbild galt. Der Beweis, dass die Kopien in London und Dresden auf dem Brustkranz das Wort Leon tragen, beweist dass dieses Original eine gewisse Anzahl Beschriftung am Brustkranz trug, beginnend mit dem Wort Leon. Damit ist bewiesen, dass die Madonne Leo X. die den vollständigen, eindeutigen Text einer Widmung an Papst Leo X. erträgt, der Original dieser Kopien ist. Dazu ist offlich das Vorhandensein des Wortes Leon auf diesen Kopien erklärt.

Die Komposition.

Die Komposition, die den beiden Gemälden zugrunde liegt, gehört ohne Zweifel nach Florentine. Dazu dürfte dies nur für die ungewöhnlichen Sitzposition, Gestalt und Farbe und den Karten, Holzarmstuhl, in seiner ersten Fassung Geltung haben. (Abgebildet im Original grosse in O. Pinchots Zeichnungen Raffaelo). Diese 8 vorbereitenden Studien ähneln maßlich von Gemälde abweichende Typen der Kinder in anderer Stellung. Diese Typen entsprechen den Florentiner Werken Raffaela.

Der Karten lässt durch zahlreiche Fentimenti, die spezielle beim Johannes die Abänderung fast übertragen, erkennen, dass er ursprünglich dem Museum entsprach. Seine geunderte, also weite Fassung, die den Gemälden entspricht, Raffaelo gekennzeichnet kann aber erst in Rom entstanden sein, da der Johannes ausschließlich auf der Madonna mit dem Schleier, der Madonne Aldebrandini und der Madonne Leo X. erscheint. Auf der Madonne mit dem Schleier und der Madonne Leo X. macht er den Eindruck als sei er vom lebendigen Modell genutzt, auf der Belle Jardinière und der Madonne Aldebrandini mehr denjenigen einer Reminiszenz.

Genn/

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Ueberlassung

Von die Belle Jardiniere in Florenz verblieb zur Fertigstellung und dann nach Siena kam, wie es Vasari ungenau berichtet, wie hatte da derselbe Johanne angezichte seiner notdürftigen Wiedergabe auf den Karton, auf den drei andern romischen Gemälden erscheinen können? Ganz abgesehen davon, dass Jesukind wie Johanne den Typen der von Raffael in Rom gemalten Kindern der Stanzen entsprechen und erst noch Arbeiten in diesen denkbar sind, speziell auch einer neu in die Erscheinung tretenden Auffassung wegen. Auch Grimm vertritt diese letztere Auffassung und zwar wein aus seinem Stilgefühl heraus, denn er wusste ja weder etwas von den Pentimenti des Kartons noch von der Madonne Leo X.

Diese Forschungen sind noch nicht abgeschlossen und werden noch ergänzt werden, besonders die geschichtlichen.

Copied by: JB

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5/11/1979 IWBADate-6-1099
Author: Linn
Ref: 750168
DEUTSCHES MUSEUM

COPY: ROBERTS COMMISSION.

Encl #1

LONDON, England.

No. 198

July 6, 1945.

CONFIDENTIAL

SAFESHAVEN REPORT

Subject: Galerie Fischer, Lucerne.

Reference: Embassy's despatch No. 23,330, May 30 and Safehaven Report No. 176, June 25.

The following is the text of a further communication dated June 14, from the British Legation, Bern, giving details of the results of another interview with Fischer. The despatch mentioned in the first paragraph and HEWFO's letter referred to in the final paragraph were transmitted to the Department under cover of Embassy's reference despatch and reference report.

"May we refer to our E.W. 713 of 2nd May concerning Galerie Fischer, Lucerne.

"Mr. Fischer did not reply to our letter of 3rd May in which we put to him certain questions arising out of his letter of 10th April, so we invited him to call on us yesterday.

"At the outset of the interview, Fischer gave us a categorical assurance that the list enclosed with his letter of 10th April contained all the pictures which he had received from Wendland, Hofer, Buemming, and Boehmer, and all pictures which he considered might possibly be of doubtful origin. He stated that he could not recall having been shown by Hofer or the others any pictures which had not been left with him.

"You will recall that we had intended interviewing Baumeler, Lucerne, the forwarding agent who handled the 25 Buemming pictures included on Fischer's list. Baumeler told us that in October 1941 he received three consignments from Buemming:-

- 1) 6 cases containing 16 oil paintings,
1 powder horn, 1 mirror, 4 porcelain figures and several small pictures,
- 2) 2 cases containing 25 pictures,
- 3) 2 cases containing 3 oil paintings.

"We accordingly asked Fischer yesterday how we could assure us so blandly that his present list included all pictures which had ever been received from Buemming when we knew that there were at least 19 further pictures. Fischer grew very excited and said that his list naturally contained only the names of "confiscated" (Fischer hates the word 'loot') pictures; he might have received other pictures from Buemming and, though he had forgotten that, he knew that they were all perfectly in order. We are asking Fischer for a list of these further 19 Buemming pictures.

/A's

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"As regards the 25 pictures consigned to Fischer by Buehning, Fischer stated that Hofer was the actual supplier and Buehning merely Hofer's intermediary. All the other pictures on Fischer's list were delivered by Hofer in Lucerne and Fischer claims not to know how they were imported. After we had made such a fuss about things, he had, however, made enquiries in Berne and learned that the pictures had not been imported "through clearing" and had, therefore, presumably been smuggled or passed by diplomatic bag. When Fischer received the cases they had no seals or other markings on them to show how they might have been imported.

"We also questioned Fischer regarding the Toulouse-Lautrec referred to in our E.W. 846 of 24th May. Once again Fischer grew very annoyed and went so far as to say that we had no right to accuse him of handling even "confiscated" art. When he cooled down, he admitted that this picture came from Birshanski and was received from Wendland; Fischer asked us finally to include this picture on a list of suspects. He had sent it recently to Raeber, Basle, but would ask for its return and keep it in Lucerne until we told him whether or not it was loot. Incidentally our original informant has since written to us to correct his original statement; he now believes the picture did not come from France, but, before the war, from the Hess-Dahlem collection. The interrogation of Birshanski may help to clear this up.

"As regards the Picasso referred to on page 4 of Fischer's letter of 10th April, Fischer maintains that this was formerly in the Kunsthalle, Hamburg, and was sent to Switzerland for the Fischer auction of 30th June, 1939. A Mrs. Allport, London, entered a claim on the picture, but her claim was not upheld by the Swiss courts. It was, however, not sold and was fetched at Fischer's gallery by a minor employee of the German Legation. The picture was then returned to Fischer in part payment of the Van Dyck purchased by Boehmer.

"Fischer told us that Bracque's 'Still Life' (No. 53 on his list) was sold to Raeber, Basle. He cannot recall to whom he sold pictures 2, 3, 6, and 7. We understand that this is likely, as Fischer frequently sells against cash, making no book entry so as to dodge income tax. We know that 2 and 3 are in Basle and we could probably trace 6 and 7; we do not propose to do so, however, until you confirm that all four pictures are definitely loot.

"Unfortunately our interview took place before we had seen your letter (H 13 D) of 30th May. (Fischer gave us the same address for Boehmer). We would like to suggest that we should postpone for the moment an examination either by the Swiss authorities or by Price Waterhouse. It is our opinion that Fischer's books are so laxly kept that an examination,

/except

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E.W. No. 1062

British Legation,
Commercial Secretariat,
Berne.

29th December, 1944.

Dear Black List Section,

It may perhaps be of interest to you to have on record some details of the activities of Galeries Fischer, who, together with Theodor Fischer, were Luked A. in your telegram Arfar No. 4411 of 1943.

Fischer's story is that Andreas Hofer, the Berlin art dealer, who claims Goering as one of his principal clients, started coming to Switzerland in 1941 at regular intervals to purchase works of art in this country. He contacted all the principal Swiss dealers, including Fischer and paid regularly for his goods in Swiss francs. In the summer of 1942 he returned once more and purchased from Fischer German and Dutch masters to a value of approximately Frs. 250,000 but this time he failed to pay. Fischer contacted Hans Wendland (List A), who was going to Germany, and asked him to press Hofer for the outstanding payment. Wendland returned with the scheme that Hofer would pay by supplying Fischer with a selection of French impressionist pictures, which were duly delivered in the autumn and early winter of 1942. Fischer accepted them in lieu of payment, though without making any assessment of their value. He claims to be a specialist in antiques and tapestries and maintains (we cannot help thinking somewhat naively) that it was not until Nathan (an art expert from St. Gall, who came to view the pictures as expert adviser to Buehrle) opened his eyes to their value and antecedents that he realized that he was handling looted art.

The following is the list of pictures and drawings supplied to Fischer (we give the names in German as given to us by Fischer):-

* COROT	Lesender Sitzender Monch, since sold to Buehrle of Oerlikon.
DEGAS	Balletprobe, since sold to Buehrle of Oerlikon.
MANET	Teillette, " " " Buehrle of Oerlikon.
SISLEY	Seine Ufer, " " " Buehrle of Oerlikon.
COROT	Liseuse, Lesendes Madchen, since sold to Buehrle of Oerlikon.
SISLEY	Am Ufer der Seine, since sold to Dubied of Neuchatel.
* SISLEY	Loing bei Morat, since sold to Dr. Paul Jeerin of Basle.
* MANET	Blumenvase, since sold to Buehrle of Oerlikon.

/ DEGAS

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By VWP NARA Date 6/8/97

RG 239

Box 42

* DEGAS Jockey Reiter, since sold to Buehrle
VAN GOGH of Oerlikon.
COURET Kleine Landschaft, since sold to
Schlafendes Mädelchen, since sold to
Buehrle of Oerlikon.
Dr. Willy Raeber of Basle.

Paintings.

COROT San Giorgio Maggiore, Venice.
COITTET Pont aux Royaux
DAUMIER Bacchantistische Szene
DEGAS Frau dem Bade entsteigend
DEGAS Ballettanzerinnen
DEGAS Badende sitzend
DEGAS Badende Frau stehend
LUCAS Fluchtende Franen
RENOIR Wald von Fontainebleau
* RENOIR Anemon
* SEURAT Marine
SISLEY Fluss mit Obstbaumen
* COROT Hafen von Toulon
* COROT Torbogen in Genua
COROT Felsenlandschaft
* MONET Stillleben 1880
MONET Marine datiert 82
SISLEY Landschaft Germuse und Obstgarten dat. 73
ROUSSEAU, Th. Landschaft mit Brücke
Anonymous Landschaft mit Gartenter

Drawings

* RENOIR Porträt mit
* INGRES Portrait
* INGRES Monsieur et Madame Ramel
* DEGAS Tanzer in "Rückenansicht"
* DEGAS Tanzer in "Vorderansicht"
* DAUMIER Cirrus
SEURAT Priester
SEURAT Blouseblanche
* RENOIR Etude de tête
* RENOIR Danse à la Campagne
COROT Sitzendes Mädchen

Except in the cases where we have given the name of the purchaser all the above paintings and drawings are in Lucerne and Fischer gave us an assurance that he would not sell or otherwise dispose of any of them. We found it necessary to extract such an assurance as at one time Fischer believed that he would re-instate himself in our eyes if he returned all the unsold pictures to Germany.

Those pictures marked with an asterisk were, according to Fischer, originally in the hands of Paul Rosenberg the Paris art dealer, who we are told, emigrated to the U.S.A. where he died. Fischer maintains that he does not know where the other pictures were obtained from.

/ Apart from

114243

DECLASSIFIED

Authority: NND 50168
By VWD NARA 0213 6/8/77

RG 239

Box 42

COPY

No. 20,697

London, England, January 29, 1945.

BY AIR POUCH

Economic Warfare (Safehaven) Series: No. 80

Subject: Activities of Galerie Fischer of
Lucerne, Switzerland with regard
to looted art.

SECRET - for Department, Treasury and Foreign Economic
Administration.

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose a copy of a letter of January 20, 1945 from the Ministry of Economic Warfare to the British Embassy, Paris (Enclosure No. 1) transmitting a report of December 29, 1944 from the British Legation, Bern to the Ministry (Enclosure No. 2). This correspondence relates to paintings and drawings supplied to Fischer, most of which were acquired from Andreas Hofer, Berlin art dealer, who claims Goering as one of his principal clients. These pictures were originally in the possession of Paul Rosenberg, Paris art dealer, believed now to be deceased.

It will be observed that the Ministry of Economic Warfare has suggested to the British Embassy, Paris that they discuss with the French authorities the possibility of making a diplomatic approach to the Swiss Government with the view to having the pictures listed in Bern's report of December 29 "frozen in Switzerland or returned to France".

Respectfully yours,
For the Ambassador:

John M. Allison
Second Secretary of Embassy

Enclosures:

1. Copy of letter from M.E.W.
to British Embassy, Paris, Jan. 20
2. Copy of enclosure to letter

Distribution made by Embassy:

1. Copy of despatch and enclosure to Embassy, Paris.
2. " " " " " Legation, Bern.

JBW:JH
(Original and Hectograph to Department)

114244

DECLASSIFIED

Authority NWD 50168
By VWD NARA Date 6/8/77

RG 239

Box 42

Mo. 80
COPY

MINISTRY OF ECONOMIC WARFARE
Berkeley Square House,
Berkeley Square,
London, W.1

M13/D

20th January, 1945.

Dear Commercial Secretariat:

We enclose two copies of a despatch we have received from Berne regarding the Glaeries Fischer of Lucerne.

This firm was placed on the Statutory List in October 1943 because they had sold works of art which were believed to have been looted by the Germans from France, and had refused to give an undertaking satisfactory to us as regards their future purchases and sales.

It seems to us that the French Authorities may be in a position to take diplomatic action with the Swiss Government, with a view to having the pictures listed in Berne's letter either "frozen" in Switzerland or even returned now to France. We should be grateful if you would therefore discuss the matter with them.

We have in our records a copy of a letter dated 2nd June 1943, from L. Gouy of Geneva (who is at the moment on the Statutory List but may in the fairly near future be deleted) to Paul Rosenberg, New York. The enclosures to this letter are papers which Gouy had collected on behalf of Rosenberg about 161 paintings belonging to the latter, which we deposited with the Banque Nationale de Credit Industrial et Commercial Libourne, but were seized by the Germans in March and April 1941. We also have copies of all these enclosures which include an actual list with descriptions of the 161 paintings. The documents will take some time to copy, but we shall try to get them to you as soon as possible in case they are of assistance to the French Authorities. As far as we can see, all the items marked with an asterick in Berne's letter are included in Gouy's list.

Yours ever,

The Commercial
Secretariat,
H.M.Embassy,
Paris.

NEUTRAL TRADE DEPARTMENT III

114245

DECLASSIFIED

Authority: NND 50168
By 164 NARA Date 6/8/97

RG 239

Box 42

LAW. 194.13

COPYAMERICAN
COMMISSION

No. 11535.

American Legation,
Bern, Switzerland.Reference No: SH 12.
April 20, 1945.SAFEHAVEN REPORTSubject: HUBERT MENTEN

Hubert Menten, reported to be a Dutch citizen former resident of Switzerland but now residing in Germany, also alleged author of a booklet known as "The Secret of the Third Reich" written under the name "BEN ALI", is regarded as being the owner of several cases containing oil paintings which are stored in the warehouse of A.G. MEIER TRANSPORTE, Baden Switzerland, removal contractors and forwarding agents. The paintings are said to be insured for Sw. frs. 500,000.

In April 1942 WALTER ANDRES HOFER, A German citizen travelling on a German diplomatic passport, self-styled curator of Marshal HERMANN GOERING's art collection, called at A.G. Meier Transporte and with permission of Menten carried away with him one of the paintings, presumably to be delivered to Goering. The painting he took is believed to be "Madonna with Child" by Rembrandt, valued at Sw.frs.200,000. The picture bore the marks H.M.53. It is known that among the remaining paintings there is a Van Goyen and a Benson. Except for the one painting that Hofer took away, no other pictures have been removed from the lot originally deposited for storage.

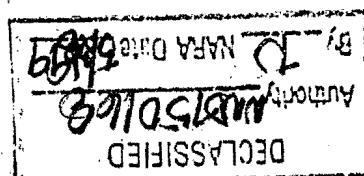
Menten's lawyer, Dr. FRANZ HARKI, 22 Uraniastrasse, Zurich, obtained a Swiss entry visa for his client about the middle of February 1945, but there is no evidence that Menten has arrived in Switzerland as yet.

The Swiss authorities are aware of the presence of these paintings and have instructed JULIUS MEIER, president and principal shareholder of A.G. Meier Transporte, not to release them without prior permission, as a result of belief or evidence that the painting taken by Hofer had been exported illegally.

While there is no evidence that the paintings represent looted works of art, investigation by the British Legation is continuing and the future activities of Hofer and Menten in Switzerland will be closely followed.

Original and hectograph to the Department.
2 copies to American Embassy, London
One copy to British Legation, Bern.

114246



RECEIVED
AMERICAN
COMMISSION

CONFIDENTIAL

London, England.

Reference No: 30.

May 3, 1945.

SAFELAVEN REPORT

Subject: Hans WENDLAND,
Bois d'Avault,
Bellevue, Geneva,
Switzerland.

Reference Embassy's despatch No. 22,206, April 6, transmitting as Enclosure No. 10 copy of a report, dated March 10, on Squadron Leader Cooper's "Visit of Investigation into looted Works of Art and their whereabouts in Switzerland".

With regard to the Hans Wendland case, referred to in the above-mentioned report, the British Legation at Bern wrote the Ministry of Economic Warfare on April 16 as follows:

"On page 7 of his report of 10th March, Mr. Cooper stated that Wendland had received a railway-wagon of works of art from Paris through Lavanchy, Lausanne.

"Lavanchy, whom till now we have found reliable, now inform us that they have searched through their records back to 1940 and can find no trace of a wagon for Wendland.

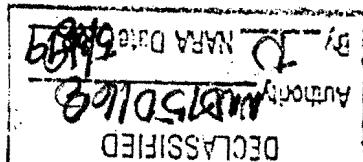
"Could Mr. Cooper give us a further lead?"

Distribution made by Embassy, London:

- 1 copy to Roberts Commission, London.
- 1 copy to S.S.S., Art section, London.

EZ:JH:jh
(Original and hectograph to the Department)

114247



Encl. No. 1

RECEIVED
AMERICAN
COMMISSION

CONFIDENTIAL

No. 22,345.

London, England, May 5, 1945.

BY AIR POUCHEconomic Warfare (Safehaven) Series: No. 216

Subject: Investigation of Matisse painting
in possession of Andre Martin of
Zurich.

To Department, Treasury and P.E.A.

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith copy of a letter, dated April 27, from the Ministry of Economic Warfare to the British Embassy, Paris, attaching copy of a report from the British Legation, Bern on an interview held with Andre Martin of Zurich.

The investigations referred to in M.E.W.'s letter were reported as Item (v), page 6 in Squadron Leader Cooper's report of March 10, transmitted to the Department as Enclosure No. 10 to the Embassy's despatch No. 22,205, April 8. The Department will note that the British Legation at Bern has now suggested to the French authorities that the Swiss Government be invited to block the painting in question.

Respectfully yours,
For the Ambassador:

Avery P. Peterson
Second Secretary of Embassy

Enclosures:

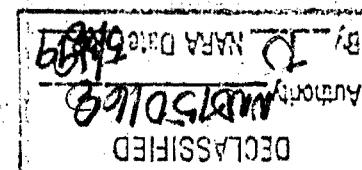
1. Copy of letter, dated April 27, from M.E.W. to British Embassy, Paris, with attachment.

Distribution made by the Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to O.S.S. (Art section), London.

RZ;JH;JN
(Original and hectograph to the Department)

114248



OPY

Enclosure to despatch No. 23,118
May 17, 1945 from Embassy, London.

LIST OF MERCHANTISH OWNED BY LEOPOLD BLUMKA STORED WITH
GALERIE FISCHER, LUZERN, SWITZERLAND, TO BE SHIPPED
THROUGH GOMBERG BROTHERS, BASEL, SWITZERLAND, TO LEOPOLD
BLUMKA'S GALLERY IN NEW YORK.

Church iron stand
folding chair
Renaissance mirror
paravent with velvet in 3 parts
bronze clock with Venus and Amor
" " " Elephant
marble Satyr

Pewter:

plate from the Coll. Piggot
" with ornamental border
Enderlein jug
large plate with engraving
small plate with ornamental border
candlestick
inkwell
2 large pitchers (Last Supper)
Gothic wine pitcher
" Guild " with rider
" " Hungarian inscription
" " of the shoemakers
" " potters
" " , large

Italian bowl, blue
gray stoneware jug
green jug
3 Fayence bowls
bowl on foot
brown stoneware Enghals jug
large " jug with big belly
brown Kreussen jug
stove tile
" yellow-green
large jug with head in the neck
1 plate
bronze water tap
lot of 3 bronzes
clock with Cariatides
2 bronze appliques with leaves
clock with Diana
" Wedgwood
" 2 vases
brass center piece, round
iron scale with Dolphin
2 marble vases
alabaster vase with Cameos
large saw
marble spander's plaque of grave
oilpainting, Minzius

arms and armor:

gun

lot/

114249

- 2 -

lot of 2 swords and one sword
pair of spurs
neck pieces of armor
3 revolvers
16 swords
2 mortar models
Japanese helmet
6 armor pieces
headguard of helmet
lined breastplate
engraved morion
armor breastplate of Maximilian I
horse bit
stirrup
"
horse bit (Zelterbusch)
pair of stirrups
one wheelspur and pair of wheelspurs
lot of spikespurs and wheelspur and fragment of spikespur
cannon model.

(SOD) LEOPOLD BLUMKA

114250

Report of the U.S. Embassy, 24

Roberts Comm.

RECEIVED

AMERICAN
COMMISSIONCONFIDENTIAL

No. 76

May 17, 1948

SAFERAVIN REPORT

Subject: Francisco CAMBO, Buenos Aires, and his transactions with Galeries Fischer, Lucerne, Switzerland.

Reference Embassy's despatch No. 20,523, January 22.

The following is the text of a letter dated April 17 from the British Embassy, Buenos Aires to the Ministry of Economic Warfare in reply to M.E.W.'s inquiry of January 2 (transmitted to Department as enclosure to reference despatch):

"Your letter M13/D of January 2nd, 1948, concerning Francisco Cambo and Oderic Fischer, Switzerland.

We were unable to contact Cambo until a few days ago, as he was in Uruguay. After examining his records, he informed us that he has bought nothing from Galerie Fischer since 1929.

I see no reason to doubt Cambo's statement but if you have any information which disproves his contention please let me know."

Distribution made by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to O.S.S. (Art), London.

HZ:JH:jh
(Original and hectograph to Department).

114251

Dir. No. 25

Robert Com.

RECEIVED
JUN 1945
AMERICAN
COMMISSION

No. 77.

LONDON

May 17, 1945.

CAPEHAVEN REPORT

Subject: Professor Voss, Director, State
Gallery, Dresden and of Fuhrer
Museum, Linz.

Reference Squadron Leader Cooper's report on "Looted Art and its Whereabouts in Switzerland", sent Department as Enclosure No. 19 to the Embassy's despatch No. 22,205, April 6.

On page five of the reference report, reference is made to a Van Dyck painting said to have belonged to the Jaffe Collection seized under the Vichy Government anti-Jewish laws and auctioned in 1943. It was reported that this picture was brought from Dresden to Switzerland by Professor Voss in October, 1943. The British Consulate General at Zurich was asked to investigate this report and the following is the text of its letter of April 16 giving the results:

"We hope to get particulars of the Jaffe Collection from an art dealer in Nice, and shall then report again."

As to Steinmann, he is now at Lugano, and we understand that our Vice-Consulate has already contacted him.

With regard to Professor Voss, it is true that he was here in October 1943, but the story that he bought a Van Dyck from Dresden appears to be mistaken. Our informant who has known Voss for many years and who describes him as absolutely anti-Nazi was quite certain that Voss would never have embellished his good name by handling pictures whose origin was not absolutely above board. He suggested that the story was probably due to Professor Voss having written a letter in connexion with a supposed Van Dyck in possession of Kurt Meissner of 36, Ramistrasse, Zurich. (He stressed the fact that Voss had not given a certificate but had merely written a letter showing interest in the purchase of the picture).

We then questioned Kurt Meissner who told us that he had two Van Dycks. One is a portrait of Karel von Mallery and had been in Switzerland for about 20 years. It had been the property of the late Escher-Abegg, a director of the Credit Suisse. Voss had certified this picture as a genuine Van Dyck and had written him a letter with a view to its purchase, but in the end was unable to buy it. The subject of the other picture was the Madonna and Child and St. John. This picture had been in Switzerland for about 18 years. Both pictures had come from the Eremitage.

114252 Meissner/

- 2 -

Meissner was absolutely certain that Voss would not have touched a picture of unclean origin. He had once mentioned to him that he was certain that Germany would lose the war and that he would then have to answer for every picture in the Dresden Gallery. Whenever, therefore, he bought a picture in France he was very careful to make certain of its origin and e.g. to ask the Louvre whether they had any objection to the purchase of the particular picture.

Voss had also often expressed his opinion of the Nazis in no uncertain manner and had said how ashamed he was that such scum belonged to his nation. Everyone who knew Voss was convinced that he was decent and would not be a party to a deal in loot."

Distribution by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to O.S.S. (Art), London.

EZ:JH:jh

Original and hectograph to the Department.

114253

Encl. No. (2) *Habat*

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AMERICAN
COMMISSION**CONFIDENTIAL**

London, England.

Reference No: 37.

May 10, 1945.

SAFERHAVEN REPORT**Subject:** Franz FABER, photographer,
Bahnhofstrasse 83,
Zurich.

The Ministry of Economic Warfare wrote the British Legation, Bern on May 5, asking that the Legation obtain confirmation of a report that Franz FABER, photographer of Bahnhofstrasse 83, Zurich, is believed to have been buying up pictures for Nazi leaders and also storing up in Switzerland works of art belonging to Hitler and Goering.

Faber is reported to be a Hungarian national married to a wealthy Swiss lady, and is a close friend of Andreas Hofer of Berlin.

Distribution made by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to U.S.S. (Art), London.

HZ:JH:jh
(Original and hectograph to the Department)

114254

Encl 19 Roberts Commission

RECORDEDU.S. AIR
FORCES
AMERICAN
COMMISSIONCONFIDENTIAL

London, England.

Reference No: 41

May 10, 1945.

SAPPHIRE REPORT

Subject: Investigation of activities
of Galeries SCHMIDLIN, Zurich.

Reference Squadron Leader Cooper's report on "Looted Art and its Whereabouts in Switzerland," transmitted to the Department as Enclosure No. 10 to the Embassy's despatch No. 22,205, April 6.

A suggestion was made in the reference report that the activities of Galeries Schmidlin, Zurich, be investigated with particular reference to its connection with Andreas Hofer. The Ministry of Economic Warfare has now received the following report, dated April 18, from the British Consulate General, Zurich:

"Early in February, that is therefore some weeks before your letter of 20th March, we received a visit from Mr. Schmidlin who wanted to know why he had been listed. He came armed with one of the cards of thanks sent out when our escapers left this country and also one or two invitations to cocktail parties arranged by C.O.'s of camps, and pointed out how incongruous it was that a recipient of so many tokens of good will from officers of the British Army should at the same time figure on the Statutory List. He assumed that he had been put on the list because he and his wife had been mixed up in an espionage case, but heretofore, he was provided with documentary evidence to refute our suspicions. This documentary evidence consisted in a postal order counterfoil showing that he had received Frs. 200.-- as a compensation for unjust imprisonment. As to his wife it was true that she had been convicted, not for espionage however, but for failing to give information and that the offence was considered trivial, was clear from the facts that a military court whose distinguishing feature was not usually leniency had sentenced her only to three months imprisonment and the General had commuted the sentence into a conditional one subject to her being of good behaviour for, we believe, five years. We called for the judgement and the order of the General and Schmidlin produced them at a subsequent interview and they were in fact in accordance with his statement. According to Schmidlin, his wife, who is German by origin, had been lured to Germany by an art dealer Wallentin on the pretext that an exchange of pictures should be negotiated, but when there she was invited to make copies of maps and other documents in the possession of her husband who is an officer in the

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114255

- 2 -

Report No: 41.

Swiss Army and to send them to the Germans. She had refused and returned to Switzerland, but had not informed her husband or the Swiss authorities and it was for this reason that she was convicted.

Already at his interview we broached the question of loot and Hofer, but Schmidlin denied that they had ever bought or sold pictures of German origin. Hofer had bought pictures of them but never sold any. As far as he knew, Hofer never sold any pictures at all in Switzerland, he was exclusively engaged in buying German masters such as Cranachs, Defreggers and Laibles for Goring and Ribbentrop. After receipt of your letter we interviewed Schmidlin again and he repeated that in the past Hofer had frequently visited most Swiss art dealers, all of whom looked forward to his visits with great pleasure, because he accounted for most of their business, but it was exclusively a one-way traffic of pictures from Switzerland to Germany. Unfortunately, this had stopped long ago and Hofer had not been near them for a year or two. He regretted this fact the more, because Hofer still owed them a few thousand francs for a picture he had taken with him. He was also sorry that he had no pictures of Hofer's on deposit, because then he would have some security for his claim. Schmidlin's statement regarding Hofer is probably true. We have received confirmation from other sides that Hofer who sported visiting cards with 'Direktor der Pravatgalerien des Herrn Reichsmarschal Goering' on them, came to Switzerland to buy and not to sell.

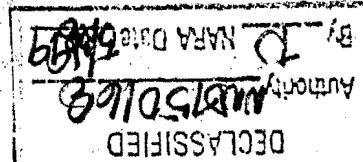
We are not sure whether we ever reported that some months ago we were told that a Swiss of the name of Vassalli had arrived from Germany with several trucks of art treasures and that he was to go into partnership with the Schmidlins. A Frau Dr. Schwiegler of Etzelstrasse was also mentioned in this connexion. Because of this influx of art treasures, the Schmidlins were also said to have added to their showrooms. We questioned Schmidlin with regard to this information. He stated that Mrs. Schwiegler was married to a Swiss, but is now divorced, that she is Italian by birth - her maiden name, we believe, was Corti and that she had in fact bought tapestries, silver and china from Italy via Germany. She had proved to the Swiss authorities that she had acquired these goods years ago and that is why she was allowed to bring them here as 'Uebersiedlungsgut' and sell them here.

The amount and the value were much exaggerated. There were only the few articles of not great value which the Schmidlins were at present displaying in their windows.

We have less confidence in Schmidlin's veracity in respect of these goods than with regard to Hofer. Goods of Italian origin coming to Switzerland via Germany look obviously suspicious and it seems also unlikely that 'Uebersiedlungsgut' which we believe implies freedom from

customs/

114256



- 3 -

customs duties would be allowed to be sold. (We wonder whether the Swiss authorities could not be approached with regard to Mrs. Schwegler's goods). These are definite facts of a more suspicious nature than of anything we have heard of. It is probably true that the goods shown in Schmidlin's windows do not represent much value, but we were told subsequently that part of Mrs. Schwegler's goods are still in bond at Basle. We were also told that some time ago Mrs. Schwegler received Frs. 50,000.- according to another version Frs. 300,000.- through the German-Swiss clearing. (It is, of course, difficult to see a connexion between an alleged sale of German loot and the receipt of money from Germany, but we merely repeat what we were told)."

In connection with Frau Schwegler, reference is made to Safehaven Report No. 6, April 24, giving the text of a letter dated April 18 from M.E.W. to the British Legation, Bern. M.E.W. has now been informed by the British Legation that Frau Schwegler is to be interviewed.

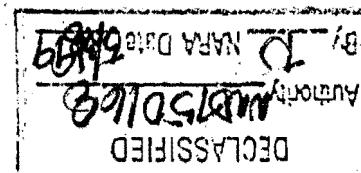
Distribution made by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to S.S. (Art), London.

HZ:JH:jh

(Original and hectograph to the Department)

114257



RG 239
Box 39

RECORDED

AMERICAN
COMMISSION

No. 23.118

AMERICAN
COMMISSION

London, England, May 17, 1945.

BY AIR POUCH

Economic Warfare (Safehaven) Series: No. 235.

Subject: Application made by Leopold Blumka,
New York, for export pass for art
objects stored in Switzerland.

CONFIDENTIAL

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

I have the honor to transmit herewith copy of a list of art objects and antiques stored with Galeries Fischer (PL/SL), Lucerne, Switzerland, for which Leopold Blumka, art dealer, of 115 East 57th Street, New York is applying for release for shipment to the United States.

Blumka is an Austrian refugee who at one time had an antique business in Vienna and fled to Switzerland in February, 1939 with some of his commercial stock. He left Switzerland for the United States in 1941 and has since established himself as an antique dealer in New York City.

The present application is the third of a series. The first, under date of April 7, 1941, covered household goods and personal effects. The second, filed on December 18, 1941, covered, according to Blumka, items from his commercial stock. These goods were stored with the firms, Galeries Fischer, Lucerne and Segal, Basel. Facilities for this second consignment were granted in May 1944, only after the British Legation, Bern had been shown satisfactory Customs documents proving that the goods were brought into Switzerland prior to 1939, and on the further basis that the British Legation had reported that those items stored with Fischer had been removed before that firm was listed in September, 1943.

The Ministry of Economic Warfare file on the case indicates that in March 1942 Blumka wrote Fischer (not then listed) suggesting that he act as their New York representative for the purpose of selling antiques.

The application under consideration covers goods still stored with Fischer, but Blumka claims that they were included in the lists previously submitted to the British authorities, and are his personal property.

In view of Blumka's associations with Fischer who was listed, *inter alia*, because of transactions involving loot,

M.E.W./

114258

- 2 -

H.E.W. suggests that Blumka be invited to submit full details of the articles covered by the present application to the Roberts Commission for decision as to whether there is a possibility of their having been looted, the case to be disposed of in accordance with the Commission's findings.

Embassy would appreciate instructions.

Respectfully yours,
For the Ambassador:

Avery F. Peterson
First Secretary of Embassy

Enclosure:

Copy of list compiled by Blumka of his property still stored with Galeries Fischer, Lucerne.

Distribution made by Embassy, London:

1. Roberts Commission, London.
2. O.S.S. (Art), London.

MZ:JH:jh
(Original and hectograph to Department)

114259

-3-

except by an art expert, might reveal little. For this reason we consider that we shall probably get better results for the moment from outside sources. Would it not be better, therefore, to wait until Herer, Buemming, Boehmer, Birshanski, etc. have been cross-examined, and then, if new leads are obtained, demand a complete investigation?"

Distribution by American Embassy, London:
One copy to Roberts Commission, London
One copy to O.S.S. (Art)

JH:df

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5/24/1945
JW
WAR DEPT-10-99
Authority
AND 750168
REULASCHIEU

Roberts

RE

LONDON

No. 226

CONFIDENTIAL

July 12, 1945.

SAFETY REPORT

Subject: Censorship submissions relating to works of art.

Copies of the following Censorship Submissions, all relating to works of art, have been sent by MEWPO to the Monuments, Fine Arts and Archives Branch of the British Control Commission, with a request for any comments the Branch may have to make:

1. Submission No. LON 72876/45. From Eric Lyndhurst, 98 Rue de France, Nice to Mr. Gerard Crutchley, London. Letter dated: May 21, 1945.

"Our pictures: Cuvelier writes: the Van Dyck has been removed from Maison Bonnen & Co., by the Commandatur and not the Gestapo, so suppose it was sent to Goering's collection, most likely the Lanvin 'Venus and Adonis' has followed suit. I know that Pradin had an offer for the picture from the buyer of Goering, he met the man at Major Langton's villa here. I of course refused to meet him. I have just been reading in the Continental Daily Mail of a discovery of most wonderful art treasures near Salzburg - Goering's collection and Rothschilds. I sent you the affidavit, you must please try and contact with the proper authorities. I know the Gestapo in Brussels had a lot of my pictures and various pieces of furniture and told a friend of theirs they were prepared to hand over the lot to the actual owner, this was in 1943, of course, old chap, they just wanted to get me back. Pradin saw their copies of letters I wrote to America early in 1939, mentioning Hitler and Mussolini as a pair of the worst gangsters etc. I am convinced if I could get back to Brussels and set about it in the right way I could trace Beccane-Kemp and some of the others."

2. Submission No. LON 45519/45. From: Madame de Police 54 Rue des Saints Peres, Paris to: J.H. Garreta, Cheltenham, England. Letter dated: February 9, 1945.

The writer states that her husband is head of the Society of Protestant History, a library containing 60,000 volumes, and is also Dean of the Faculte de Theologie: they live behind the library.

She states: "...Some S.S. came in the library and stole some manuscripts, which are in German. They pretended to find out the inheritance up to the 16th Century of our Huguenots who fled to Germany so as to revindicate all that when the victory was there...."

3./

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IARA Date 10/97

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3. Submission No. BER 35568/42. From: "REP", Spiez, Switzerland, to: A. Andriesse, c/o Mrs. Wallgarten, 44 Wall Street, New York. Letter dated August 26, 1942.

The following is a paragraph of a copy of a letter from Holland:

"Chabot's Pauwen: the Rembrandt picture on loan in the Rykamuseum has been sold to Hitler although the 'Rembrandt Verz' (probably Verzekering - Insurance) tried to save it. Ch. behaved miserably."

4. Submission No. BER 35585/42. From: R. Von Hirsch, 55 Engelgasse, Basel, to: Mrs. Martha Dreyfus-Koch, The Ritz Tower, Park Ave., 57th St., New York. Letter dated August 26, 1942.

Extract translated: "Only Buhrlie-Oelikon is earning really big money, but he did that before the war too. He was formerly German, is said to have been naturalized about six years ago but not his opinions, which are said to be most unpleasant. He is buying a great quantity of pictures (Nathan has just shown him the lotto, but in vain) and he also seems to be buying a good many Impressionists which the Germans have stolen from Paris."

5. Submission No. BER 42323/42. From: Paul Rosenberg, 16 East 57th Street, New York, to: Maitre Leon Gouy, 8 Rue de Rive, Geneva. Letter dated: October 23/42.

Writer confirms his letter of August 21 giving a list of the paintings, and names of the buyers, but he fears that all the receipts have been scattered in various parts of France as a result of the removal of his effects against his wishes.

Writer believes that the receipts for the "Portrait de Mme. Jeantaud avec deux chiens" by Degas, bought from Kelekian and "Jeune Fille sur un Fond Bleu" by Renoir bought from M. Javal and which a Mme. Le Doux (Castel. Floirac) still retains, have never reached addressee.

Writer is not surprised that addressee has received no reply from M. Le Gal who is in Brittany and Mlle. Roisneau, 6 Rue de Paichari, Paris.

Writer then summarizes the list of paintings with their sellers, among which are canvases by Braque, Bonnard, Corot, Degas, Picasso, Renoir, etc.

Finally, writer states that he is prepared, if possible, to have various people in U.S.A. certify that these paintings were sold to addressee's "companies", but he advises addressee to oppose the sale of the works so as to allow enough time to prove addressee's ownership.

The information contained in Submissions LOH 72676/45 and 45519/45 has been passed on to the French authorities by MEWPO.

HZ:JH:jh Original and photograph to Department.
1 copy sent to Roberts Commission, London.
1 copy sent to U.S.S.(Art), London.

114262

CONFIDENTIAL

Date No. 21.

Roberts

CONFIDENTIAL

London, England.

Reference No: 36.

May 10, 1945.

SAFESHAVEN REPORT

Subject: Frau Margeurite WYLER,
 proprietess of Galerie
 EPOQUES, Zurich.

Following is the text of a letter, dated April 30,
 from the Ministry of Economic Warfare to the British
 Legation, Bern:

"We have received a confidential report that
 one Frau Margeurite Wyler, a Swiss national, and
 the proprietess of the Galerie Epoques, Stadelhofer-
 strasse 26, Zurich is probably concerned with the
 disposal of looted works of art.

It appears that the Galerie Epoques was opened
 at the beginning of the war with very little capital
 and amongst those who financed it was Bea Kasser,
 the proprietess of the Beauty Saloon at Bahnhofstrasse
 92.

Margeurite Wyler came to Zurich at the end of
 August 1939 after serving one year's imprisonment
 in the Roesslände prison in Vienna; this sentence
 was believed to have been given her for espionage
 (probably on behalf of the Swiss authorities).
 She was prematurely released from gaol and under-
 took to be of use to the Gestapo in Switzerland.

It is said that a frequent customer at her
 Galerie was the military attache of the German
 Legation in Bern, Colonel Von Isemann. Wyler is
 also a friend or good acquaintance of an official
 named Koch of the Wirtschaftsamt in Bern who has
 made frequent trips to Denmark. It is also be-
 lieved that Wyler was born in Geneva, but that her
 parents were of French origin, and it is almost
 certain that she has worked for the Sième Bureau.

We should be glad if you will investigate this
 report both as regards Wyler and also the Galerie
 Epoques which is a probable centre for looted
 property. It is said that the police have on more
 than one occasion been about to take action against
 them, but Wyler is protected by a Zurich Stadthalter,
 named Dr. George Durst, with whom she is on intimate
 terms."

Distribution made by Embassy, London:

1. Copy to Roberts Commission, London.
2. Copy to O.S.S.(Art), London.

114263

NZ:JH:JH

Aug. 14, 1945

Roberts

RECEIVED

AMERICAN
COMMISSION**CONFIDENTIAL**

London, England.

Reference No: 39.

May 10, 1945.

SAPPHAVEN REPORT**Subject: Sale of modern paintings by
ALLEGEMEINE TREUHAND GESELLSCHAFT.**

The Ministry of Economic Warfare wrote the British Legation, Bern on May 8 asking it to investigate the following confidential report:

"About the middle of August 1942, Allegemeine Treuhand Gesellschaft (presumably of Zurich), had received from Germany for sale paintings of various modern painters, valued at approximately 500,000 Swiss francs.

It is said that these were to be sold in Switzerland, and with the Swiss currency thus produced, automobiles and various raw materials were to be purchased and exported to Germany.

One Mathias Banska was in charge of these transactions."

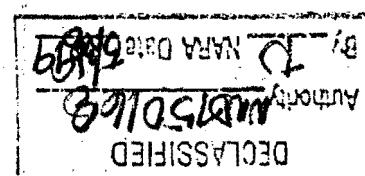
Distribution made by Embassy:

1. Copy to Roberts Commission, London.
2. Copy to O.S.S.(Art), London.

HZ:JH:jh

(Original and hectograph to Department)

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~~SECRET~~

Tel : Vic. 3858
Ext : 50

Monuments, Fine Arts & Archives Branch,
Flat 101, Block No. 8,
Ashley Gardens, London. S.W.1.

Ref.: INTR/655/2/MFA

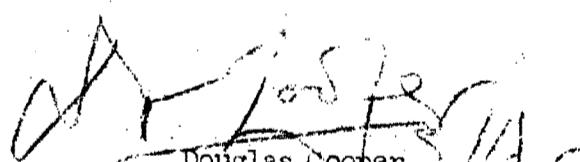
22nd March, 1945.

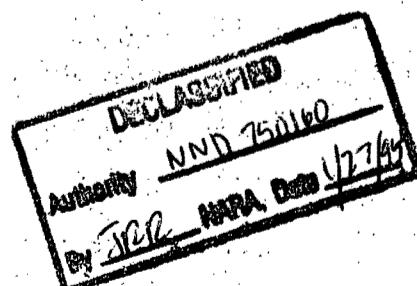
To :	U.S. Group C.C.	(2)
	Roberts Commission	{ 4
	Macmillan Commission	{ 4
	A.C.A.	2
	SHAEF G-5	1
	French Mission	1
	French Restitution Commission	1
	O.S.S.	2
	M.E.W.	2
	Foreign Office.	2

Subject :- Report on S/Ldr. Cooper's Visit to Switzerland.

The attached report is forwarded for your consideration.

JP/DP.


Douglas Cooper,
Squadron Leader.
for Director, M.F.A. & A. Branch.



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Berne, March 10th, 1945.

1. To : Lt. Col. Sir Leonard Woolley, CA 20 B, War Office, London.
From : S/Ldr. D. Cooper, M.F.A. & A. Branch, C.C. for Germany.

Report on Visit of Investigation into Looted Works
of Art and their whereabouts in Switzerland

1. Acting on SHAEF orders issued on the authority of the Adviser M.F.A. & A. G-5 Ops, in agreement with yourself and M.E.W., I left Paris on February 16th, 1945 and after spending the night in Dijon arrived in Berne on the afternoon of February 17th.

2. As instructed, I made contact immediately with the Commercial Counsellor at H.B.M. Legation, Mr. W.J. Sullivan, and his deputy, Mr. Jackson Smith.

3. I explained to them the terms of my mission and placed myself entirely in their hands with regard to the procedure for carrying it out. After some discussion, Mr. Sullivan proposed that, if all parties consented, I should be given the official status of Technical Adviser to the British Trade Delegation which was negotiating with the Swiss Government on the whole question of German-Swiss economic relations including the problem of "Safe Haven".

4. Conferences followed with the President of the British Delegation, Mr. Dingle Foot M.P., H.B.M. Minister in Berne and Mr. Bliss of M.E.W., a member of the British Delegation, following which my attachment to the Delegation was agreed and made effective vis-à-vis the Swiss Government. As a result, I was able to keep myself informed of the measures proposed and agreed to by the Swiss Government affecting German assets in Switzerland, to advise the Delegation on technical questions concerning the tracking down and freezing of looted works of art and to pursue my investigations with proper diplomatic status.

5. Having been charged, before leaving Paris, with representing the interests of M.F.A. & A. Branch of U.S. Group C.C. as well as those of the French Restitution Commission (by M. Hanraux personally), I have kept in close touch throughout my visit with the members of both the U.S. and French Trade Delegations as well as with the Commercial Secretariats of the French Embassy and the U.S. Legation.

6. Towns visited were Basle, Berne, Lausanne, Lucerne and Zurich. It was not considered advisable for me to visit Geneva.

7. Persons contacted were amongst others :-

U.S. Legation, Berne - Mr. Getsinger and Mr. Maynard of the Commercial Secretariat; Mr. Caspar (from Lisbon).

French Embassy, Berne - M. Vaidie and M. Vuillot of the Financial Section, M. Peter.

H.B.M. Consulate-General, Basle - Mr. Pyke
" " " Zurich - Mr. Cable
" " " " Mr. Walker, Vice-Consul
" " " " Mr. Baker, " "

/Director of Kunsthau, Zurich.

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Director of Kunsthau, Zurich - Dr. Wartmann
 " " Basle - Dr. Georg Schmidt
 " " Berne - Dr. Huggler

Herr Rolf Buegi, Belp

Dr. Hans Curjel, Zurich

M. William Aguet, Lausanne (for M. Hanraux)

Herr Marcel Fleischmann, Zurich

Baron von der Heydt, Ascona

Dr. Arthur Widerkehr, Zurich

Dr. Erich Katzenstein, Zurich

Dr. Albert Nussbaumer, Basle

Charles Im Obersteg, Basle

Dr. Schneider, Basle

Galleries & Art Dealers visited :-

Galerie M. Schulthess, Basle - Frl. Margot Schulthess

Dr. Willy Raeber, Basle

Christoph Bernoulli, Basle

Galerie Tanner, Zurich - Herr G. Tanner

Galerie Neupert, "

Galerie Aktuaryus, " Herr Aktuaryus

Galerie Schmidlin, "

Galerie Gasser, "

Galerie Epochs, "

Galerie Vallotten, Lausanne - M. Paul Vallotten

Galerie Bollag, "

Galerie Fischer, Lucerne - Herr Theodor Fischer & his son Arthur

Galerie Boehler, "

- Herr Steinmeyer

Galerie Rosengart, "

- Herr Rosengart

Dr. Fritz Nathan, St. Gallen

Walter Feilchenfeldt, Ascona.

Nathan Katz, Basle.

8. I have also maintained close contact throughout with Mr. and Mrs. R.B. Dummett of the Black List Section of the Commercial Secretariat in Berne, from whom I have received every possible assistance and advice.

9. Attached are :-

- 1) Detailed Report
- 2) Letter to Commercial Counsellor summarising investigations to be carried out.
- 3) Appendix A - Report on Wiederkehr case.
- 4) Appendix B - Reports on Galerie Fischer.
 - 1) Letter of 29th December, 1944 from Commercial Secretariat.
 - 2) Personal report.
- 5) Appendix C - Memorandum on looted works of art.
- 6) Appendix D - Swiss Imports of pictures 1939-1944.
- 7) Appendix E - French Memorandum on the subject of the Rosenberg Collection.
- 8) Miscellaneous Information.
- 9) Details of German Fine Arts repositories.
- 10) Information specially concerning France.
- 11) Appendix F - The MEWES Collection (top copy only)

10. In conclusion I would like to express my gratitude to the Staff of the Commercial Secretariat for the great assistance which they have given.

Sgd. Douglas Cooper

S/Ldn

<u>Copies</u>	Sir Leonard Woolley	2
	H.B.M. Legation	2
	U.S. Legation	1
	French Embassy	1
	M.E.W. (Mr. Bliss)	1

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Prof. VOSS is reported as saying to a friend of mine that the details of the German repositories were only known to two or three people besides himself. He stated that one office in which all the details were available was in the Reich Ministry of Education in Berlin.

Information specially concerning France.

1. It has been reported to me by several sources that the firm of Paris art dealers, BERNHEIM JEUNE, a Jewish concern, was seized by the Nazis and offered for sale in Switzerland for 1,000,000 French francs. The persons involved in this offer are reported to be :-

M. CHARLES MONTAG	(Swiss)
M. ETIENNE BIGNOU	(Paris art dealer)
Herr ADOLE WUESTER	(German Embassy)

The offer was definitely made to Herr TANNER of the Galerie TANNER, Bahnhofstrasse 39, Zurich.

I have been able to trace four pictures by COROT :-

- 1) Femme Gracque
- 2) San Giorgio Maggiore, Venice.
- 3) Femme et Enfant
- 4) Lac d'Oberland: reported sold in 1944.

stolen from the BERNHEIM collection which are at present held by Frau Klara VERAGUTH, Kinkelstrasse 28, Zurich.

All these pictures are well-known and have been reproduced many times. They are said to have been acquired in HOLLAND in 1941. Nos. 1 and 2 were exhibited at ZURICH in 1942.

2. The picture of "Mme. CAMUS at the piano" by DEGAS, stolen from the collection of ALPHONSE KANN in PARIS, was sold to WENDLAND by the Paris dealer BIRSHANSKI.

3. DEQUOY has sold pictures to Herr Emil BUHRLE (Grewze, David, Fragonard etc.); to the Kunsthaus of Zurich (two Renoirs); to Paul JOERIN of BASEL.

4. I am informed that Alfred DABER, 109, Boulevard Haussmann, Paris, was trading in looted pictures with the EINSATZSTAB ROSENBERG. He summoned TANNER of ZURICH to LYONS in 1941 or 1942 and made him an offer which was declined.

Recommendations.

1. Investigation of M. CHARLES MONTAG and his activities, also of BIGNOU.
2. Investigation of BIRSHANSKI.
3. Investigation of DABER's files. He has already been similarly reported on through the VAUCHER Committee.

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R E P O R T

1. The Problem. I prepared a paper (Appendix C) for consideration by the Commercial Secretariat setting out the problem as seen by M.F.A. & A., for the Branch is concerned not only with the location and freezing of all German-owned works of art which may be suspected of having been looted, but also with the tracking down of works of art originally looted by the Germans and subsequently disposed of through normal trading channels. Thus I defined four categories of works of art which M.F.A. & A. wished to pursue in Switzerland :-

- a) Works of art reported as a long-term security by individual Germans for safe-keeping. These may or may not be stolen, the property of the Nazi Party, of German collectors or art-dealers or museums, and may be held under false German or other names.
- b) Looted works of art sold to or exchanged with Swiss residents by the German authorities.
- c) Looted works of art given for disposal to French, Belgian or Dutch dealers or other such agents and bought from them (either in good or bad faith) by Swiss dealers, museums or private collectors.
- d) Works of art smuggled into Switzerland by German or other agents and either held or disposed of there.

2. Political Decisions reached. As a result of the negotiations of the three Allied Delegations with the Swiss Government, it has been decided that all German-owned assets (including works of art) in Switzerland, whether deposited in German or other names, are subject to the "freezing" decree. That is to say that it is now impossible for the Germans to "realise" such loot as they may have deposited in Switzerland, but so long as it remains stationary its presence will not be detected unless we can provide the information as to its whereabouts. However, it has been agreed by the Swiss that for their own information, they will shortly decree a census of all German assets in this country (including works of art), and it is proposed that this decree shall make it obligatory for those people who are holding German assets under some other name to declare them as such.

Thus a check-list should ultimately be available for consultation when it is known just what works of art have been looted. Moreover, third parties who have failed to declare German assets and who later try to "realise" them will have committed an offence under Swiss law. In addition to this the Swiss authorities have expressed their willingness to act immediately in cases of which we can inform them of hidden loot or works of art smuggled into Switzerland in contravention of Swiss law.

From the point of view of M.F.A. & A. and such Restitution Commission as may ultimately be set up, one part of the problem is therefore more or less solved for, those works of art which are in Switzerland cannot now leave the country and all German-owned assets must be declared. In this respect, I drew the attention of the Delegation to some favourite hiding-places which would need to be covered by the census, namely Free Ports (Freilager), cellars of Museums, banks and forwarding agents or repositories (Lagerhaus A.G.), and I understand from Mr. Bliss that this has been agreed to. But there remains the other part of M.F.A. & A.'s problem, namely the tracking down of looted works of art which have been disposed of through dealers. This is largely an intelligence problem, whose solution depends on the amount of guidance which can be given to the Allied representatives in Switzerland.

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Accordingly I have devoted much of my time to picking up the threads of such transactions and passing the information to the Commercial Secretariat of H.B.M. Legation for investigation.

3. Intelligence Procedure. At an intelligence conference on March 6th presided by H.B.M. Minister, it was decided that all information concerning loot, by whatever agency collected, would be passed through the channel of Commercial Secretariat and thence to Mr. Bliss at M.E.W. for distribution. Likewise anything affecting investigations in Switzerland should pass outward from ourselves through the same channel. Co-ordination with U.S. and French services will be done at Berne.

4. Information collected.

(i) Six looted pictures are being held for Alois Miedel by Dr. Arthur Wiederkehr of Zurich (see Appendix A attached). Nos. 1, 3, 4 and 5 on this list are included in the inventory of the Rosenberg collection held by the French authorities.

(ii) As a result of my visit to the Galerie Fischer there are certain variations and additions to the story as set out in the letter E.W. No. 1062 of December 29th, 1944, of the Commercial Secretariat :-

a) one picture No. 36 had been omitted from Fischer's previous list. He could not explain this fact.

b) I am informed by Dr. Nathan that Fischer originally showed to him and Herr Huehrle the following additional pictures :-

COROT	Femme Italienne
"	Mère et Enfant
VAN GOUGH	Nature Morte
"	L'homme à la barbe grise

c) Fischer's statement to me that he had never auctioned any of the pictures received from Hofer is proved to be untrue.

d) Fischer now states that some of the pictures were imported regularly through "Clearing", but that others were brought by Hofer personally. It appears that Hofer brought a number of pictures from which Fischer could choose; he referred specifically to a "Landscape" by Cézanne which he had not selected.

e) It appears possible that the list supplied to us by Fischer may be very incomplete.

One further point of interest which may affect questions of restitution is the fact that the former Galerie Theodor Fischer has ceased to exist and has now become a Limited Company under the title Galerie Fischer. I am informed that the Directors are his sons. For the list of pictures given by Fischer see Appendix B.

/(iii) ...

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- (iii) The following German nationals who are known to have been concerned in the traffic in looted works of art have been visiting Switzerland since 1940 :-
- a) Adolf Wuester of the German Embassy, Paris.
Reported in Basle, Zurich, Lucerne and Berne.
Buying for German museums but also offering looted works of art from France.
 - b) Professor Voss & Professor Posse (now dead)
Directors of the Fuehrer Museum in Linz. Reported buying in Zurich, Basle, Lucerne and Geneva.
 - c) Andreas Hofer, Berlin dealer working for Goering.
Buying and disposing of loot. Was dealing with Galerie Schmidlin in Zurich and Galerie Fischer in Lucerne.
In relation with German Legation, Berne.
 - d) Dr. Kurt Martin. Director of the Karlsruhe Museum and also Director of all the Museums of Alsace.
 - e) Haberstock, Berlin art dealer.
 - f) Carl W. Buerming, antique dealer from Darmstadt.
been several times to Lucerne.
 - g) Dr. Otto Foerster, Director of Wallraf-Richartz Museum in Cologne.
 - h) Herr Gustav Rochlitz, art dealer of Paris and Baden-Baden. Was resident in Zurich until 1940.
 - j) Dr. Sauermann of the art dealers Boehler of Munich.
- (iv) It has been reported (6th April, 1944) by H.M. Consulate-General, Zurich that pictures from the Jaffe collection in Nice have been offered for sale in Switzerland by :-

L. STEINEMANN
21, Drusenbergstrasse, Zurich.

The following pictures were mentioned :-

Portrait of a Lady by GOYA	
Woman Spinning	" VELAZQUEZ
A Doge	" TITIAN
Landscape	" CONSTABLE Sw.Frs.10,000
?	" VANDYCK " "100,000

It will be remembered that the Jaffe collection was seized under the Vichy Government anti-Jewish laws and auctioned in 1942. The picture by Vandyck is said to have been brought from Dresden by Professor Voss in October 1943. As both the Musee du Louvre and the National Gallery of London are interested in the fate of the Jaffe collection, this information is of considerable interest. A further letter from H.M. Vice-Consul in Lucerne of August 22nd, 1944, shows Steinemann's address as

Clinica San Rocco,
Lugano

and refers to him as offering "pictures to a total of 100 or 200."

/(v) ...

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- (v) A picture by Matisse - "The Open Window" from the collection of Paul Rosenberg is now in the possession of M. Andre Martin, 9 Signaustr., Zurich. This picture is also included in the inventory of the Rosenberg collection seized at Libourne by the Germans in June 1941. This picture is at present deposited with Frau Stoeri in Zurich. It has been offered for sale to the Kunstmuseum in Berne for 10,000 Swiss francs. Another picture by Matisse - "Femme sur un Sofa" (1940) also belonging to Martin, and coming perhaps also from the Rosenberg collection, is now being offered for sale by the Galerie Neupert in Zurich.
- (vi) Two other residents in Switzerland who have made frequent trips to Paris etc., since 1940 and are said to be connected with the traffic in works of art are :-
Herr Alexander von FREY ?(Hungarian)
Lucerne.
and
Herr Erich von KREIBIG (german)
Casa Heil
Ascona
- (vii) Galerie Neupert, 1 Bahnhof strasse, Zurich. It is reported that in the summer of 1943 this gallery exchanged a picture by Knaus against a Renoir with the Germans. The former was taken to Basle and the Renoir was received from some German officers who brought it as far as the German Railway Station there. The Knaus was estimated to be worth Sw. Frs. 10,000 and the Renoir Sw. Frs. 35,000. I have been able to confirm the fact that this gallery possessed a Knaus in 1943 which it disposed of. See also (v) above.
- (viii) Dr. Hans Wendland of Bois d'Avault, Bellevue, Geneva. A German national. This man has travelled to France, Italy and Germany on several occasions between 1940 and 1943. He was formerly resident in Lucerne. The following reports have been received concerning him:-
a) It is known that he has bought and imported works of art from Germany, Italy and France. (See report on Galerie Fischer).
b) He was the agent for Fischer in negotiating the deal in looted pictures with Hofer in Berlin.
c) He informed a reliable source that some 6 months ago, since ascertained it was in Nov. 1942, he received a whole railway-van full of works of art from Paris, which was cleared through the forwarding agents Lavanchy in Lausanne.
d) When he moved from Lucerne to Geneva he took two van-loads from Lucerne and another one from Basle, all of which are said to have contained works of art which arrived from Italy in early November 1943.
e) He has been working in close co-operation with the German Legation in Berne and Andreas Hofer in Berlin. Wendland is a well-known German art-dealer - cum - collector who has lived alternately in Paris, Florence, Germany or Switzerland for the last twenty-five years. He was in close touch

/with all ...

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with all the art-dealers and was very well acquainted with the contents of private collections. Though he claims to have bought the Degas picture "Mme. Canius au piano" from a Paris dealer, he must have been fully aware that it was stolen, for he knew both Kann and Rosenberg well.

(ix) Andreas Hofer, art dealer for Goering. Has been in Switzerland frequently, buying and selling. He has been in touch here with :-

- a) Galerie Fischer, Lucerne
- b) Dr. Hans Wendland
- c) Galerie Schmidlin, Zurich, Bahnhofstrasse 5.
- d) Someone living in the Alte Landstrasse at Kuessnacht near Zurich.
- e) German Legation, Berne.

He is reported as saying (reliable source) that all his pictures passed through the German Legation in Berne. He bought quite a number of pictures in Switzerland, but he also imported - much of it by the diplomatic bag - pictures looted in France, etc.

(x) German Legation. It is reported that Dr. Wendland states that the member of the Legation employed in conveying pictures across the German frontier is

Herr Helmut BEYER (Commercial Attaché)
6 Florastrasse
Muri near Berne.

Many of the pictures are imported diplomatically and do not therefore pass through the Swiss customs.

(xi) Dr. G.F. Reber, formerly resident at Lausanne. Left Switzerland suddenly in the summer of 1941 for Italy and was later resident in Rome and Florence. Before leaving Switzerland he showed to certain people a personal letter from Goering appointing him an official buyer of works of art. This letter was obtained through Hofer, who is married to a sister of Dr. Reber's secretary. It is known that Reber bought some Bobelin tapestries for Goering in Italy, and also a Memling portrait in Florence which was sold to Hitler. Dr. Reber has since been deprived of German citizenship on the ground of being a Freemason. Dr. Reber passed through the Allied lines apparently and is now resident at :-

Albergo Gargano
Sant' Angelo dei Lombardi
Prov. Avellino,
Italy.

In my telegram of March 5th, I suggested that steps might be taken to have him transferred to U.K.

(xii) It is reported that Herr Rudolf Ruscheweyh
Schaan
Lichtenstein

has been buying works of art in Paris which have been recently delivered to his new house in Schaau. Herr Ruscheweyh

/is ...

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is a great friend of Buehrle, on whose advice he buys, and was formerly his agent in Paris.

(xiii) It is variously reported that shipments of works of art from Germany are handled by the firms of Schenker (branches in Schaffhausen, Chiasso, Romanshorn, Buchs and Basel) and Bronner of Basel.

5. Conclusions. So far as I am able to discover neither the Swiss museums nor the more important Swiss collectors have acquired looted works of art. The exceptions to this statement are listed elsewhere. One can I think even go so far as to say the considerable anxiety is felt by any possible Swiss purchaser today, and a seller is invariably asked to produce a certificate showing that the picture has been in Switzerland (and even in Swiss possession) for a number of years. Everybody concerned realises that it is in the Swiss interest to "keep the party clean" and I believe that as and when looted works of art make their appearance on the Swiss market we shall in future be informed.

It is impossible to estimate the amount of German-owned or looted works of art which have found their way to Switzerland. The official Swiss figures for the import of works of art for 1939/44, produced for me by the Commercial Secretariat, do however show (Appendix D) that whereas the imports from France have declined steadily, those from Germany increased greatly both in 1941 and 1943. It would be interesting to arrive at an explanation of these figures, for it appears fairly certain that the greater part of the looted works of art from France were imported from Germany.

I have heard from several sources that works of art have been smuggled into Switzerland, but I have no absolute proof of this except the evidence of those pictures which are known to have been imported in the German diplomatic bag. It has however been reported that pictures have been smuggled in through Geneva, by M. Albert Skira (French and Swiss sources).

Nor is it clear what happens to looted pictures once they have reached this country. The evidence seems to indicate that for the moment they are lying dormant, either in bank vaults, at forwarding agents, in repositories or in private hands, either in German, Swiss or other names. This is a matter for long-term investigation and will I think depend a lot on the issue of a list of all missing pictures from France, etc. This list could be given to the Swiss Government for checking against their Census and could be issued wholly or in parts to Swiss art-dealers, warning them to be on the look-out.

The only direct evidence of looted works of art moving from Germany through Switzerland to Spain is provided by the Wiederkehr/Miedel case, but I do not think the possibility must be ruled out on that account.

It is also clear (evidence of Fischer) that several looted pictures which have not yet come to light have at one time been in Switzerland and may therefore, still be there. Now is the time to attempt to trace them, while the Swiss are interested in the question. It appears that very few people are involved in the traffic in looted works of art in Switzerland. The most important seem to be Wendland, Fischer and the German Legation. There is however, no limit to the quantity of works of art which may have been deposited by or is being held for these people. Nor must one leave out of account works of art sent from Germany for "Safe Haven" to the Free Ports of Switzerland ; there they can remain for 5 years under the name of the addressee, are not considered as imports and merely cost the amount of storage charges.

/I have...

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ADDITIONAL NOTE TO MAIN REPORT.

The following pictures listed in para. 4. (iib) on page 5 of the main report have now been identified as follows:-

COROT Mere et Enfant = Mme. Strumpf et sa fille
(Robaut 2125)

VAN GOGH Nature Morte = Fleurs dans un Vase.
(de la Faille 601)

L'Homme a la barbe = Portrait d'homme
(de la Faille 413)

It is reported that these pictures were sold to FISCHER through Wendland, who claims to have bought them from Birshanki in Paris. That is to say they come from the same source as the looted "Mme. Camus au Piano" by DEGAS.



D.C.

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I have not heard of any deals - except in the Jaffé case - in looted Old Masters but only in French 19th Century paintings. This would appear to confirm what we already know from Paris.

Recommendations

- 1) That further investigations be made in Switzerland into the points arising out of the present report. I have set these out in the letter to the Commercial Counsellor attached.
- 2) That enquiries be made as to whether or not Wuester is really in Spain.
- 3) That steps be taken to transfer Dr. G.F. Reber to U.K. for examination.
- 4) That the Macmillan and Roberts Commissions be consulted on the problems arising out of this Report.

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Box 7

K o p i e

Saxer
& Notariat
Amleingasse 10

Basle, 18th Mai 1948

Office of Military Government for Germany U.S.A.
Restitution Branch,
Berlin

Gentlemen,

At the request of Mr. Theodor Fischer, partner of the Art Gallery Fischer in Lucerne, I put forward the following petition:

- 1) Mr. Theodor Fischer is co-proprietor of a well-known firm dealing in pictures, works of art and antiques.
- 2) Since many years the clientele of Messrs. Fischer of Lucerne is chiefly international. The big auctions which are held several times a year, are visited by well-known dealers and connoisseurs of art from all over the world and there have always been good business relations with dealers and collectors from Great Britain, France and the U.S.A. and also from Germany. This international character of the Art Gallery Fischer is identical to that of all large dealers of works of art of the whole world, and, like in France, German buyers were among their best customers.
- 3) Already before the War and also during the first years of the War the German art dealer Walter Andreas Hofer, formerly of 68 Augsburgerstrasse, Berlin W.50, came to all the important auctions of the Art Gallery Fischer and bought there works of Art to the value of hundred thousands of Swiss francs, which at the beginning were also paid for in cash in Swiss francs. But during 1941 he left a large sum unpaid with the excuse he had no more Swiss francs for cash transactions. Mr. Fischer inquired several times at the Swiss Clearing Office in Zürich and also sent in a petition that the sum owing him by Hofer for the pictures should be passed through the Swiss/German Clearing. But the Swiss Clearing Office in Zürich refused this petition and gave Mr. Fischer the advice to try to get works of art from Hofer in exchange for those sold to him instead of money.

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Proof: Copy of the letter from the Swiss Clearing Office in Zürich of February 26th.1942. (Enclosure 1)

4) There really seemed to be no other possible way of receiving the money owing to Mr. Fischer, so that the transaction between Hofer as buyer and Fischer as seller became an exchange transaction between two dealers.

Enclosure 2 is the list of the works of art given to Hofer by Fischer.

Enclosure 3 is the list of the works of art received by Fischer in exchange from Hofer.

We repeat that a part of the amount for these works of art sold to Hofer was paid in cash and that the exchange transaction was to cover the amount still owing to Fischer by Hofer.

Proof: List of works of art sold to Hofer (Enclosure 2).

List of pictures given to Fischer in exchange by Hofer (Enclosure 3).

That the works of art mentioned in enclosures 2 and 3 were exchanged through various transactions, and not only one, is of no importance and therefore need not be brought in more detailed form. The last exchange transaction was in March/April 1942.

5) Mr. Fischer exhibited the pictures received from Hofer in the Art Gallery Fischer and offered them for sale at the auction of March 19th.- 21st.1942, and the remainder at the auction of 2nd. - 5th. September 1942. These paintings were mentioned in the Auction Catalogues which were sent to all principal buyers, as well as to all museums, dealers and collectors. The paintings could be seen any time at the Art Gallery Fischer and were in fact inspected by many dealers and collectors etc. at the above mentioned auctions. But not one of the directors of the museums or art dealers or collectors expressed any doubts as to the origin of these pictures. Well-known Swiss bought a number of these pictures for their private collections.

Only toward the end of 1942 a well-known connoisseur of French art and of French Impressionists had doubts about the origin of these pictures, because among the drawings he thought to have recognized two belonging to the private collection of Mr.

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Paul Rosenberg of Paris. As a result of this information Mr. Fischer immediately stopped the sale of these pictures.

The beginning of 1943 the British and American Legations in Berne called Mr. Fischer's attention that the pictures he had acquired in exchange from Hofer presumably came into the hands of the German authorities by unlawful means and from them were passed on to the dealers in Germany. In his predicament Mr. Fischer immediately got into touch with Hofer who replied quite coolly that the acquiring of the pictures by the German authorities was absolutely legal. This did not satisfy Mr. Fischer, and, after talking it over with his legal adviser, he suggested to Hofer that the exchange transaction should be annulled. Such a redressment of the transaction was quite possible according to Swiss law and Hofer was in agreeance with it. This redressment would have been the best solution for Mr. Fischer, as instead of having the pictures of doubtful origin he would have received his own works of art back again the origin of which was above suspicion. But Mr. Fischer did not make use of the possibility as the British Legation in Berne expressly asked him not to do so. Therefore the pictures of doubtful origin remained in Switzerland, whereas the others which Mr. Fischer gave in exchange were left in Germany.

6) On December 10th, 1945 the Federal Government issued a Federal decree regarding "Stolen Property". According to this decree any goods which had been taken illegally from occupied territories by the German Government could be claimed from the Swiss owner without any compensation immaterial if the Swiss owner knew of the origin of the goods or not. The result was that all the pictures which Mr. Fischer had received in exchange from Hofer are being claimed without compensation by their former owner. All these claims for the handing back of property are still in suspense at the Federal Lawcourts in Lausanne, they are made against Mr. Fischer and those Swiss who at the time bought the pictures from Mr. Fischer. What the outcome of these lawsuits will be is not known at present. Mr. Fischer would prefer a redressment of the whole exchange transaction even to a lawsuit ending in his favour. He had no more interest in these pictures the moment their origin was under suspicion.

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7) Mr. Fischer therefore puts in the petition that those works of art which he had sent to Hofer in the exchange transaction should be given back to him in return for which he is prepared to restore to the original owners those pictures which he had received from Hofer at the time.

This redressment of the exchange transaction is the only fair means. No right thinking person would expect Mr. Fischer and the present owners of the pictures received from Hofer to give them back without Mr. Fischer receiving in return those works of art he had sent Hofer in exchange.

Mr. Fischer knows that Hofer states that he had told Fischer about the origin of these pictures, a statement which is quite nonsensical. Mr. Fischer was not in the least interested in exchanging goods above suspicion for goods of doubtful origin. Besides it is practically impossible that Hofer expressed any criticism about the origin of his pictures as it seems that he was Goering's buyer and also called himself "Director of the Art Collections of the Reichsmarschall". If in 1941 or 1942 Hofer had uttered any doubts of the legitimacy of acquisition of the pictures in question, he would, at the best, have fallen into disgrace, but more possibly risked his neck. Therefore whatsoever Hofer states cannot be taken as the full truth.

The above will suffice for deciding the principle question of returning the works of Art, but I am ready at any moment to give any further particulars if so desired.

Yours truly

3 Enclosures.

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Box 77

Dr. ERNST SAXER
Procurator & Notariat
Basel, Blumenleingasse 10

Kopie

Basle, September 20th. 1948.

Colonel Richard F. Howard,
Chief, Monuments Fine Arts & Archives,
Karlsruhe.

Sir,

On May 18th. 1948 through the medium of the Federal Political Departement of Berne I sent a petition in the name of Mr. Theodor Fischer of Lucerne to the Office of Military Government for Germany U.S.A., Restitution Branch, Berlin.

In this petition I made the request that those works of art formerly belonging to Mr. Theodor Fischer and given by him in exchange to the German art dealer Walter Andreas Hofer in 1941 and 1942 and which are supposed to be at the Collecting Point in Munich should be given back to Mr. Theodor Fischer of Lucerne. I am enclosing a copy of this petition.

As up to date I have not received a reply to my petition of May 18th. 1948, I take the liberty of referring it to you. Whatever the reasons may be to cause the Office of Military Government for Germany not to come to any decision in this particular case, to my mind it seems important and necessary that Mr. Fischer should be given the opportunity to state personally his side of the case. As long as Mr. Hofer's version only has been taken into account I presume no final decision can be made.

I myself am prepared to cover the expenses of a journey and surjourn in Switzerland of one of the gentlemen of the Collecting Point in Munich, and Mr. Fischer is prepared to show all the documents in his possession concerning this case to this gentleman.

Therefore I take the liberty of suggesting that the official in question, as far as I know it is Dr. Breitenbach, should come to Switzerland so as to discuss the case with Mr. Fischer and with me. During his stay in Switzerland this gentleman would be my guest.

Looking forward to a favorable reply

I am, Sir, Yours truly

sig. Dr. Ernst Sacher.

1 enclosure

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K e p i e

F. Ernest SAXER
Advocatur &
Notariat
Basel, Bümleingasse 10

Basle, October 29th. 1948.

Colonel Richard P. Howard
Chief, Monuments fine arts & archives,

Karlsruhe

Dear Sir,

Regarding the works of art given in exchange by Mr. Theodor Fischer of Lucerne to the former German art-dealer Mr. Hofer, I take the liberty of referring to my letter to you of September 20th. 1948. In the meantime I have been able to find out the following: According to German Law and legal custom Mr. Fischer has the right to claim restitution of the works of art given by him in exchange to Mr. Hofer. Mr. Fischer sent Mr. Hofer indisputable works of art, whereas Mr. Hofer gave in exchange works of art, which, as we know now, were stolen by the German Authorities in France. Mr. Fischer has returned some of these works of art to their former owners and the others he will return soon. His claim for restitution of these works of art which he had given in exchange to Hofer must therefore be considered as urgent. It is surely contrary to right and justice that Mr. Fischer returns the works of art to their former owners, but that on the other hand his claim for restitution of these works of art belonging to him by right, and which are supposed to be at the Office of Collecting Point in Munich, should not even be taken up. According to German Law Mr. Fischer could enforce his claim against Hofer and cause the restitution of the works of art belonging to him without any further difficulty. Surely the reason for condemning these works of art by the Occupation Authorities cannot be that, on the one hand this claim against Hofer is being held up, whilst on the other hand the dealing of the case by Collecting Point is constantly being postponed. Therefore I must ask you most urgently: either to decree the restitution of the works of art belonging to Mr. Fischer, or to send me, for Mr. Fischer, a declaration that the works of art belonging to Mr. Fischer will be returned to him providing a competent judge orders Hofer to constitute these works of art.

Yours truly
sig. Dr. Ernest Säker.

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Bern
March 12th 1945.

To: Commercial Counsellor,
H.B.M. Legation, Bern.

LOOTED WORKS OF ART.

It may I think be useful if I set out the details of the investigations which I would ask your department to pursue, as a result of information which I have received during my recent visit:-

1) GALERIE FISCHER:

- a) Explanation of his contradictory stores.
- b) Full list of pictures received from or shown to him by Hofer or Wendland since 1939.
- c) Details of pictures imported through 'Clearing'.
- d) Details of pictures auctioned.

2) WIEDERHEHR:

- a) Securing photostatic copies of his Miedel dossier.

3) DR. WILHELM FRICK:

- a) Investigate for other looted works of art in his possession.
- b) Consider placing him on the Statutory List.

4) WENDLAND:

- a) Investigate the Lavanchy story to find out to whom the contents of the railway-van were delivered.
- b) Investigate where and under what names he has works of art stored.

5) KOFER:

- a) Who was his contact in the Alte Landstrasse in Küssnacht?
- b) Has he any more looted pictures stored in Switzerland?

6) ZURICH:

a) L. STEINEMANN, Drusenbergstrasse, 21.

- i) Investigate whether or not the pictures come from the Jaffe collection -

ii) Did Voss bring the Vandyck?

b) ANDRE MARTIN:

Investigate the origin of the Matisse.

c) GALERIE SCHMIDLIN:

Has Hofer deposited pictures there?

d) GALERIE NEUPERT:

Investigate the truth of the story of the Renoir. What picture was it?

7) GERMAN LEGATION, Bern:

- a) As and when the occasion arises investigate the 'collection' of Helmut BEYER.

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- b) Can you discover if and where it has deposited the pictures which are known to have passed through ?
- 8) RUSCHEWEYH OF SCHAAN (Liechtenstein)
Is he in possession of looted works of art like his friend BUHRLE ?
- 9) Can anything be discovered regarding the activities of Alexander von FREY in Lucerne and of Erich von KREIBIG of Ascona ?
- 10) Has BUMMING deposited any looted works of art in Switzerland?
- 11) PACKERS: Can anything be discovered regarding the holdings of SCHENKER & BRONNER ?
- 12) GENEVA and the TESSIN: Can anything be found out about loot imported over the frontiers ?

As you are aware, the French have recently presented a memorandum to the Swiss Government demanding the sequestration of the pictures, which are or have been in the possession of the GAMMIEFFISCHER, 'pending their restitution'. I have discussed this procedure with both the U.S. and French representatives and both are anxious, when looted works of art of this kind are discovered, that this is the action that should be taken and by all three Allies simultaneously. If you agree, I think this is a good procedure, as the loot is thereby 'frozen' officially pending subsequent international decisions. This procedure should therefore be applied as soon as possible in the WIEDERKEHR case, with the Dutch Legation also taking part.

There is one further investigation which I would ask you to make. It concerns

EMIL ZAUNKELLER
Todtmoos-Au
Baden (Germany)

This man has received large quantities of looted works of art from Paris. He lives within 25 kms. of Basle and we have reason to think that he may be engaged in smuggling pictures into Switzerland. It would be appreciated if this could be watched.

Many of these investigations are, I know, already in hand and no doubt details will follow. When forwarding information to Mr. BLISS, would you please mark it for M.F.A. & A. Branch of Control Commission.

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CIR #4 (Linz), pp. 81 ff. The official catalogue of the Linz Museum and all documents, registers and records of Linz transactions referred to in the chapter of the Consolidated Interrogation, Report #4 (CIR #4) on "Records" are available to the restitution officials at the Munich Central Collecting Point. The official card catalogue of the Führer Museum Linz in a photostat copy has been obtained from the Russians since the CIR #4 was written.

CIR #4, Supplement, p. 1 refers to exhaustive reports on temporary loan to Munich CCP from Ministerial Collecting Center Fürstenhagen which include those on Buemming's activities in Switzerland.

CIR #4, Attachment 57, p. 4 refers to information at Munich CCP not included in CIR #4.

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~~Fiter Switzerland - German Works of Art~~

AUSZUG AUS DER "NEUE ZÜRICHERZEITUNG" VOM MITTWOCH 16. JUNI 1948.

RÜCKFORDERUNG VON RAUBGUT
(Aus dem Bundesgericht)

Claim Zürich

LAUSANNE, 10. Juni. Der Bundesratbeschluss vom 10. Dezember 1945 betr. Klagen auf Rückgabe in kriegsbesetzten Ländern weggenommener Vermögenswerte bestimmt in Art. 1 Abs. 1:

Wer in einem kriegsbesetzten Gebiet in völkerrechtswidriger Weise beraubt oder durch Gewalt, Beschlagnahme, Requisition oder andere ähnliche Handlungen seitens der militärischen oder zivilen Organe oder der bewaffneten Streitkräfte einer Besetzungsmacht um Besitz oder Eigentum von beweglichen Sachen oder Wertpapieren gebracht worden ist, kann vom gegenwärtigen gut- oder bösgläubigen Besitzer deren Rückgabe verlangen, wenn sie sich in der Schweiz befinden.

Art. 4 trägt dem Umstand Rechnung, dass hier der gutgläubige Erwerber nicht demselben Schutz geniesst wie in unserer Gesetzgebung.

Wenn die Rückgabe von beweglichen Sachen oder Wertpapieren verfügt wird, hat deren gutgläubiger Erwerber das Recht, die Rückerstattung des von ihm bezahlten Kaufpreises vom Verkäuferer, von dem er die zurückzugebenden Sachen oder Wertpapiere erhalten hat, zu verlangen.

Ist der Verkäuferer selbst gutgläubig, so kann er gegen jeden vorangehenden Verkäufer Rückgriff nehmen.

Ist der bösgläubigen Verkäuferer zahlungsunfähig oder kann er in der Schweiz nicht belangt werden, so kann der Richter dem gutgläubigen Erwerber für den Ausfall auf Kosten der Eidgenossenschaft eine billige Entschädigung zusprechen.

Beim deutschen Einmarsch in Frankreich verbrechte der Inhaber einer Pariser Kunstsammlung, P. Rosenberg, Israëlit französischer Nationalität einen grossen Teil der Gemälde und Zeichnungen seiner Sammlung nach dem von ihm gemieteten Schloss Floirac (Gironde), einen anderen Teil vertraute er einer Bank im Bisbourne (Gironde) an. Am 15. September 1940 würden fast sämtliche im Schloss Floirac untergebrachten Kunstwerke von deutschen Offizieren und Soldaten auf Lastwagen verladen und weggeführt. Im April 1941 musste auch der Geldschrank der Bank von Bisbourne auf Geheiss eines deutschen "Devisenschutzkommandos" aufgebrochen werden, sein Inhalt musste am 1. September 1941 ausgeliefert werden, wofür eine Quittung über 162 Gemälde vom "Einsatzstab" des deutschen Reichsleiters Rosenberg aufgestellt wurde. Darunter befanden sich Werke von Cézanne, Corot, Courbet, Daumier, Degas, van Gogh,

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Ingres, Manet, Matisse, Monet, Renoir, Seurat und Sisley. Der Reichsleiter Rosenberg hatte vom Führer eingehende Weisungen für die systematische Plünderung von Kunstgut aus jüdischem Besitz erhalten.

Werke moderner französischer Maler wurden als für Deutschland nicht besonders wertvoll erachtet und sollten auf Befehl von Reichsmarschall Göring bei guter Gelegenheit gegen alte italienische, holländische oder deutsche Meister umgetauscht. Im Verlauf dieser Operation gelangten durch Mittelsmänner eine Reihe von französischen Kunstdarstellungen in den Besitz des Luzerner Kunsthändlers Th. Fischer, der sie zum Teil in der Schweiz weiterverkaufte. Eine vorsichtige Schätzung bezifferte ihren Wert auf rund 835,000 Fr.

Gestützt auf den "Raubgut-Beschluss" des Bundesrates vom 10. Dezember 1945 klagte P. Rosenberg gegen Th. Fischer und fünf andere Erwerber von Kunstdarstellungen aus der Pariser Galerie auf deren Herausgabe. Derartige Klagen werden von einer besonderen Kommission des Bundesgerichts beurteilt.

Von Th. Fischer war in erster Linie die Zuständigkeit des Bundesgerichts bestritten worden. Der BRE vom 10. Dezember 1945 stützt sich jedoch auf Art. 2 des Bundesbeschlusses vom 6. Dezember 1945 über den Abbau der außerordentlichen Vollmachten des Bundesrates, und nach dessen Art. 2 bleibt der Bundesrat ermächtigt, "sowohlweise zeitlich begrenzte Maßnahmen zu treffen, die zur Sicherheit des Landes, zur Wahrung seines Kredites, seiner wirtschaftlichen Interessen sowie zur Sicherung des Lebensunterhaltes unumgänglich notwendig sind und wegen ihrer Dringlichkeit nicht auf dem Wege der ordentlichen Gesetzgebung getroffen werden können". - Th. Fischer stellt das Vorliegen dieser Voraussetzungen in Abrede, doch hat das Bundesgericht die vom Bundesrat auf Grund der ihm 1939 übertragenen Vollmachten erlassenen Beschlüsse nicht auf ihre Verfassungsmässigkeit geprüft (BGE 68 II 309), und das gleiche muss gelten gegenüber bundesrätlichen Erlassen, die sich auf die nunmehr eingeschränkten Vollmachten gründen.

Die Beklagten berufen sich auf wohlerworbbene Rechte, aber nach Art. 113 Abs. 2 der Bundesverfassung kann das Bundesgericht die von der Bundesversammlung erlassenen allgemein verbindlichen Beschlüsse nicht auf ihre Verfassungsmässigkeit überprüfen, und diesen Beschlüssen sind die auf die Vollmachten gestützten Bundesratsbeschlüsse gleichzustellen.

Sämtliche Beklagten behaupten, die Voraussetzungen der Rückforderung im Sinne von Art. 1 Abs. 7 des "Raubgutbeschlusses" seien nicht restlos erfüllt. Der Kläger habe den Besitz an den Gewälden nicht durch einen Akt der Gewalt sondern durch eine provisorische Sicherungsmaßnahme der Besatzungsmacht eingebüßt, und der Verlust des Eigentums sei nicht der Besetzung zuzuschreiben, sondern der die Juden entschuldigenden Gesetzgebung der Vichy-Regierung. - Zunächst genügt es nach Art. 1 Abs. 1 BRB für den Rückforderungsanspruch, wenn der Kläger infolge der Handlungen der Besatzungsmacht nur den Besitz, nicht auch das Eigentum verloren hat. Sodann war die Beschlagnahme in Floireac und Liebourne entgegen der Behauptung der Beklagten ein

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völkerrechtswidriger Akt im Sinne von Art.1 Abs.1, denn Deutschland war an die Haager Konvention von 1907 gebunden, die in Kriegszeiten dem Privateigentum vorbehaltlich der Notwendigkeit der Kriegsführung Schutz bietet.

Die Beschlagnahme war ein Akt der Rassenspolitik, nicht der Kriegsführung. Auf einen gegenüber der Beschlagnahme von Kunstgut aus Judenbesitz erhobenen Protest der Vichy-Regierung wurde eine vom Reichsleiter Rosenberg persönlich gebilligte Antwort erfasst, welche die Juden als rechtlos erklärte. Nach den von der Vichy-Regierung erhobenen Vorstellungen ersuchte General Reinecke den Reichsleiter Rosenberg ("Beauftragter des Führers für die gesamte geistliche und weltanschauliche Erziehung der N.S.D.A.P.") um Auskunft über die für die Beschlagnahme geltenden Rechtsgrundsätze. Er erhielt die Antwort, Grossdeutschland habe allein den Krieg gegen die Judenschaft mit Erfolg geführt und die Völker Europas von der Judenherrengeschaft befreit; die Beschlagnahmungen seien nur eine bescheidene Entschädigung für die dabei im Interesse der Völker Europas gebrachten Opfer!

Ein Eventualantrag von Th. Fischer lautete dahin, die Klage sei "zurzeit" abzuweisen, bis die von ihm dem Zwischenhändler für die zurückgeforderten Bilder an Tausch gegebenen alten Gemälde beigebracht seien. Auch seien diese Gemälde eventuell Zug um Zug für die zurückgeforderten Kunsterwerke zurückzugeben. - Die im BfB gegebene Rückforderungsklage ist nach Art.1 Abs.1 gänzlich unabhängig von der einem mutaläubigen Beklagten zustehenden Regressklage des Art.4. Auch war der Kläger Rosenberg vermutlich nie im Besitz der alten Meisterwerke, welche der Beklagte Fischer dem Zwischenhändler als Gegenwert für die angebotenen französischen Gemälde geliefert hat. Er könnte diese daher wohl nicht liefern. Dagegen ermöglicht der Nachweis des guten Glaubens beim Erwerb dieser Gemälde dem Beklagten die Regressklage gegenüber dem Zwischenhändler, evtl. gegenüber dem Eidgenossenschaft (Art.4).

Die Klage auf Herausgabe der Bilder wurde gegenüber sämtlichen Beklagten einstimmig gutgeheissen (Urteil vom 3. Juni).

Ein in der amerikanischen Besetzungszone Deutschlands geltendes Gesetz Nr. 59 über die "Rückeroberung feststellbarer Vermögensgegenstände an Personen, denen sie in der Zeit vom 30. Januar 1933 bis 8. Mai 1945 aus Gründen der Rasse, Religion, Nationalität, Weltanschauung oder politischer Gegnerschaft gegen den Nationalsozialismus entzogen worden sind, in größtmöglichem Umfang beschleunigt zu bewirken." Der Kläger Rosenberg hat die Erklärung zu Protokoll gegeben, er werde die Rechte, die ihm allfällig auf Grund dieses Gesetzes an solchen Kunsterwerken zustehen, die der Beklagte Fischer deutschen Zwischenhändlern für die zurückgeforderten französischen Werke an Tausch gegeben habe, an den Beklagten Fischer abtreten.

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OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)
Property Division
Restitution Branch
APO 403
Karlsruhe, Germany

PD 007 (RES/MFAA)

1 September 1948

SUBJECT: Exchange of Paintings between Theodor Fischer, Lucerne,
and Walter Andreas Hofer, formerly Berlin.

TO : Restitution Branch
Property Division
Office of Military Government for Bavaria
APO 407, U.S. Army
Attn: MFAA Section

MFAA Branch
Property Division
Office of Military Government for Hesse
APO 633, U.S. Army

Restitution Branch
Property Division
Office of Military Government for Wurttemberg-Baden
APO 154, U.S. Army
Attn: MFAA Section

1. Attached herewith are two lists of works of art which were
the object of an exchange between the Swiss art-dealer Theodor Fischer,
Lucerne, and the German art-dealer Walter Andreas Hofer, formerly of
68 Augsburgerstrasse, Berlin W 50.

List A: Works of Art given to Hofer by Fischer
List B: Works of Art received by Fischer from Hofer

forwarded to you for information.

2. This office is in receipt of a restitution claim prepared by
the lawyer of Fischer, Dr. Ernst Sauer, 10 Bühnleingasse, Basle, Switzerland,
for the works of art given to Hofer by Fischer. Dr. Sauer states
in one of the last paragraphs of his letter: "Mr. Fischer puts in the po-
tition that those works of art which he had sent to Hofer in the exchange
transaction should be given back to him in return for which he is prepared
to restore to the original owners those pictures which he had received from
Hofer at the time."

R6 239
Box 77

114230

ABSCHRIFT

DIREKTION DER BAYERISCHEN STAATSGEMAELDESAMMLUNGEN
Muenchen 2, Arcisstr.10 Fernruf 22621

Muenchen, den 12.Juni 1951

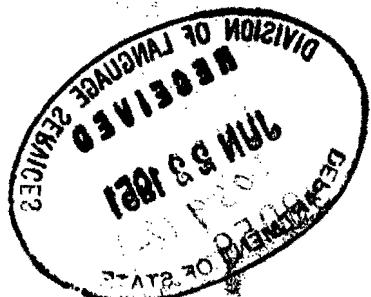
Sehr geehrter Mr. Faison !

- 1.) Ihre Informationen und Ihre Stellungnahme in Sachen Fischer-Luzern habe ich dankend erhalten.
Seitdem Herr Fischer von der Schweizer Bundesregierung gezwungen wurde die Bilder aus dem EER-Komplex an Frankreich zu restituieren, hat er nicht geruht auf irgendeine Weise wieder in den Besitz der seinerzeit von ihm an Hofer abgegebenen Gemaelde zu kommen. Ich habe wiederholt gegenueber den Rechtsvertretern des Herrn Fischer unmissverstaendlich meine ablehnende Stellungnahme zum Ausdruck gebracht. Da Herr Fischer auch von dem Zentralanmeldeamt in Bad Nauheim, wo er seine Ansprueche nach Gesetz Nr. 59 geltend machte, abgewiesen wurde, scheint er nunmehr, Ihren Informationen zufolge, die Schweizer Bundesregierung damit beauftragt zu haben, seine Ansprueche in Bonn geltend zu machen.
Ich werde versuchen hieruber Naeheres in Erfahrung zu bringen und die zustaendigen Stellen ueber den wahren Sachverhalt aufklaeren. Eine Freigabe meinerseits kommt keinesfalls in Frage. Herr Fischer geniesst in Deutschland, vor allem seit der im Juni 1939 von ihm veranstalteten Versteigerung Deutschen Museumsgutes, sogenannter "Entarteter Kunst", einen recht zweifelhaften Ruf. Seine Behauptung, er habe bei dem Tausch mit Hofer nicht gewusst, aus wessen Besitz die Gemaelde stammen, ist geradezu grotesk zu nennen. Ich brauche hierauf nicht naeher einzugehen.
- 2.) Dass sich neuerdings Haendler fuer den Goeringsbesitz interessieren, resultiert wohl aus der Tatsache, dass verschiedentlich in der Presse auf Zusammenkunfte zwischen Dr. Auerbach und Frau Goering aufmerksam gemacht wurde,
Tatsaechlich sind bisher an Frau Goering nur Objekte mit Zustimmung des Landesamtes fuer Vermoegensverwaltung und Wiedergutmachung freigegeben worden, die rein persoenlichen Wert fuer Frau Goering besitzen und keinen Kunstwert darstellen. Ich habe von dem Herrn Bayerischen Ministerpraesidenten die strikte Anweisung keinesfalls Kunstgut dieser in Frage stehenden Komplexe an irgendeine Person oder Koepferschaft freizugeben. Diese Anweisung stuetzt sich vor allem auf die von dem Herrn Landkommissar fuer Bayern, Mr. Boldt, dem Herrn Bayerischen Ministerpraesidenten am 13.1.1950 mitgeteilte Anordnung.

Mit vorzueglicher Hochachtung

Ihr

Dr. Eberhard Hanfstaengl



R6239
BOX 77

114291

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

TC NO. 38059 a
R-XI/R-X
German

Dr. Eberhardt Hanfstaengl
Director, Bavarian Painting Collection

June 14, 1951.

Mr. S.L. Faison, Jr.
Director, CCP Munich

Claims of Fischer, Luzern and Mrs. Göring.

Thank you very much for your memorandum of June 12, 1951 concerning the matter pertaining to Fischer-Luzern and Mrs. Göring. I gathered therefrom that you are fully in agreement with my explanations.

It would be very necessary for me to obtain the English original of Mr. Bold's letter of January 12, 1950 to the Bavarian Minister President, which letter, strangely enough, cannot be located in the office of the Land Commissioner. I should be very grateful if you could get a copy of this letter for me from the office of the Minister President.

S. Lane Faison, Jr.
HICOG, Prop. Div. OSA
Collecting Point Munich

R6234
Box 77

114292

BRITISH LEGATION,
Commercial Secretariat,
BERNE.

Our Ref: rbd/ed
(18/141/45)
E.W.No. 713.

2nd May, 1945.

Dear Neutral Trade Department III,

May we refer to our E.W. No. 1062 of 29th December, 1944, to Black List Section concerning the GALERIE FISCHER, Lucerne.

Mr. Cooper, when recently in Switzerland, obtained evidence that Fischer had handled various looted pictures which had so far not been revealed to us. We accordingly wrote to Fischer on 9th March, asking him to send us the following information or documents:

a. A full and detailed list of all the paintings or drawings which had been in Fischer's possession, or which had been shown to him in Switzerland since 3rd September, 1939, by Hans Wendland or Andreas Hofer, showing the present whereabouts of each picture or drawing:-

b. A photostatic copy of the clearing documents or other Customs papers covering the import of any of the above-mentioned pictures or drawings which may have been in his possession since the beginning of the war:-

c. An explanation as to why Fischer did not reveal to us in his letter of 1st February 1944, the fact that he had sold to Buerle a Degas drawing, giving full details showing from whom this drawing was acquired and how it came into Fischer's possession:-

d. Details of four pictures listed in Fischer's auction catalogue of September 1942, as Fischer had assured Mr. Cooper that none of the pictures acquired from Wendland and Hofer had ever been put up for auction; we enquired why those four pictures were included in the auction catalogue, whether they had been sold, and, if so, to whom and who was the present beneficial owner of each of these pictures.

Fischer has now replied to these questions in a letter dated 10th April, which was forwarded to us by the Political Department with a covering letter, dated 30th April. We enclose copy of Fischer's letter, as, muddled and confusing though it is, it gives so good an insight into Fischer's mind that we could not do him justice if we merely gave you the resume of his letter. We attach also copy of the Political Department's letter of 30th April.

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The facts, as now presented to us, are as follows:

1) Apart from the 42 paintings and drawings listed in our E.W. No. 1062, Fischer has acquired:-

1. Corot:	Landschaft mit zwei Häusern.
2. Corot:	Umgebung von Beauvais.
3. Courbet:	Felsenlandschaft.
4. Daubigny:	Landschaft mit Flussufer.
5. Monnier:	Stadt am Flussufer.
6. Rodin:	Weiblicher Akt.
7. Van Gogh:	Blumen in einem Glas.
8. Van Gogh:	Bildnis eines Mannes.
9. Degas:	Zeichnung einer nackten Frau.
10. Degas:	Madame Camus.
11. Degas:	Madame Stumpf mit Tochter.
12. Braque:	Stilleben.

making 54 paintings and drawings in all.

2) Of these: a) 25 were imported on 22nd October 1941 with Customs declaration, the consignor being Carl Buemming, Darmstadt and the declared consignee being Jos. Baumeler, Lucerne. These 25 paintings and drawings consist of the first 8 listed above and of numbers 1,2,3,4,6,6, 12 - 20, 30 and 31 listed in our E.W. 1062.

b) 3 were received from Bernhard Boehmer, Paris, (namely numbers 10,11, and 12 above). These three pictures were obtained in the following way: Boehmer, a German national, purchased from Fischer in 1941 a Van Dyck, said to have been in Switzerland since 1925, for Sw.Frs. 150,000.-; Boehmer gave Fischer in part payment a Picasso, formerly in the Hamburg museum but said to have been in Switzerland since 1938. Boehmer never sent the Sw. Frs. 150,000. - but eventually gave Fischer a credit in Paris for Fr.Frs. 3,000,000.- Fischer therupon wrote to Wendland and asked him to use the French francs for purchasing French impressionists. Wendland went to Paris and purchased these three pictures for Fischer from Zacharie Birtschansky, 9 rue Bogador, Paris.

c) 26 were received some time in 1941 from Hofer. Consignments b) and c) appear to have been imported illegally without Customs declaration.

3. Of the 54 paintings and drawings, 36 have not been sold and are still in the Galerie Fischer. In addition, to the 11 shown in our E.W.No.1062 as having been sold to Buehrle, Joerin, Racker and Hubie, (incidentally, the picture previously stated to have been sold to Racker is now shown as

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- 3 -

being Bushrle's property), 2 more have been sold to Bushrle (Madas Camus and the Degas drawing) whilst Fischer refuses to divulge to whom the remaining five paintings have been sold. You will note that Fischer agrees- "when agreement has been reached on the other points" - to ask the purchasers of these five pictures for permission to divulge their names; we do not consider Fischer to be in a good position to try and bargain with us on such terms.

We have reason to believe that Fischer has not yet disclosed to us all the looted pictures which he has received at various stages during the war. In particular we believe that he has handled two further Corots (Italian Woman and Mother and Child). We are accordingly sending copy of Fischer's present list to an art expert of our acquaintance here, who, we believe, may be able to give us the descriptions of other pictures of doubtful antecedents which he has seen in the Galeries Fischer, but which have still not been revealed to us. Perhaps you would pass a copy of this letter to Mr. Cooper who may possibly be able to help us further in this connection.

We are taking up with Fischer certain points arising out of his letter and attach copy of our today's letter to him. Perhaps you would let us know whether there is any further information which you require.

We are also asking Zürich to interview Jos. Baumeler, Lucerne (see paragraph 2a above), who, being forwarding agents, may possibly be able to give us information regarding further Fischer exports. Before we tackle Mohn, we should be interested to hear whether information available in Paris suggests that the Renoir which he acquired from Petrides is stolen property.

We are sending copy of this letter to the Black List Section in support of our recommendation that not only Galerie Fischer, but also Theodor Fischer personally be placed on Class III of hard core cases for retention Luke "A" as long as possible.

Yours ever,
Commercial Secretariat.

R6 239
Box 77

114295

COPY.

Nr. 4791.

ZOLLAMT: L U Z E R N. P.V.

den 20.X.41.

FREIPASS.

für hiernach verzeichnete Waren welche Firma JOS BAUMELER,
Luzern heute hier eingeführt hat und welche dieselbe unter
Beobachtung der reglementarischen Vorschriften bis und mit
dem 18 Oktober 1942 über das Zollamt zollfrei wieder
ausführen kann.

<u>Zeichen:</u>	<u>Nummer:</u>	<u>Anzahl.</u>	<u>Netto-</u> <u>gw.</u>	<u>Brut.</u>	<u>Tariff.</u>	<u>Fr.Cts.</u>
CWB.	1/2	2 ♂ 24 Gemälde eingerafft Tara 60%	127 76.2	203.2.	329 130	246.16
Sujet: laut anhängendem Detail		1 Gemälde ungerahmt Tara 30%	0.5 0.2	0.7	328 50	.35
"	Landschaft mit Garentor Oel auf Holz.					
Mitt Zolletikette 1/26 versehen E.Bew. 12467/7p P.v. 16 x 41.				stat.	Geb.	.30
				4% Stempelgebühr. Betrag hintergelegt mit Fr.	10 .60	
						275.45

Zweck der Freipassabfertigung: Zum ungewissen
Verkauf.

Name und } des Versenders: C.W.BUEMING, Darmstadt.
Wohnort } des Empfängers Galerie Fischer, Luzern.

Die Richtigkeit obigen Freipasses Anerkannt, schreibe: Zweihundertfünf-
undsiebenzig Fr. 45 cts.
Der Antragsteller: p. Josef Baumeler. Für das Zollamt
Für die Kontrolle: (Signed) (Signed).

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(COPY).

4 Gemälde, gerahmt, von Cotot:

Lesender, sitzender Mönch, a/Leinwand	9,000
Landschaft mit 2 Häusern & 2 Personen a/Lwd.	1,600
Umgebung von Beauvais von der Seite der Vorstadt St.Jean aus a/Leinwand.	2,000
S.Giorgio maggiore in Venedig, a/Lwd.	1,500

1 Gemälde, gerahmt, von Chariet Cottet:

Font-en Royans (Dorf mit Felsen um Fluss) a/Lwd.	
	14,200

1 Gemälde, gerahmt, von Gustave Courbet:

Felsenlandschaft a/Leinwand.	4,500
------------------------------	-------

1 Gemälde, gerahmt, von Charles Fr. Daubigny:

Bauernhaus am Flussufer, a/Leinwand.	6,000
--------------------------------------	-------

1 Gemälde, gerahmt, von Daumier:

Bacchantische Szene, a/Leinwand (Nicht sign.).	3,500
--	-------

5 Gemälde, gerahmt, von Edgar Degas:

Badende Frau, Pastell 73 x 86 cm.	10,000
Ballettprobe, a/Leinwand	5,500
Badende Frau, Kohlstudie 84.5 x 38 cm.	5,700
Badende Frau, Pastell 73 x 68 cm.	5,500
Ballett-Tänzerinnen, Kohlstudie mit Kreide	7,300

2 Gemälde, gerahmt, von Vincent van Gogh:

Blumen in einem Glas, a/Leinwand.	3,800
Bildnis eines Mannes, a/Leinwand, sig. VINCENT.	3,500

1 Gemälde, gerahmt, von Eugene Lucas:
Flüchtende Frauen, a/Leinwand.

1,600

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1 Gemälde, gerahmt, von Edouard Manet:
Die Toilette (Frauenakt mit Haube), a/Lwd. 4,700

1 Gemälde, gerahmt, von Max Monier de la Sizeranne:
Stadt am Flussufer, a/Leinwand. 5,700

1 Gemälde, gerahmt, von Auguste Renoir:
Wald von Fontainebleau, a/Leinwand. 10,800

106,400

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114298

COPY.

22.X.41.

22.X.41.

Sujet.

Netto.

19 Gemälde

Uebertrag.

106,400

1 Gemälde, gerahmt, von Theodor Rousseau:

Landschaft mit Brücke, Haus im Vordergrund
a/Karton

2,000

1 Gemälde, gerahmt, von Auguste Rodin:

Weiblicher Akt, Quarell

1,500

3 Gemälde, gerahmt, von Alfred Sisley:

Am Ufer der Seine, mit Kirchturm a/Lwd.

3,200

Die Loing bei Moret (Fluss mit Haus mit rotem
dach) a/Leinwand.

3,400

An dem Seinanufer, Mann im Vordergrund a/Lwd. 10, 500

24

Total.

127,000

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BOX 77

114299

rbd/jv
18/141/45.

3rd May, 1945.

For attention Mr. Theodor Fischer.

Dear Sir,

I have to thank you for your letter of 10th April which has now been forwarded to me by the Political Department.

Permit me to express my astonishment that, after the written and oral assurances which you had previously given me, you should only now disclose to me the fact that you have handled 12 further looted works of art in addition to those set forth in your letter of 1st February 1944. I should be grateful, therefore, if you would now send me your solemn assurance that the lists enclosed with your letter of 10th April include all the works of art of doubtful origin which have been handled by your firm, or its representatives, or shown to you at any time during the war by Wandland, Hofer, Boehmer or other such agents.

I should be grateful also if you would inform me how the 29 pictures referred to in your letter as "Lot II" and "Lot III" arrived in this country. If they were declared to the customs authorities I should be interested to know in whose names (consignor and consignee) the customs declarations were made out.

On the fourth page of your letter you refer to a painting by Picasso, stated to have been in Switzerland since 1938. If I understand your letter correctly, you received this painting from Boehmer in part payment of the Van Dyck which you had sold him. I should be glad if you would inform me from whom Boehmer acquired this Picasso. I should be grateful also if you could furnish me with Boehmer's present or last known address.

In conclusion, might I ask you to reconsider urgently your decision not to divulge to me the names of the persons to whom you sold the 5 paintings shown as numbers 2,3,6,7 and 53 on the statement enclosed with your letter? You will appreciate that your refusal to furnish this information can tend only to retard the return of these pictures to their lawful owners, and must, therefore, create a most

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114300

fortunate impression. I can assure you that, as was of course the case with your letter of 1st February 1944, such information will not be divulged to your colleagues or competitors. I cannot, however prevent your colleagues and competitors, who are often extremely well informed, from knowing that you have handled numerous pictures of extremely doubtful antecedents and for which this Legation can accept no responsibility.

Yours faithfully,

(W.J.Sullivan)
Commercial Counsellor.

Galerie Fischer,
Haldenstrasse 19,
Lucerne.

R 6 239
BOX 77

114301

COPY.

Luzern, 10 April 1945.

SCHER

Herrn. W.J. Sullivan,
Commercial Counsellor,
British Legation,
B E R N.

Sehr geehrter Herr Sullivan,

Auf Ihr geehrtes Schreibe vom 9. März, dessen Empfang ich Ihnen am 13. März bestätigt habe, konnte ich Ihnen leider erst heute antworten. Der Hauptgrund ist der, dass ich aus Ihrem Schreiben den Eindruck gewann, Sie bezweifelten die Richtigkeit und die Vollständigkeit meiner und meiner Anwälte Angeban. Ich beschloss daher die Vorgäne, die ja schon jahrelang zurückliegen nochmals zu rekonstruieren wobei mir meine seit Monaten schwer kranke Privatsekretärin, Fr. Kopp, die nun Ihre Entlassung einreichen musste, leider nur von Zeit zu Zeit zur Verfügung stand. Hätte ich bei Abschluss der verschiedenen Geschäfte gewusst, dass mir daraus solche Verdriesslichkeiten entstehen könnten, so hätte ich mir damals noch genauere Aufzeichnungen gemacht. Aber abgesehen von diesen Schwierigkeiten war ich auch mit meinem Wort und durch kaufmännische Anstand in zwei Fällen moralisch gebunden, vertrauliche Informationen im Interesse und auf ausdrücklichen Wunsch Dritter an Sie nicht weiter zu geben.

Ich habe eingesehen, dass wir nicht weiterkommen, wenn ich solche Rücksichten nehme. Ich benutzte die Oster Tage auch dazu, mir die nötige Bewegungsfreiheit zu beschaffen und andererseits mich in das Aktematerial nochmals gründlich zu verteilen. Ich bin ein Kunstantiquar und Schriftsteller, was Sie gefälligst in "Who is Who" nachschlagen können, aber kein Anwalt und ein schlechter Buchhalter. Ich habe daher viel Zeit und Mühe mit der endgültigen Klärung der verschiedenen Fragen verloren.

Im folgenden gebe ich Ihnen nun eine Kurze übersichtliche Beschreibung der Geschäfte, die mit den beanstandeten Gemälden und

Zeichnungen zusammenhängen und die die bisherigen Ausführungen des Dossiers ergänzen und gegebenfalls auch korrigieren.

Von die
geringw

Es handelt sich im ganzen um 54 Gemälde und Zeichnungen.

- I. Von diesen sind 25 am 22.10.1941 zollamtlich eingeführt worden. Das originale Zollverzeichnis lege ich Ihnen in Photokopie bei.
- II. 26 Stück (14 Gemälde und 12 Zeichnungen) sind von W.A. Hofer mir bald darnach nach Luzern gebracht worden.
- III. 3 Gemälde sind mir von dem Bildhauer Bernhard Boehmer nach Luzern geliefert worden. Diese kommen aus Paris.

114302

Nun habe ich Ihnen am 1 Februar 1944:

- 1) eine Listw der Gemälde und Zeichnungen eingesandt, von denen, die sich noch bei mir befinden, und zwar 31 Stück.
- 11) eine solche der verkauften Gemälde und Zeichnungen: 11 Stück.

das sind zusammen 42 Stück. Ich hätte Ihnen also noch 12 Gemälde und Zeichnungen anzugeben.

1. COROT: Landschaft mit zwei Häusern, Leinw., klein.
2. COROT: Umgebung von Beauvais, Leinw., klein.
3. COURBET: Felsenlandschaft, signiert 1876.
4. DAUBIGNY: Landschaft mit Flussufer, Leinw.
5. MONNIER: Stadt am Flussufer, Leinw.
6. RODIN: Weiblicher Akt, Bleistiftzeichnung mit Tusche.

7. VAN GOGH: Blumen in einem Glas, Leinw.
8. VAN GOGH: Bildnis eines Mannes, signiert Vincent, Leinw.

Aus dem Lot II:

9. DEGAS: Zeichnung einer nackten Frau vor dem Spiegel auf Papier.

/Aus

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O
Zeichnungen zusammenhangen und die die bisherigen Ausführungen des Dossiers ergänzen und gegebenfalls auch korrigieren.
Dossiers ergänzen und Zeichnungen.
Es handelt sich im ganzen um 54 Gemälde und Zeichnungen.

I. Von diesen sind 25 am 22.10.1941 zollamtlich eingeführt worden. Das originale Zollverzeichnis lege ich Ihnen

II. 26 Stück (14 Gemälde und 12 Zeichnungen) sind von W.A. Hofer in Photokopie bei mir bald darnach nach Luzern gebracht worden.

III. 3 Gemälde sind mir von dem Bildhauer Bernhard Boehmer nach geliefert worden. Diese kommen aus Paris.

dem Lot III.

10. DEGAS: Madame Camus.
11. COROT: Madame Stumpf mit Tochter.
12. BRAQUE: Stilleben.

Von diesen 12 Stück sind die folgenden zwei wertlos (Monnier) oder geringwertig (Rodin): ich hatte sie daher ausgeschieden:

5. MONNIER: Stadt am Flussufer.
6. RODIN: weiblicher Amt. Bleistiftzeichnung auf Papier mit Tusche.

Dies zwei haben sich in meiner Galerie gefunden.

Dagegen sind:

1. COROT: Landschaft mit zwei Häusern, Lwd. klein.
2. COROT: Die Umgebung von Beauvais, Lwd. Klein.
3. COURBET: Felsenlandschaft, signiert, 1876.
4. DAUBIGNY: Häuser am Flussufer, Lwd.

anfangs 1942 verkauft worden, also befanden sich nicht mehr in der Galerie, als die ersten Zweifel über meine Berechnung, die Bilder zu verkaufen, von der Gesandtschaft gefäusst wurden.

Die vier Stücke gehören zu Lot I also zu den am 22.10.41 verzollten und von Herrn Hofer gesandten. Der gleichen Sendung lagen noch bei:

7. VAN GOGH: Blumen in Glas, Lwd.
8. VAN GOGH: Bildnis eines Mannes, signiert Vincent, Lwd.

Diese beiden Gemälde hatte Hofer mitgeschickt und an einen Schweizer Sammler verkauft (1941). Im Jahre 1943 hat der Eigentümer in Folge der umlaufenden Gerüchte die beiden Gemälde zurückgeben wollen, und wande sich deshalb an mich. Ich hatte deshalb Herrn Hofer mitgeteilt dass diese Angelegenheit unbedingt bereinigt werden müsse, durch Rückzahlung oder Hergabe anderer Gemälde, gemäß meiner damaligen Einstellung. Hofer erklärte sich auch dazu bereit. Da aber Hofer kein Visum in die Schweiz bekommen konnte und mich immer wieder vertröstete, entschloss ich mich die beiden Gemälde selbst zu kaufen,

um sie dann Hofer zur Verfügung zu stellen gegen unbeanstandete Kunstwerke. Der Brief der British Legation vom 7.1.1944 machte mir das aber unmöglich, weil Sie mir am Schlusse dieses Schreibens erklären ass, wenn ich beanstandete Gemälde nach Deutschland zurück schicken sollte, dann niemals von der schwarzen Liste gestrichen werden konnte. Aus diesem Grunde habe ich auch diese Gemälde, obgleich sie von mir in der Schweiz erworben worden sind, vom Verkauf zurückstellen müssen. Die beiden Gemälde sind bei mir.

Bernhard
Schrieb
Millionen W
Zahlungsstat
bitte dem Sc
sich auf Gru
nach langen Z

Von diesen dr

10.
an Herrn Bührle
Schrieben vom 1

In Ihren Schreiben vom 9. März 1945 machen Sie mich unter Rubrik c) auf eine Zeichnung von Degas aufmerksam, die Herr Cooper bei Herrn E.G. Bührle, Zürick, gesehen hat, und von der Ihnen Herr Bührle berichtet hat, dass sie von mir stammt. Ich bin Ihnen für diesen Hinweis dankbar, da tatsächlich eine Zeichnung von Degas seit dem Frühjahr 1942 in meiner Galerie vermisst wurde. Ich oder meine Sekretärin haben damals die kleine Zeichnung bei Gelegenheit seiner grossen Bilderankäufe, ihm im Auto mitgegeben, und er hat wohl angenommen, dass dieses Blatt ihm als Zugabe nicht extra berechnet worden ist. Dass Blatt hat mir Herr Hofer in Luzern in dem grossen Lot II verkauft. Es ist Nr. 9, siehe Seite 2 dieses Briefes.

Ich komme nun auf das Geschäft Lot II mit Bildhauer Boehmer, dass ich auf Seite 2 schon aufgeführt habe. Dieses Geschäft habe ich Ihnen bisher nicht angegeben, und nur mit schweren Bedenken entschliesse ich mich dazu, denn ich hatte mich zum Schweiven verpflichtet.

Im Jahre 1941 hat der Bildhauer Boehmer, ein deutscher Staatsangehöriger, in Deutschland domiziliert, in meiner Galerie in Luzern, ein bedeutendes Gemälde einer Madonna von van Dyck erworben. Dieses Gemälde stammte aus der Sammlung Rodolf Kann, in Paris, nicht zu verwechseln mit Alfons Kann, vererbte sich an dessen Schwester Frau Bromberg, Hamburg und ging um 1925 in das Eigentum des Herrn Emden in Ascona (Schweiz) über. Aus dieser Sammlung habe ich das Gemälde erworben. Dieses Gemälde habe ich für ca. Fr. 150,000 - verkauft und bekam dabei noch ein Gemälde von Picasso; die Absinthtrinkerin. Dieses Gemälde von Picasso war seit 1938 in der Schweiz und entstammte dem Museum von Hamburg. Hr. Boehmer erklärte beim Ankauf, er sei Beauftragter Vermittler und der Betrag werde mir nach Lieferung sofort nach der Schweiz geschickt werden. Es ging mir dabei aber wie bei den letzten Geschäften mit Hofer, dass nämlich die Zahlung trotz mehrfachen Mahnung nicht erfolgte. Dagegen wurden mir nach langem Verhandeln drei Millionen franz. Franken zu Ankaufen zur Verfügung gestellt, welche ich, faute de mieux, annehmen musste, da

/meine

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BOX 77

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Wahrheit gemäss Herrn Cooper informieren können, dass ich keines Gemälde in einer Auktion verkauft habe.

Ich bin Ihnen schliesslich noch eine Antwort schuldig auf Absatz a) Ihres Briefes vom 9. März d.J., und glaube Ihnen am besten damit zu dienen, dass ich Ihnen die komplette Liste aller Gemälde und Zeichnungen aus den Geschäften mit Hofer, Boehmer und Wendland in der Anlage überreiche. Da diese Liste nummeriert ist, kann sie als bequemes Verständigungsmittel über etwaige Rückfragen dienen. Ferner lege ich eine separate Liste der verkauften und unverkauften Stücke bei.

Nun aber komme ich auf einen Punkt, wo ich leider Bedenken habe, Ihrem Wunsche voll zu entsprechen. Ich zitiere Ihre Worte: "should be grateful if you would indicate on your list the present whereabouts of each picture or drawing".

Zuerst einmal haben Sie ja auf der am 1.2.1944 eingereichten Liste der II verkauften Gemälde die jetzigen Eigentümer. Dann hat Ihnen Herr Cooper, bzw. Herr Bührle aus eigener Initiative angegeben, dass er zwei Stück noch von mir erworben hat und zwar die vermisste Degas-Zeichnung Lott II, Nr. 9 (siehe Seite 2 unten dieses Briefes) und Degas: Madame Camus Nr. 10 Lot III.

Ferner habe ich Ihnen

Nr. II COROT: Madame Stumpf.
Nr. 7 und 8 die beiden VAN GOGH.

als bei mir befindlich angegeben, ausserdem

Nr. 5. MONNIER: Stadt am Flussufer.
Nr. 6. RODIN: Ak. Zeichnung.

sodass nur noch über fünf von 54 Gemälden und Zeichnungen der jetzige Aufenthaltsort Ihnen nicht angegeben ist:

Lot I: Nr. 1. und 2 die beiden kleinen COROTS.
" 3. COURBET: Felslandschaft.
" 4. DAUBIGNE: Landschaft mit Flussufur.
" 12. BRAQUE: Stillleben.

Diese fünf Gemälde, von vergleichsweise zum Ganzen, geringem Wert, sind

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BOX 77

s in den schweizerischen Handel gelangt und es wäre ein
loyaler Akt meiner Firma, wenn ich die gutgläubigen Käufer den
Gelegenheiten aussetzen wollte, welche mir zuteil geworden sind.
Ich habe ja auch leider beobachten müssen, dass meine Angaben Kollegen
und Konkurrenten bekannt gegeben worden sind, obgleich ich Sie am 1.2.
1944 bei Ueberreichung der Listen schriftlich gebeten habe (Brief an Sie)
bis zum Friedensschluss die jetzigen Besitzer in keiner Weise zu
belästigen und auf keinen Fall von meinen Angaben Gebrauch zu machen.

Um Ihnen aber auch in diesem Punkte meinen guten Willen zu zeigen, will
ich - wenn über die andern Punkte Übereinstimmung erzielt ist mich
mit den betreffenden Käufern in Verbindung setzen, sodass ich hoffentlich
in den Stand gesetzt werde, dem Wunsche Ihres Briefes vom 9. März 1945
auch in bezug auf diese fünf relativ minderwertigen Bilder zu
entsprechen.

Mit vorzüglicher Hochachtung,

(signed) THEO. FISCHER.

- Beilagen:
1. Schreiben Dr. Wendlands na mich vom 5. April 45.
 2. Komplette Liste aller Gemälde und Zeichnungen aus den Geschäften mit Hofer und Boehmer, mit oder ohne Intervention Wendlands oder Buemmings.
 3. Liste aller unverkauften Impressionisten, die sich zur Zeit in der Galerie Fischer befinden.
 4. List aller verkauften Impressionisten.
 5. Zollquittung von 22.10.1941.
 6. Quittung der Galerie Petrides, Paris.

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A. van Ostade: 2 Interieurs mit Bauern

Gerard David: die Verlobung der hl. Katharina

Gutachten von M.J. Friedländer

Stammt aus der alten Pinakothek München.

Roger van der Weyden: Madonna mit Kind

Gutachten M.J. Friedländer und Hulin de Loo.

Schlue der Schongauers: Kreuzigung

Meister der weiblichen Halbfiguren

Frauenbildnis

Joos van Cleve: Frauenakt, reproduziert im Werk von M.J. Friedländer

Gobelins, Tournay um 1500, Darstellung aus der Oktaviansage,

stammt aus St. Roque,

Gutachten Otto von Falke

Lucas Cranach d.A.: Männerporträt/

Sammlung Geyer von Schweppenbach,

Gutachten von M.J. Friedländer.

Gotischer Gobelin "Les bohemiens", um 1480.

Spitzweg: zwei Mönche

Gobelins, Einzug eines Königs.

Joos van Cleve: Juwelier.

Auktionsankäufe.

Ruysdael: Hafenlandschaft, erwähnt im Stechow (Werk über Ruysdael)

Cranach: Madonna mit Kind

St. Anna selbdritt
Georg der Fromme
Kreuzigung

Holzbüste. Nürnberg.

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Frankfurter Flügelaltar.

Cranach: Bildnis melanchtons

Cranach: Madonna mit Kind

Mantegna: Madonna mit Kind

Auktionsrechnung Leuchter und Uhr

3 Tapisserien, Scipio

Auktion: Bürkel und Zügel

Cranach: Abendmahl

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Bux 77

Verzeichnis der von Walter Andreas Hofer durch die
Galerie Fischer in Luzern bezogenen Kunstgüter.

- Corot : Lesender Mönch
Corot: Coup de vent
Corot : Beauvais
Corot: S. Giorgio M.
Cottet : Pont en Royans
Courbet: Felsenlandschaft
Doubigny: Flussufer
Daumier: Bacch. Szene
Degas : Badende Frau
Degas : Ballettänzerinnen mit Widmung
Degas : Frau dem Bade entsteigend
Degas : Balletprobe
Degas : Badende Frau stehend
Van Gogh: Blumen und Porträt
Lucas : Flüchtende Frauen
Manet : Toilette
Monnier: Stadt
Renoir : Fontainebleau
Rousseau: Landschaft
Rodin : Zeichnung
Sisley: Seine - Ufer
Sisley: Haus mit rotem Dach
Sisley: Seine Ufer 77
Anonym: Landschaft

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List B

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Manet : Blumenvase
Degas : Jockey
Van Gogh: Kleine Landschaft
Courbet : Schlafende Mädchen
Renoir : Anemonen
Seurat : Marine
Sisley : Fluss mit Obstbäumen
Corot : Toulon
Corot : Genua
Corot : Felsenlandschaft
Monet : Stillleben
Monet : Marine
Sisley : Obstgarten 73
11 Zeichnungen
Pissarro: Hafenlandschaft
Sisley : Le Loing 72
Corot : Italienerin
Degas : Nackte Frau
Corot : Liseuse
Degas : Mme Camus
Braque : Stillleben
Corot : Mme Stumpf

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APPENDIX A.

BERNE.

2nd March 1945.

To Commercial Counsellor, H.B.M. Legation, Berne.Subject: Looted Works of Art in Switzerland.

As a result of enquiries concerning looted works of art made through my friend Frl. Margrit SCHULTHESS, of the Galerie M. Schulthess, Basle, I was taken on the afternoon of March 2nd 1945 to the office of:-

Dr. Arthur WIEDERKEHR
Bahnhofstrasse, 98,
ZURICH.

Dr. Wiederkehr expressed much satisfaction at having an opportunity to give some important information to an Allied Official, and therupon produced a letter of September 1944 addressed to the American Consul-General in Zürich, in which he stated that he had in his possession certain important pictures which he believed to have been looted, and which he was holding for a German national. He stated that this letter had remained unanswered and that no action had been taken, but he wished now to tell the whole story.

Dr. Wiederkehr then gave the following details. He was in Holland several times in 1941/42 in connection with emigration permits for various Jewish clients. His great friend in Amsterdam was:-

Dr. LANZ, the Swiss Consul (now dead).

Some time in the summer of 1942 Wiederkehr was introduced by Lanz to a German called Alois MIEDEL, a rich man connected with finance and art dealing, and a great friend of Goering. (Wiederkehr somewhat naively disclosed the fact that Miedel and Goering use "Sis" and not "DU"). Miedel (who is a Catholic) cannot get a divorce from his wife, who is Jewish, and is therefore in difficulties with the Nazi Party, and in 1942 was very anxious to get entry visas into Switzerland for his wife and two children. His affairs at this time were in the hands of another Zürich lawyer:-

Dr. Wilhelm FRICK
Stadthausquai, 13, Zürich.

with whose efforts he expressed dissatisfaction and therefore asked Wiederkehr to take on the business. Wiederkehr agreed to try, but states that Frau Miedel later refused to leave her husband and so the whole plan collapsed.

By way of providing money for his wife in Switzerland, Miedel told Wiederkehr to take over some pictures belonging to him in Switzerland and held by Dr. Wilhelm Frick. To this end Miedel wrote a letter to Frick (photostat held by Wiederkehr) in October 1942, instructing him to deliver the pictures to the

Schweizer Bank-Gesellschaft
Bahnhofstrasse, 45, Zürich.

A second letter, addressed to the Bank, and authorising them to hand over the pictures to Wiederkehr, was given to the latter by Miedel. (This letter is presumably in the files of the Bank). It was understood that the pictures would be sold, but Wiederkehr denies having any authority to offer them for sale himself. He further states that when he received the pictures from the Bank, they were in a case which was officially sealed with seals of the German Legation in Berne. He knows that the pictures were smuggled into Switzerland by diplomatic bag and have never passed through the Swiss Customs.

Wiederkehr

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Wiederkehr claims that he kept the pictures from 1942 to 1944 without knowing their value. During this time they were only seen once by Dr. Hans WENDLAND and Herr E. BUEHRLE who came on instructions from Miedel.

Wiederkehr further claims that it was the Bretton Woods announcement which aroused his suspicions and caused him to make further enquiries. At that time, therefore, he showed the pictures to Herr Nathan KATZ (a Dutch Jewish art dealer, formerly of Dieren, now resident in Basle) who told him that they were all pictures stolen from well-known collections, and that he should inform the British or American authorities. It was this discovery which provoked Wiederkehr's letter, with list attached, to the American Consul-General.

The pictures are now deposited in the
 Volksbank,
 Bahnhofstrasse, 53, Zürich,

in the name of Wiederkehr, and he gave me an assurance that they will not be disposed of or removed from there pending some action on our part. He is genuinely embarrassed and this assurance can, I think, be relied upon.

Miedel telephoned to Wiederkehr from Madrid about 4 months ago and asked about the pictures and whether they could be sent to Spain, to which Wiederkehr replied evasively.

Wiederkehr states that he has no financial interest in the pictures nor any lien on them; Miedel, of course, owes him quite a lot of money.

The list of the pictures with approximate value is as follows:-

	<u>Approximate Value.</u>
1. <u>VINCENT VAN GOGH.</u>	
Self-Portrait with Bandaged Ear. Oil: 50 x 45 cms. Marked on back; "Rosenberg, Bordeaux".	Sw. Frs. 175,000 -
2. <u>CEZANNE</u> The Mill Oil: 81 x 65 cms. Marked on back: Sig. Rothschild, Paris Dec. 1941. "Paul Rosenberg". "Coll. Dr. Reber."	" " 200,000. -
3. <u>CEZANNE</u> Still Life with Bottles. Watercolour: 50 x 59 cms. Marked on back: "Paul Rosenberg" Bordeaux	" " 75,000
4. <u>CEZANNE</u> Harlequin Watercolour: 48 x 34 cms. Marked on back: "Mons. F. Javal" "Rosenberg, Bordeaux"	" " 50,000
5. <u>CEZANNE</u> Young Man with Red Waistcoat Watercolour: 48 x 34 cms. Marked on back: "F. JAVAL" "Rosenberg, Bordeaux"	" " 50,000

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6. JAN STEEN

Marriage at Cana

Oil: about 1,20 m x 75 cms.

Marked on back: "Collectie Goudstikker

No. 2643

Heerengracht 458,

Amsterdam"

Sw. Frs. 250,000. -

"Hofer-Goudstikker,
Amsterdam, 1941"

I was only able to see Nos. 1-5 inclusive, as No. 6 is too large to move. The approximate total value of pictures therefore is Sw. Frs. 800,000. - Both the Paul Rosenberg and Rothschild collections in France were looted by the Eisatzstab Rosenberg and the Amsterdam firm of Goudstikker was "acquired" by Miedel (with contents) in 1940. There is therefore no doubt that these pictures are loot.

Wiederkehr claims that this is the only property belonging to Miedel which he holds, the only German asset in his possession and also the only collection of works of art. Wiederkehr is of course anxious to be removed from the Black List and spoke to me of this. I informed him that it was no concern of mine but that I would report to you the facts of the present case and his desire to tell the whole truth. (He opened and showed me his complete MIEDEL dossier). I pointed out that you would probably review his case in the light of the present disclosures and, if necessary would summon him to an interview. He is quite prepared to hand over the pictures and to produce all the Miedel correspondence in his possession. According to Wiederkehr, Dr. Frick does not know that he has possession of the pictures.

Recommendations.

1. That the Swiss authorities be informed of the above facts forthwith and asked

a) to sequester the pictures -

b) to check the accuracy of Wiederkehr's statement that he holds no other works of art for German nationals -

c) to proceed to an investigation of the relations between Dr. Wilhelm Frick and the German Legation in Berne, especially to discover whether he is holding (or knows of) other similar collections of looted works of art -

d) to enquire into the breach of Swiss customs regulations by the German Legation and/or others.

2. That consideration be given to the inclusion of the name of Dr. Wilhelm Frick (and perhaps his partners Drs. Keller and Hoffmann) on the Statutory List.

3. That photostatic copies be made available (if possible) to the British Legation of the photographs of Miedel and his family, as well as of their biographical details, at present held by Wiederkehr.

As MIEDEL is already very well known to M.E.W. and M.F.A&A. I would request that copies of this report may be forwarded to M.E.W. (Mr. Bliss); U.S. Legation, Berne; French Embassy, Berne; British Consulate-General, Zürich.

(Signed) DOUGLAS COOPER.

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APPENDIX B (1)rbd/yg
(18/141/44)E.W. No. 1062.British Legation,
Commercial Secretariat
Bern.

29th December, 1944.

Dear Black List Section,

It may perhaps be of interest to you to have on record some details of the activities of Galeries Fischer who, together with Theodor Fischer, were Luked A. in your telegram Arfar No. 4411 of 1943.

Fischer's story is that Andreas Hofer, the Berlin art dealer, who claims Goering as one of his principal clients, started coming to Switzerland in 1941 at regular intervals to purchase works of art in this country. He contacted all the principal Swiss dealers, including Fischer and paid regularly for his goods in Swiss francs. In the summer of 1942 he returned once more and purchased from Fischer German and Dutch masters to a value of approximately Frs. 250,000 but this time he failed to pay. Fischer contacted Hans Wendland (List A) who was going to Germany, and asked him to press Hofer for the outstanding payment. Wendland returned with the scheme that Hofer would pay by supplying Fischer with a selection of French impressionist pictures, which were duly delivered in the autumn and early winter of 1942. Fischer accepted them in lieu of payment, though without making any assessment of their value. He claims to be a specialist in antiques and tapestries and maintains (we cannot help thinking somewhat naively) that it was not until Nathan (an art expert from St. Gall, who came to view the pictures as expert adviser to Buchrle) opened his eyes to their value and antecedents that he realised that he was handling looted art.

The following is the list of pictures and drawings supplied to Fischer (we give the names in German as given to us by Fischer) :-

Black List Section,
Ministry of Economic Warfare,
London W.1.

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+ COROT	Lesender sitzender Mönch, since sold to Bührle of Oerlikon.
DEGAS	Ballettprobe, since sold to Bührle of Oerlikon
MANET	Toilette, " " " " "
SISLEY	Seine Ufer " " "
COROT	Liseuse, Legendes Mädchen, " " "
SISLEY	An Ufer der Seine, since sold to Dubied of Neuchâtel
+ SISLEY	Loing bei Marat, since sold to Dr. Paul Joerin of Basle
+ MANET	Blumenvase, since sold to Buchrle of Oerlikon
+ DEGAS	Jockey Reiter, " " "
VAN GOGH	Kleine Landschaft, " " "
COURBET	Schlafendes Mädchen, since sold to Dr. Willy Radber of Basle

<u>Paintings</u>	COROT San Giorgio Maggiore, Venice
	COTTET Pont aux Royaux
	DAUMIER Bacchanistische Szene
	DEGAS Frau dem Bade entsteigend
	DEGAS Ballettänzerinnen
	DEGAS Badende sitzend
	DEGAS Badende Frau stehend
	LUCAS Flüchtende Frauen
	RENOIR Wald von Fontainebleau
+ RENOIR	Anemonen
SEURAT Murine	
SISLEY Fluss mit Obstbäumen	
+ COROT Hafen von Toulon	
+ COROT Torbogen in Genoa	
COROT Felsenlandschaft	
+ MONET Stillleben 1380	
MONET Marine datiert 82	
SISLEY Landschaft, Gemüse & Obstgarten dat. 73	
ROUSSEAU Th. Landschaft mit Brücke	
Anonymous Landschaft mit Gartenstor	

<u>Drawings</u>	RENOIR Portrait
+ INGRES	Portrait
+ INGRES	Monsieur et Madame Remond
+ DEGAS	Tänzerin "Rückenansicht"
+ DEGAS	Tänzerin "Vorderansicht"
+ DAUMIER	Cirkus
SEURAT	Priester
SEURAT	Blouse Blanche
+ RENOIR	Etude de tête
+ RENOIR	Dame à la Campagne
COROT	Sitzendes Mädchen

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Except in the cases where we have given the name of the purchaser, all the above paintings and drawings are in Lucerne and Fischer gave us an assurance that he would not sell nor otherwise dispose of any of them. We found it necessary to extract such an assurance as at one time Fischer believed that he would re-instate himself in our eyes if he returned all the unsold pictures to Germany.

Those pictures marked with an asterisk were, according to Fischer, originally in the hands of Paul Rosenberg the Paris art dealer who, we are told, emigrated to the U.S.A. where he died. Fischer maintains that he does not know where the other pictures were obtained from.

Apart from the above, Fischer also sold Degas' "Madame Camus at the piano" to Buehrle. Fischer did not obtain this picture from Hofer but direct from Wendland who is said to have acquired it in an honest way of business from a Parisian dealer called Birschanski. Another source states that this picture formerly belonged to a Dr. Kahn, Paris, whose property was confiscated by the Germans.

The above information was obtained from Fischer upon the understanding (on his part) that we would consider his deletion from the Statutory List. We did in fact suggest a formula to our American colleague last May and on reviewing our file now we note that he still owes us a reply. Our object was of course to ensure that Fischer would abide by his oral undertaking to retain all the pictures in Switzerland. We hardly think that he would return the pictures to Germany now and we see no advantage in deletion as we shall no doubt have to negotiate with Fischer after the defeat of Germany for the return of the pictures to their rightful owners. Until this has been accomplished, he might as well remain listed.

As a tail-piece we might add that according to a reliable informant Buehrle has already packed up the pictures which he bought from Fischer for return to their rightful owners and the cases lie in his cellar awaiting transport.

Perhaps you would be good enough to pass the extra copy of this letter to Mr. Fenton who may be interested from the "enemy asset" angle.

Yours ever,

COMMERCIAL SECRETARIAT.

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APPENDIX B (2)LOOTED WORKS OF ART AT THE GALERIE FISCHER, LUCERNE.

On March 7th I visited the Galerie Fischer by arrangement with the Commercial Secretariat in connection with various looted works of art which are held there. I was shown the following:-

<u>Paintings.</u>		<u>Marked on back.</u>
1. COROT	San Giorgio Maggiore	
2. COTTET	Pont aux Royaux	
3. Attributed to DAUMIER	Scène Bacchique	Alphonse Kann
4. LUCAS	Femmes en fuite	Alphonse Kann
5. RENOIR	Sous-Bois à Fontainebleau	" "
6. " "	Anémones et Roses	Coll. Pierre Renoir 1930
7. SEURAT	Marine avec des ancrés	Rolf de Maré
8. SISLEY	Paysage avec rivière et arbres fruitiers.	Rosenberg, Bordeaux
9. SISLEY	Paysage avec jardin patager (1873)	
10. COROT	Le Port de Toulon	Rosenberg, Bordeaux
11. "	Le loggia à Gênes	(almost deleted)
12. "	Paysage avec Rochers	
13. MONET	Nature morte; fleurs et fruits (1880)	Rosenberg, Bordeaux
14. "	Marine (1882)	Rosenberg, Bordeaux
15. ROUSSEAU, Th.	Paysage avec pont	Alphonse Kann
16. Anonymous	L'Entrée du Parc	" "
<u>Drawings</u>		
17. DEGAS	Femme sortant du bain	Alphonse Kann
18. "	Danscuses	" "
19. "	Femme au tub (assise)	" "
20. "	Femme au tub (debout)	M.L.de B. LB 65.
21. RENOIR	Portrait d'homme (sous l'ombrille)	Rosenberg, Bordeaux
22. "	Etudes de cinq têtes	Paul Rosenberg
23. "	La Danse à la Compagne.	Paul Rosenberg
24. INGRES	L'homme au Chapeau haut-de-forme. Coll. M.P.	Moore of Albury, Surrey.
25. "	M. et Mme. Ramel	Paul Rosenberg.
26. DEGAS	Petit Danseuse (vue de face)	Paul Rosenberg.
27. "	Danseuse (vue de dos)	Paul Rosenberg.
28. DAUMIER	La Parade	Rosenberg, Bordeaux
29. SEURAT	Blouse blanche	
30. "	La Nurse	
31. COROT	Femme assise; Paysage (du verso)	

In addition to these I have seen the following looted pictures which have been sold by the Galerie Fischer.

In the collection of Herr Emil BÜHRLE, Zollikerweg, Zürich:-		
32. COROT	Moine assis.	
33. "	Femme au corsage rose	Rosenberg, Bordeaux
34. DEGAS	Les Jockeys	Rosenberg, Bordeaux.
35. "	Danseuses à la barre	
36. "	Deux Femmes nues (drawing)	Rosenberg, Bordeaux

2.

37. MANET Femme à sa toilette.
 38. " Bouquet de fleurs Rosenberg, Bordeaux
 39. SISLEY Les bords de la Seine
 40. DEGAS Mme. Camus au piano Alphonse Kann
 41. VAN GOGH Petit paysage à Anvers

In the collection of Dr. Fritz TRÜSSEL, Beatusstr. 32, Berne
 (sold by Gabrie Fischer to Dr. Willy RAEBER, Basle (resold)

42. COURBET Femme endormie.

FISCHER cont.

The following pictures sold by Fischer I have not seen.

In the collection of Herr Paul JOERIN, Starenstr. 20, Basle

43. SISLEY Le Loing près de Moret

In the collection of DUBIED of Neuchâtel:

44. SISLEY Les bords de la Seine.

Of the above mentioned pictures the following are included in the inventory of the ROSENBERG collection seized by the Eisatzstab Rosenberg in the safe deposit of the Banque Nationale pour le Commerce et l'Industrie in June 1941:-

Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31,
 33, 34, 35, 36, 38, 39, 42, 43, 44,

This inventory is in the possession of the French authorities with whom I have compared my notes.

Nos. 3, 6, 9 and 18 were auctioned by Fischer on Sept. 2, 3, & 4, 1942. (Nos. 1208, 1213, and 1209 of the catalogue respectively). No. 7 was offered for sale to the Kunstmuseum in Basle in 1943 for Sw. Frs. 30,000. - but was turned down by the Trustees as being a stolen picture.

On Feb. 28th the French Trade Delegation presented a Note to the Swiss Government demanding the sequestration of all the pictures which have passed through Fischer's hands pending a decision on restitution.

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APPENDIX C.Berne
February 20th, 1945.

Minute on the subject of looted and smuggled works of art,
prepared for the consideration of the Commercial Counsellor,

H.B.M. Legation, Berne.

General:

The Monuments, Fine Arts & Archives Branch of the Control Commission for Germany (both U.K. and U.S. units) is included in the Reparations, Deliveries & Restitution Division and has the following responsibilities :-

- a) the protection and preservation of all historic monuments, works of art, archives and other related material;
- b) the location and securing, pending instructions from higher authority concerning their disposal, of all moveable works of art in Germany belonging to Germans, whether owned by the Reich, the Party or any of its subordinate formations, or by individuals;
- c) the securing of all titles found in Germany to works of art, whether looted or otherwise held by or on behalf of Germans anywhere in the world;
- d) the collection of all information concerning works of art believed to have been looted or otherwise illicitly acquired and/or disposed of by Germans.

The discussions and investigations with which S/Ldr. Cooper has been charged arise out of (b) (c) and (d) above, and it may therefore be useful to set out briefly the nature of the problem to be examined.

The M.F.A. & A. Branch is responsible not only for the securing of German fine arts assets as such, but is especially charged with securing and holding available for restitution any works of art, archives or other cultural material which is believed to have been stolen or otherwise illicitly acquired since March 1938. Moreover, as both H.M. Government and the U.S. Government have accepted the principle of replacement in kind (for works of art wantonly destroyed or stolen works which cannot be traced) it is essential that all works of art acquired by or for Germany or Germans during the same period must be brought under the same control. Directives to this effect have already been issued by the C.C.S. to the Supreme Commander, A.E.F., and as the Allied armies move forward into Germany Shaef-G.5. will impose a Fine Arts "Stand Still" order forbidding removal, sale, transfer of ownership in, destruction, concealment or defacement of all works of art, archives and other cultural materials. Thus all deposits or caches of works of art wherever found will be taken into Allied custody with all documents relating thereto. Further directives of a similar nature for issue to the U.K. and U.S. Commanders-in-Chief in the post-Shaef period have been prepared and tabled by the respective delegations at the E.A.C.

German Activities:

The German conquest of Western Europe in 1940 was accompanied in the field of the Fine Arts by a State supported campaign for the wholesale plundering of works of art from which even the Ally Italy was not exempt. In 1940, already, German museum directors, German art

/dealers ...

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dealers and German collectors were given every facility to travel, acquire and remove from the occupied territories as many art objects as they wanted. As this was the first opportunity given to these people of making purchases outside Germany for almost ten years, and as the rate of exchange was particularly favourable, it is not surprising that the extent of their "acquisitions" was on an unprecedented scale. Reich Ministries, Nazi Party organisations and the leaders of the Party (Hitler, Goering, Ribbentrop etc.) were each represented by one or more special art advisers who competed with each other to unearth and gain possession of the greatest prizes for their employers. In addition, the Nazis appointed an Art Adviser to the German Embassy in Paris (a man named Adolf Wüster who had lived for the previous ten years in Paris and knew all the collectors and dealers intimately) whose function it was to discover the right art objects, inform the Reich and Party authorities and complete the transactions as ordered.

Side by side with this form of activity (and in rivalry) there existed the Party Cultural organisation, called the Einsatzstab West, operated by Reichminister Alfred Rosenberg under authority from the Führer personally. This task force (similar to the one which had "purged" German museums and looted Jewish and other collections in Germany between 1937 and 1939) was charged with the location and seizure of Jewish collections in France, Belgium and Holland. This included removals not only from private houses but also from safe deposits; it is too early yet to estimate the number of works of art which passed through its hands, but it runs into several hundreds of collections. The administrative staff of the Einsatzstab were as choice a collection of gangsters as could be found even in Nazi circles and knew how to profit by the occasion. They organised themselves on the geographical basis with regional H.Q.'s which served as local collecting centres; here the objects "acquired" were first sorted and the best pieces, selected by some of the most knowledgeable young German art historians, were then sent to the Musée du Jeu de Paume in Paris. There they were inspected and allotted on demand to one of the many German agents to whom the privilege of entry was granted. These "acquisitions" were as a rule sent straight to Germany. But there was always a considerable residue of important works of art (largely of French origin) which remained to be disposed of, either because they were considered "degenerate" or for some similar reason. It is mainly with the works of art which were included in this residue that the major problems of restitution will arise, for it provided material for every conceivable form of corrupt practice and served as an excellent coinage in which to carry on a brisk trade. There is already considerable evidence that:

- a) various members of the Einsatzstab Rosenberg themselves took and sold many of these works of art for their own personal profit to dealers of French or other nationality -
- b) a number of these works of art were passed to dealers as "commission" for denouncing important Jewish or other hidden collections -
- c) still others of this residue were exchanged or bargained in exaggerated quantities for works of art which the Germans were especially keen to acquire, i.e. tapestries or works of Germanic art (including Flemish and Dutch).

The motive behind all these dealings was direct profit in the form of foreign exchange, or cash in hand, or hidden assets to Germany as well as to individual Germans. So long as the Germans profited, they were quite prepared to assist the collaborationist art dealers and in exchange for services rendered it is known that the Germans provided special export facilities, to Switzerland as well as to Germany,

/without ...

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without the necessary French export permits. The full extent of their illicit trading in works of art with Switzerland is not yet clear and this is the main reason for the present discussions. For, to facilitate future decisions on restitution and replacement in kind, it is necessary to establish as soon as possible the whereabouts of both smuggled and looted works of art in neutral countries, as well as the names and addresses of all parties and agencies involved.

Numerous reports of varying reliability (many of them now substantiated) have been received which indicate that works of art, both looted and not looted, have been exported or smuggled into Switzerland by Germans or their agents. It may be useful to quote a few examples :-

1. that in the middle of July 1944, two hundred cases of works of art were sent by train from Paris to Switzerland by one of the most notoriously crooked German art dealers working with the Einsatzstab Rosenberg, one Herr Gustav ROCHLITZ of Baden-Baden. Their whereabouts are unknown.
2. that Dr. Hans WENDLAND has been acquiring looted pictures in Paris and importing them for resale in Switzerland.
3. that the same Wendland acquired looted pictures in Italy and imported them into Switzerland. (It is known that he was in Florence in 1942/43).
4. that Andreas HOFER, Goering's principal dealer, has sent looted French pictures to Switzerland. (The Fischer story confirms this).
5. that Swiss art dealers offered works of Germanic art on the Paris market in exchange for looted French pictures which brought far more profit on resale here.
6. that pictures were smuggled out of France and into Geneva by M. Albert SKIRA.
7. that pictures from collection of the dispossessed British Jew Mr. JAFFE of Nice have been offered for sale in Switzerland. (These pictures were auctioned at Nice in 1942).
8. that some of the most valuable works of art belonging to Nazi leaders are coming into Switzerland via the diplomatic bag.
9. that works of art belonging to Baldur von SCHIRACH were recently sent via Schaffhausen to Switzerland.
10. that looted works of art from Italy have come in via the Tessin.
11. that an important deposit of looted works of art is held in the name of Herr Emil ZAUNKELLER at TODMOOS-AU (Baden), about 25 kms N.E. of Basle and in Germany.
12. that the firm of SCHENKER (German forwarding agents) have been importing looted works of art belonging to Germans.

Thus it would seem that there may be in Switzerland

- a) works of art exported as a long-term security by individuals Germans for safe-keeping. These may be stolen or not stolen, the property of the Nazi Party, of German

/collectors ..

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collectors or art-dealers, and may be held under false German or other names.

- b) looted works of art sold to or exchanged with Swiss residents by the German authorities.
- c) looted works of art given for disposal to French, Belgian or Dutch dealers and bought from them (either in good or bad faith) by dealers in Switzerland. These may in turn have been resold to Swiss customers.
- d) works of art smuggled into the country by German or other agents and either held or disposed of here.

In view of the facts set out above, the various M.F.A. & A. Branches (U.K. and U.S. C.C.'s, SHAEF G-5 and the Governmental Missions dependent thereon) are anxious to co-ordinate intelligence plans with the Allied representatives in Switzerland with a view to acquiring immediately as much information on this subject as possible.

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AGENTS OF HIGH PLACED NAZIS FOR LOOTING WORKS OF ART.

- Herr Adolf WÜSTER - Art Adviser, German Embassy, Paris 1940/44.
- Herr Gustav ROCHLITZ - Art dealer, Official buyer, from Baden-Baden.
- Dr. VOSS - Director State Gallery Dresden & of Führer Museum, LINZ.
- Dr. Kurt MARTIN - Director General Museums of Alsace (1940/44) & of Museum in Karlsruhe.
- Andreas HOFER - Art dealer of Berlin; Goering's main agent.
- Dr. HABERSTOCK - Berlin Art dealer, connected with Fischer.
- Dr. LOHSE - of Einsatzstab Rosenberg.
- Dr. BUCHNER - Director General Bavarian State Museums, Munich.
- Dr. Otto FÖRSTER - Museum Director, Cologne.
- Herr BAMMANN - dealer from Düsseldorf.
- Dr. GURLITT - dealer from Hamburg.
- Dr. MÜHLMANN - agent for Goering.
- Dr. GOEPEL - art dealer connected with Einsatzstab Rosenberg.
- Prof. HERBST - from Vienna, bought very largely in Paris.
- Dr. R. SCHOLZ - of Einsatzstab Rosenberg.
- Herr APFELSTAEDT - of Cologne; official buyer.
- Emil ZAUNKELLER - of TODIMOS-AU (Baden)
- From Paris
- Martin FÄBLANI+ - art dealer, Avenue Matignon.
- Roger DEQUOY - art dealer Rue la Boëtie.
- Alfred DABER - art dealer Blvd. Houssmann (in connection with TANNER of Zurich).
- César de HAUCKE - art dealer.
- ? PETRIDES - art dealer.
- Count Avogli TROTTI - art dealer.

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Appendix D.SWISS IMPORTS OF PICTURES1939Unframed Pictures.
(Tariff 328.)

<u>Country:</u>	<u>Value:</u>
Germany	Fr. 71,097
France	" 107,905
Italy	" 19,554
Belgium	" 12,702
Holland	" 5,959
U.K.	" 23,886
Sweden	" 2,745
Czechoslov.	" 1,950
U.S.S.R.	" 2,100
Canada	" 1,500
U.S.A.	" 5,310
TOTAL	<u>254,708</u>

Framed Pictures
(Tariff 329.)

<u>Country:</u>	<u>Value:</u>
Germany	Fr. 294,993 = 366080
France	" 775,308 = 883213
Italy	" 51,289 = 70843
Belgium	" 13,926
Holland	" 125,711
U.K.	" 356,047
Denmark	" 1,490
Sweden	" 54,800
Czechoslov.	" 2,950
U.S.A.	" 12,715
TOTAL	<u>1,689,169</u>

1940

Germany	Fr. 53,178
France	" 153,764
Italy	" 2,872
Holland	" 7,175
U.K.	" 22,660
TOTAL	<u>239,649</u>

Germany	Fr. 121,449 = 174,627
France	" 318,148 = 471,912
Italy	" 12,618 = 15,490
Belgium	" 11,358
Holland	" 163,165
U.K.	" 107,681
Algeria	" 1,150
U.S.A.	" 15,122
N.Zealand	" 2,000
TOTAL	<u>752,691</u>

1941

Germany	Fr. 28,842
France	" 27,607
Italy	" 17,847
Belgium	" 5,490
Holland	" 1,000
TOTAL	<u>70,786</u>

Germany	Fr. 426,388 = 457,230
France	" 111,504 = 139,111
Italy	" 35,236 = 53,083
Belgium	" 9,350
Holland	" 73,810
U.K.	" 12,710
Sweden	" 1,700
	<u>672,698</u>

1942

Germany	Fr. 30,951
France	" 77,618
Italy	" 2,838
TOTAL	<u>111,407</u>

Germany	Fr. 61,377 = 92,328
France	" 75,239 = 152,857
Italy	" 12,752 = 15,590
Belgium	" 25,544
Holland	" 24,565
U.K.	" 27,000
Spain	" 3,270
Portugal	" 1,700
	<u>231,447</u>

1943

Germany	Fr. 74,388
France	" 41,298
Italy	" 13,017
	<u>128,703</u>

Germany	Fr. 307,874 = 382,262
France	" 28,526 = 69,824
Italy	" 20,427 = 33,544
Holland	" 24,830
	<u>381,707</u>

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1944

(January)

Unframed Pictures.
(Tariff 328)

Country: Value:
France Fr. 4,140

Framed Pictures.
(Tariff 329)

Country: Value:
Germany Fr. 10,487

(February)

Germany " 1,418
France " 5,000

(March)

Germany " 8,040

(April)

Germany " 4,020
Italy " 2,220

(May)

Germany Fr. 1,145
France " 1,500

Germany " 31,446
France " 2,590

(June)

France " 1,050
Italy " 3,000

Germany " 1,407
France " 4,000

(July)

Germany " 1,070

(August)

Germany " 27,040

(September)

Germany " 5,000

(October)

Germany " 5,738

Germany " 9,500

(November)

Germany " 1,230
France " 1,530

Germany " 21,173

(December)

Germany " 3,214

Germany " 3,613

Totals: Germany 135,541
France 19,810

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Appendix E.

MEMOIRE

Relatif aux œuvres d'art détenues par Fischer à Lucerne

Au cours de l'année 1941, A. Hofer, négociant en objets d'art à Berlin, dont Goering serait un des principaux clients, se rendit en Suisse en vue d'achat d'œuvres d'art. Il prit contact avec les principaux commerçants d'art suisses et fit de nombreuses acquisitions qu'il paya régulièrement.

Durant l'été de 1942, il acheta à Fischer des tableaux de maîtres hollandais et allemands d'une valeur d'environ 250,000 frs. suisses, dont le montant ne fut pas réglé. Devant cette carence, Fischer fit intervenir un de ses amis, Hans Wendland, auprès de Hofer, en vue d'obtenir le versement de la somme qui lui était due. C'est alors que Hofer fit connaître à Fischer qu'il serait payé en nature, au moyen d'un envoi de tableaux de peintres français; ces tableaux parvinrent en Suisse en automne et au début de l'hiver 1942.

Fischer accepta ce mode de règlement. Il a affirmé qu'il avait ignoré la provenance exacte de tableaux et notamment le fait qu'il s'agissait d'objets volés. Ce point ne serait parvenue à sa connaissance qu'après un examen des tableaux par un expert de St-Gall M. Nathen, conseiller de Buchrlé (Oerlikon).

Les tableaux ainsi remis à Fischer seraient, d'après ses propres indications, les suivants:

- COROT Moine assis lisant, vendu depuis lors à Buehrle à Oerlikon
- DEGAS danseuse à la barre id.
- MANET toilette id.
- + SISLEY Rives de la Seine id.
- COROT jeune fille lisant id.
- + SISLEY au bord de la Seine, vendu depuis lors à Dubied à Neuchatel
- + SISLEY Loing près Morat, " " " au Dr. Paul Jocelin à Bale.
- + MANET vase de fleurs " " " à Buchrlé à Oerlikon
- + DEGAS Jockey à cheval " " " "
- VAN GOGH paysage " " " "
- + COURBET jeune fille dormant " " au Dr. Willy Raeber à Bale
- COROT Saint-Georges Majeur, Venise.
- COTTET Pont aux Roynaux
- DAUMIER scène de bacchantes
- + DEGAS femme entrant dans le bain
- + DEGAS danseuses
- DEGAS baigneuse assise
- DEGAS baigneuse debout
- LUCAS femme en fuite
- RENOIR forêt de Fontainebleau
- + REENOIR anémones
- + SEURAT mer
- + SISLEY fleuve avec arbres fruitiers
- + COROT port de Toulon
- + COROT vue de Cenes
- + COROT paysage de rochers
- + MONET nature morte 1880
- + MONET marine date de 82
- SISLEY paysage, jardin potager et verger daté de 73
- ROUSSEAU Th. paysage avec pont.
- Anonyme paysage avec portal

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DESSINS

- + RENOIR portrait
- + INGRES portrait
- + INGRES portrait, Monsieur et Madame Romel
- + DEGAS danseur vu de face
- + DEGAS danseur vu de dos
- + DAUMIER Cirius
- SEURAT pretre
- + SEURAT blouse blanche
- + RENOIR étude de têtes
- RENOIR danse à la campagne
- + COROT jeune fille assise.

A l'exception des tableaux mentionnés ci-dessus 28mme vendus, Fischer a donné l'assurance qu'il ne disposera plus, dans l'avenir de ces objets.

Les tableaux marqués d'une astérisque proviennent de M. Paul Rosenberg, négociant en objets d'art, qui en 1940, s'était réfugié aux Etats-Unis où il serait décédé depuis lors.

+ + +

Les preuves du vol de ces tableaux par les autorités d'occupation ont pu être réunies. 162 tableaux et dessins, dont ceux ci-dessus, et qui appartenaient à P. Rosenberg, avaient été déposés en 1940 dans un coffre de l'agence de Libourne de la Banque Nationale pour le Commerce et l'Industrie.

Sur l'ordre du Devisenschutz Kommando de Paris, en date du 11 juin 1941, ils furent mis sous scellés et, en date du 1er septembre 1941, remis à un agent du "Einsatzstab Rosenberg" - organisation officielle allemande chargée du pillage des objets d'art nommée Braumüller. Ce service a remis à la BNCI un reçu du 5 septembre 1941 signé et revêtu du cachet "Dienststelle Feldpostnummer 43.071". La remise des tableaux à cet agent a été constatée par procès-verbal dressé par un huissier appelé par la BNCI à cette fin.

Avant cet acte de spoliation et dès le blocage du coffre contenant les valeurs précitées, M. Roganeau, directeur de l'Ecole des Beaux-Arts à Bordeaux, avait été appelé à dresser l'inventaire du coffre et à faire l'estimation des tableaux de la collection Rosenberg.

Le tableau ci-joint et copie a été dressé le 6 juin 1941 et signé par l'expert, M. Roganeau.

Les objets, actuellement détenus par Fischer, se retrouvent en majeure partie sur cet inventaire.

Dans ces conditions, il est manifeste que ceux-ci proviennent d'un vol, effectué par l'armée allemande, en violation du droit des gens et des conventions internationales.

Ces objets doivent être rendus à leurs légitimes propriétaires, ou en cas de décès de ceux-ci, à leurs héritiers ou ayants-droit.

Il n'est pas douteux que M. Fischer, en raison du fait qu'il s'agissait de tableaux de maîtres dont la propriété et les ventes successives sont toujours connues des professionnels avertis, ne saurait arguer de sa bonne foi, et qu'il lui appartenait à tout le moins, de se renseigner sur l'origine de ces objets.

Dans ces conditions, les Autorités fédérales tiendront d'urgence à prendre toutes dispositions utiles pour assurer la conservation de ces biens et leur restitution à leurs propriétaires légitimes.

R6239
Box 77
114329

DEPARTMENT OF STATE
DIVISION OF LANGUAGE SERVICES

(TRANSLATION)

TC NO. 38059 b
R-XI/R-X
German

COPY

Administration of the
Bavarian Painting Collection
Arcisstr. 10
Munich
Tel. 22621

Munich, June 12, 1951

Dear Mr. Faison:

1. I wish to thank you for the information and opinion which you sent me concerning the Fischer-Luzern matter.

Since Mr. Fischer was forced by the Swiss Federal Government to return the pictures from the ERR group to France, he has been striving in some manner to regain possession of the paintings which he at one time handed over to Hofer. I have repeatedly and unmistakably expressed my negative stand to the legal representatives of Mr. Fischer. Since Mr. Fischer was turned down also by the central filing office at Bad Nauheim, where he filed his claim pursuant to Law No. 5^c, he now, according to your information, appears to have charged the Swiss Federal Government with pressing his claims in Bonn.

I shall try to find out details on this score and to inform the offices concerned of the true state of affairs. There can be no question of a release on my part. Mr. Fischer has a very dubious reputation in Germany, especially since the auction in June 1939 of German museum pieces of so-called "degenerate art". His assertion that he did not know in the trade with

Hofer

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Box 77

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Hofler where the paintings came from is downright grotesque. I do not need to say more about that.

2. The interest recently shown by dealers in the Goering property is probably occasioned by the fact that the press has repeatedly called attention to meetings between Dr. Auerbach and Mrs. Goering.

Actually, objects have been released to Mrs. Goering so far only with the approval of the Land Office for Property Administration and Restitution (Landesamt für Vermögensverwaltung und Niedergutmachung) and were such as had a purely personal value for Mrs. Goering but no art value. I have strict instructions from the Bavarian Minister President under no circumstances to release any art objects from the collection in question to any person or corporation. This instruction is based on the provision communicated to the Bavarian Minister President by Mr. Bolds, the Bavarian Land Commissioner, on January 13, 1950.

Respectfully yours,

Dr. Eberhardt Hanfstaengl

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BOX 77

Verzeichnis der von der Galerie Fischer, Luzern
an Kunsthändler Walter Andreas Hofer, Berlin
tauschweise gelieferten Kunstgüter.

Lukas Cranach: Maria mit Kind (weiter verkauft an die Stadt Köln)

Lucas Cranach: Porträt der Christine Bulenau in Hut.

Jan Breughel: Ceresfest, mit vielen kleinen Figuren.

Jan Breughel: Blumen in Vase.

Meindert Hobbema: Dünenlandschaft mit Häften

Vgl. Hofstede de Groot, Nr. 45

Beide Gemälde stammen aus der Alten Pinakothek München.

Hans Baldung Grien: Porträt eines Alltern Herrn mit Johanniter Kreuz
bezeichnet und datiert 1534.

Gutachten von M.J. Friedländer

Uhr, feuer-vergoldet, Bronze, Thomire-Modell.

Holzskulptur, Heilige mit Ring, 16. Jahrh.

Stammt aus der Slg. Dr. Forrer, Strassburg.

Peter Paul Rubens: die Jagd der Diana,

Stammt aus der Alten Pinakothek München.

Multscher, bzw. Sterzinger Meister: hl. Georg

Stammt aus der Walford Collection

(im Werk dieser Sammlung reproduziert.)

Lucas Cranach d.A.: die heilige Familie.

Gutachten von M.J. Friedländer

Barbari: der Hochzeiter, Porträt

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List A

rbd/jv
21/1/45.

M I N U T E.

Mr. Cooper.

Your Minute of March 12th concerning looted
Works of Art.

1. Galerie Fischer. We have already written to Fischer asking him for the information which you require. When his reply has been received we shall convoke him for an interview.
2. Arthur Wiederkehr. He will call at the Legation on March 14th and has been asked to bring the required documents with him.
3. Dr. Wilhelm Frick. We shall try to get some lead from Wiederkehr as how best to tackle Frick. If we fail to get any line on him we shall invite the assistance of other departments. I do not favour recommending him for inclusion upon the Statutory List at the moment as I should prefer not to show our hand until we have been able to obtain more definite evidence and the sequestration of any looted works of art he may have in his possession.
4. Wendland. We have already written to Lausanne asking them to invite Lavanchy to call on us as soon as possible with all the documents relating to the railway-van to which you refer. If Lavanchy have handled any other consignments we shall endeavour to obtain full details.

Apart from Lavanchy we have the possibility of obtaining information regarding Wendland through another channel of which you are aware. We cannot judge yet whether this source will produce anything useful, but we shall pursue this and any other possibilities.

5. Hofer. Another department is already making enquiries regarding his contact in the Alte Landstrasse. We shall bear this in mind and see that the contact is unearthed.
6. Zürich. We will act on your points a)i) and ii). Action has already been taken on i). I will convoke Galeries Schmidlin and Galeries Neupert as soon as possible and try to obtain replies to c) and l).
7. German Legation, Berne. This is a thorny problem and I shall discuss with representatives of another department to see what action can be taken.
8. Ruscheweyh. We have already requested Zürich to investigate this report.
9. Von Frey and von Krcibig. I shall endeavour to get reports on their activities.
10. Buemming. If we succeed in cracking the Wendland nut, we may get a lead on Buemming and shall certainly not overlook anything leading us to Buemming.
11. Schenker & Bronner. We have no approach to Schenker⁺ and shall have to invite the help of another department. We have contact with Bronner and will see whether any information can be obtained; if they fail to talk, the other department will again have to be invited to take a hand.

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12. Sequestration. We shall concert action with our French, Dutch and U.S. colleagues to obtain the sequestration of all looted works of art which we can trace in Switzerland. The French have already acted as regards the Fischer pictures and drawings; after interviewing Fischer we will discuss with the French how best we can support their demarche. We will take the matter up with the French and Dutch after our interview with Wiederkehr.
13. Emil Zaunkeller. Another department is already making enquiries. We will co-ordinate action and try to obtain something useful.

(Sgd) W.J. Sullivan,

Commercial Counsellor.
12.3.45.

- + Our French colleagues have just asked the Swiss authorities to block railway wagons S.N.C.F. 105,932, 65,688, and 130,914 despatched by Schenker, Paris, under way-bill of 8th December 1942, to Zürich, which are believed to contain goods of all kinds looted by an official of the Reichsbahn, at one time of Quai de Passy 34, Paris.

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BOX 77

Sullivan
Special Counsellor
Legation

Letter from FISCHER

Lucerne, 10 April 1946 -

In first paragraph subject tells addressee that he had been bound in the past because of the confidential nature of the information addressee was interested in. Subject also says that he is an author and dealer in art antiques as can be found in "Who's Who". Also states that he is not a lawyer, and a bad bookkeeper. And that a lot of time and trouble will be involved in the final clarification of his correspondence.

Subject then proceeds to give addressee a short general description of the business deals which concerned the paintings and graphic art in question. -- All in all 54 paintings and graphic art pieces come into the question.

I. Of these 25 were imported through customs on the 22 Oct. 41, the original note and report by customs is submitted in photostat with letter.

II. 26 items (14 paintings and 12 graphic art pieces) were brought by W.A. HOFER to subject in Lucerne.

III. 3 paintings were delivered to subject from the sculptor Bernard BOEHMER in Lucerne. These came from Paris. On 1 Feb. 44 subject gave addressee list of paintings and graphic art pieces still in his possession, and that list amounted to 31 items. There is another list of 11 items, which together with the above list makes 42 items. Subject then states that 12 paintings and graphic art pieces still have to be reported on.

→ Come after list of paintings -
***** Subject states that 2 Van Gogh pictures were to be sold to a Swiss who in 43 got scared because of rumors concerning the origin of the pictures. HOFER was then willing to straighten the matter out and take them but he could not get a Visa to come to Switzerland so Fischer was left with the

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2 pictures. He decided to buy ~~it~~ them himself. Letter from British Legation Jan. 44 made that impossible because ~~the~~ subject wanted to send the pictures to Germany and if he did this his name would be kept on the Black List . So subject still has pictures.

Regarding the De Gas which Cooper saw in BUEHRLE's house in Zurich -- subject states that a drawing of De Gas had been missing from his Gallery since the spring of 42. States that at that time BUEHRLE had bought a great deal of pictures and either subject or his secretary put a small De Gas in BUEHRLE's car and he probably assumed erroneously that it was a gift because he had bought so many items.

In 41 BOEHMER acquired from the Fischer Gallery an important painting of the Madonna by Van Dyk ^{Dyke?} which came from the collection of Rodif KANN of Paris. KANN bequeathed it to his sister, Mrs. BROMBERG, of Hamburg and painting later came into possession of EMDEN in Ascona, Swit. from whom subject got picture.~~the~~ Subject sold the painting for 150,000 francs (Swiss ?) and at the same time bought a painting by Picasso, The Absinthe Drinker, which had been in Switzerland since 38 and came from the Museum of Hamburg. Mr. BOEHMER explained that he was commissioned as an intermediary and that the sum (for the Van Dyck ?) would be sent to subject in Switzerland after delivery of picture. Subject states that the same thing happened here as had happened in the last deals with HOFER - payment, in spite of his requests, did not take place. Instead, after long negotiations 3,000,000 paid French francs were placed for purchases which subject had to accept since his efforts to get the merchandise back were unsuccessful. Subject then wrote to WENDLAND ^{Perow} and asked him to buy wherever possible first class impressionists with the 3 million francs and deliver them to subject for

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payment. WENDLAND bought three paintings - DEGAS which was sold to BUHRLE, COROT which was never sold, and a BRAQUE which subject merely states as being sold.

Regarding letter from addressee 9 Mar. 45 asking for information on four paintings which were sold at auction in 42. One of these, a Renoir, never belonged to subject and was never brought to him from Germany or France. It is the property of Mr. Paul MOHN of Berne who showed Fisher the receipt for the painting which stated that he bought it from the gallery of O. PETRIDES. Subject then states that this painting is in his gallery at the moment - "in commission" - since it was not sold in the auction of 42. Back of the painting states the following: #151 from collection of ZOUBALOFF, '27.

Subject then goes on to account for five of 54 paintings and drawings on earlier list which were not previously accounted for. Says that they were of minor value and the business was transacted in Switzerland. Subject will not give names of purchasers because he says that he does not want to expose their good faith to the inconvenience which they would have to suffer. States that he has unfortunately observed that his information has been given to colleagues and competitors even though he was assured that no use would be made of this information. States that he will get in touch with the purchasers of the five paintings.

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Copie.

DEPARTEMENT POLITIQUE FEDERAL
Division des Affaires Etrangeres.

Berne, le 30 avril 1945.

Cher Monsieur,

Au cours des negociations de Berne j'ai été approche par un representant du Ministere francais du blocus au sujet de la presence en Suisse, chez la galerie Fischer a Lucerne, d'un certain nombre de tableaux d'impressionnistes francais provenant de la galerie francaise Rosenberg. Ces tableaux auraient ete requisitionnes par les autorites allemandes d'occupation. Mon interlocuteur me demandait que les Autorites federales intervinssent pour prevenir la vente de ces tableaux en Suisse.

Je n'ai pas manque de prendre contact avec M.Fischer a ce propos et j'ai pu me persuader au cours de plusieurs entretiens que j'ai eus avec lui qu'il etait desireux de chercher un arrangement amiable de l'affaire dans laquelle il semble que sa bonne foi ait ete surprise.

Lors de nos conversations, M.Fischer m'a fait part de la correspondance qu'il a echangee avec vous au sujet de ses ventes de tableaux de maîtres francais. Il m'a notamment remis une copie de votre lettre du 9 mars. Desireux d'y repondre par le menu, il a pris quelque temps a rassembler le documentation voulue et m'a fait tenir de la main a la main la reponse qu'il vous destine. Cette reponse, j'espérais vous la remettre au cours d'un de nos recents entretiens relatifs a l'application de l'accord du 8 mars dernier. Mais les circonstances ne m'ont jamais permis d'aborder cette affaire avec vous. Pour ne pas plus attendre, je vous remets donc ci-joints les divers documents que M.Fischer m'a prie de vous adresser. J'ajoute que je suis en contact avec les representants de l'Ambassade pour chercher a trouver un reglement satisfaisant.

Quoiqu'il en soit, je puis vous indiquer maintenant deja que M.Fischer a pris l'engagement de ne pas disposer des tableaux litigieux jusqu'a reglement de l'affaire.

Veuillez agreer, cher Monsieur, l'assurance de mes sentiments les meilleurs.

R6239
BOX 77

Section du contentieux et des
interets prives a l'étranger.

Annexe: 1 pli.

114338

R6 239
Box 77

114339

Abschrift.

Bellevue/Geneve
le 5.IV.1945.

Galerie Fischer, Lucerne.

Mesieurs.

Vous m'avez demande de preciser par une lettre les conditions dans lesquelles j'ai achete a Paris pour votre compte trois tableaux dans l'annee 1941.

Voici les gais:

Vous m'avez dit - en 1941 - que vous possediez a Paris une somme de 3 millions de frs. francais mise a votre disposition par Monsiuer Böhmer, sculpteur. Votre intention etait de me charger d'acheter pour vous a Paris au cours d'un voyage que j'etais en train de faire, quelques tableaux.

✓ Je suis alle a Paris et je me suis en rapport avec un marchand français, Mr. Zacharie Birtschansky, 9 rue Bogador (pres de l'av. Montaigne), son galerie 88 fauberg St. Honore etait saisie par les autorities d'occupations. Je suis en rapport d'affairs continual avec ce marchand depuis 1918.

Mr. Birtschansky m'a offert les tableaux suivants: 1. Degas: Madame Camus, 2. Corot Madame Stumpf et sa fille, 3, Bracque nature morte, qui ont ete payes en utilisant votre avoir. Ces tableaux vous ont ete envoyes conformement a vos instructions.

Votre role dans cette affaire s'est borne a me donner le mandat d'acheter pour vous des tableaux en utilisant de la somme de 3,000,000. - de francs français que vous possediez, et mon role a ce qui est indique plus haut.

Je puis aujourd'hui vous donner encore cette precisions, que Mr. Z. Birtschansky avait obtenu d'une façon tout a fait reguliere les trois tableaux qui vous ont ete envoyes. Ces tableaux provenaient d'un exchange, fait par Birtschansky avec un autre marchand a Paris,

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BDx77

d'un tableau de Tizian dont il etait proprietaire avant la guerre.

Agreez, Messieurs, mes salutations tres distainguees.

gez. H. Wendland.

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Box 77

114341

10.4.1945.

Komplette Liste aller Gemälde und Zeichnungen aus den
Geschäften mit Hofer und Boehmer, mit oder ohne
Intervention Wendlands oder Buamings.

-
- | | |
|----------------------|---|
| + 1. COROT CAMILLE | Lesender Mönch, sitzend. |
| + 2. | Landschaft mit zwei Häusern, Lwd. |
| + 3. | Landschaft mit Umgebung von Beauvais. |
| 4. | San Giorgio Maggiore in Venedig. |
| 5. | Pont en-Royans. |
| + 6. COURBET G. | Felsenlandschaft. |
| + 7. DAUBIGNY CH. | Bauernhaus am Flussufer. |
| 8. DAUMIER H. | Baccantische Szene. |
| 9. DEGAS E. | Badende Frau sitzend 73 x 86 cm. |
| 10. | Balletttänzerinne, Kohlestudie m. Kreide. |
| 11. | Frau dem Bade entsteigend. |
| + 12. | Balletprobe, Lwd. |
| 13. | Badende Frau stehend. |
| 14. VAN GOGH | Blumen in einem Glase, Lwd. |
| 15. | Bildnis eines Mannes. |
| 16. LUCAS E. | Flüchtende Frauen, Lwd. |
| + 17. MANET E. | Die Toilette (Frauenakt mit Haube) |
| 18. MONNIER M. | Stadt am Flussufer, Lwd. |
| 19. RENOIR A. | Wald von Fontainebleau Lwd. |
| 20. ROUSSEAU TH. | Landschaft mit Brücke. |
| 21. RODIN A. | Weiblicher Akt, Zeichnung mit Aquarell. |
| + 22. SISLEY A. | Am Ufer der Seine, 45 x 58 cm. |
| + 23. | Die Loing bei Morat mit rotem Dach. |
| + 24. | Am Seineufer, dat 1877. |
| 25. ANONYMER MEISTER | Landschaft mit Gartentor, Öl auf Holz. |
| + 26. COROT | Liseuse. |
| + 27. MANET. | Blumen in einem Glase. |
| + 28. DEGAS | Jockey Reiter. |
| + 29. VAN GOGH | Kl. Landschaft. |
| + 30. COURBET | Schlafendes Mädchen. |
| + 31. DEGAS | Mme Camus. |
| 32. RENOIR. | Anemonen. |
| 33. SEURAT | Marine. |
| 34. SISLEY | Fluss mit Obstbäumen. |
| 35. COROT | Hafen von Toulon. |

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BOX 77

- | | |
|----------------|--|
| 36. | Torbogen in Genua. |
| 37. | Felsenlandschaft. |
| 38. MONET C. | Stillleben 1880. |
| 39. | Marine dat. 1882 |
| 40. SISLEY. | Landschaft Gemüse und Obstgarten dat. 187. |
| 41 - 52. | 12 Zeichnungen: |
| 41. RENOIR. | Portrait. |
| 42. INGRES | " |
| 43. | Mr. et Mme. Ramel. |
| 44. DEGAS. | Tänzerin Rückenansicht. |
| 45. | " Vorderansicht. |
| 46. | Nackte Frau vor dem Spiegel. |
| 47. DAUMIER | Zirkus. |
| 48. SEURAT | Priester. |
| 49. SEURAT | Blouse blanche. |
| 50. RENOIR. | Etude de tête. |
| 51. | Dans a la campagne. |
| 52. COROT. | Sitzendes Mädchen. |
| + 53. BRACQUE. | Stillleben. |
| 54. COROT: | Madame Stumpf mit Tochter. |

Die mit + versehenen sind die verkauften, die ohne = die unverkauften
Gemälde und Zeichnungen.

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BOX 77

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10.4.1945.

Unverkaufte Impressionisten, die sich in der Galerie Fischer befinden.

- | | | |
|-------|---------------|---|
| 4. | COROT C. | San Giorgio Maggiore, Venedig. |
| 5. | COTTET. | Pont aux Royaux. |
| 8. | DAUMIER. | Bacchantische Szene. |
| 11. | DEGAS E. | Frau dem Bade entsteigend. |
| 18. | MONNIER. | Stadt am Flussufer. |
| 21. | RODIN. | Weiblicher Akt, Zeichnung mit Aquarell. |
| 14. | VAN GOGH. | Blumen in einem Glas. |
| 15. | VAN GOGH. | Bildnis eines Mannes, signiert Vincent. |
| + 10. | DEGAS E. | Balletttänzerin, Kohlestudie mit Kreid. |
| 9. | DEGAS E. | Badende sitzend 73 x 86 cm. |
| 13. | DEGAS E. | Badende Frau stehend. |
| 16. | LUCAS. | Flüchtende Frauen. |
| 19. | RENOIR A. | Wald von Gontainebleau Lwd. |
| + 32. | RENOIR A. | Anemonen. |
| + 33. | SEURAT. | Marine. |
| + 34. | SISLEY. | Fluss mit Obstbäumen. |
| + 35. | COROT. | Hafen von Toulon. |
| + 36. | COROT. | Torbogen in Genua. |
| + 37. | COROT. | Felsenlandschaft. |
| + 38. | MONET CLAUDE. | Stillleben 1880. |
| + 39. | MONET CLAUDE. | Marine, datiert 82. |
| 40. | SISLEY. | Landschaft, Gemüse - und Obstgarten
dat. 73. |
| 20. | ROUSSEAU TH. | Landschaft mit Brücke. |
| 25. | ANONYM. | Landschaft mit Gartentor. |
| + 41. | RENOIR. | Portrait, Zeichnung. |
| + 43. | INGRES. | Monsieur et Madame Rame, Zeichnung. |
| + 42. | INGRES. | Portrait, Zeichnung. |
| + 44. | DEGAS. | Tänzerin, Rückenansicht, Zeichnung. |
| + 45. | DEGAS. | Tänzerin, Vorderansicht, Zeichnung. |
| + 47. | DAUMIER. | Zirkus, Zeichnung. |
| 49. | SEURAT. | Blouse blanche, Zeichnung. |
| + 48. | SEURAT. | Priester, Zeichnung. |
| + 50. | RENOIR. | Etude de tête, Zeichnung. |
| + 51. | RENOIR. | Danse à la campagne, Zeichnung. |
| + 52. | COROT. | Sitzendes Mädchen, Zeichnung. |
| + 54. | COROT C. | Madame Stumpf mit Tochter, Gemälde. |

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10.4. 1945.

Verkaufte Impressionsiten.

Küfer.

2.	COROT C.	Landschaft mit zwei Häusern.	
3.	COROT C.	Umgebung von Beauvais	
6.	COURBET.	Felsenlandschaft.	
7.	DAUBIGNY.	Landschaft mit Flussufer.	
1.	COROT.	Lesender sitzender Mönch.	Hr. Bührle, Zch.
12.	DEGAS.	Ballettprobe, Lwd.	Hr. Bührle, Zch.
17.	MANET.	Bei der Toilette.	Hr. Bührle, Zch.
+ 22.	SISLEY.	Am Ufer der Seine.	Mr. Dubied, Neuchatel.
46.	DEGAS.	Zeichnung einer nackten Frau vor dem Spiegel.	Hr. Bührle, Zch.
		Madame Camus.	Hr. Bührle, Zch.
31.	DEGAS.	Die Loing bei Moret mit rotem Dach.	Hr. Joerin, Basel.
+ 23.	SISLEY.	Stillleben	
53.	BRAQUE.	Seine-Ufer, datiert 1877.	Hr. Bührle, Zch.
+ 24.	SISLEY.	Liseuse.	Hr. Bührle, Zch.
26.	COROT.	Blumen in einem Glas.	Hr. Bührle, Zch.
+ 27.	MANET.	Jockey Reiter.	Hr. Bührle, Zch.
+ 28.	DEGAS.	Kleine Landschaft.	Hr. Bührle, Zch.
29.	VAN GOGH.	Schlafendes Mädchen.	Hr. Bührle, Zch.
+ 30.	COURBET.		

114344

R 6 239

BOY 77

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)

Property Division
Restitution Branch
APO 403
Karlsruhe, Germany

PD 007 (RES/MFAA)

1 September 1948

SUBJECT: Exchange of Paintings between Theodor Fischer, Lucerne,
and Walter Andreas Hofer, formerly Berlin.

TO : Restitution Branch
Property Division
Office of Military Government for Bavaria
APO 407, U.S. Army
Attn: MFA&A Section

MFA&A Branch
Property Division
Office of Military Government for Hesse
APO 633, U.S. Army

Restitution Branch
Property Division
Office of Military Government for Württemberg-Baden
APO 154, U.S. Army
Attn: MFA&A Section

1. Attached herewith are two lists of works of art which were
the object of an exchange between the Swiss art-dealer Theodor Fischer,
Lucerne, and the German art-dealer Walter Andreas Hofer, formerly of
68 Augsburgerstrasse, Berlin W 50:

List A: Works of Art given to Hofer by Fischer
List B: Works of Art received by Fischer from Hofer

forwarded to you for information.

2. This office is in receipt of a restitution claim prepared by
the lawyer of Fischer, Dr. Ernst Säker, 10 Bümleingasse, Basle, Switzerland,
for the works of art given to Hofer by Fischer. Dr. Säker states
in one of the last paragraphs of his letter: "Mr. Fischer puts in the peti-
tion that those works of art which he had sent to Hofer in the exchange
transaction should be given back to him in return for which he is prepared
to restore to the original owners those pictures which he had received from
Hofer at the time."

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Claim Fischer, -

R6239
Box 77

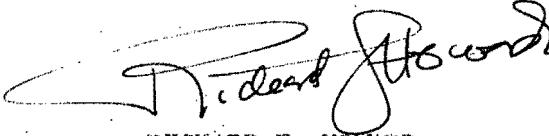
Exchange of Paintings between Theodor Fischer, Lucerne and Walter Andreas Hofer, formerly Berlin
PD 007 (RES/MFAA), OMGUS, 1 September 1946

3. This case does not fall under the jurisdiction of this headquarters and will be handled at a higher level. Meanwhile, this office is interested in knowing the location of works of art mentioned in List A, and it is requested that all information pertaining to subject art material available in your office be transmitted here at your earliest convenience.

FOR THE CHIEF:

2 Incls: a/s

Telephone KARLSRUHE 617 - 247


RICHARD F. HOWARD
Deputy Chief
for Cultural Restitution
(MFA&A)

67 JCH 100

114346

Robert Com.

STRICTLY CONFIDENTIAL

London.

Reference: No. 40

May 10, 1945.

SAFENAVEN REPORT

Subject: Information obtained from Dr. Hans SCHNEIDER, 23 Augensteinerstrasse, Basle, on persons connected with looted art stored in Switzerland.

Reference: Embassy's despatch No. 22,344, May 3 enclosing an account of an interview by the British Consulate General with Dr. Nathan Katz of Basel.

The Ministry of Economic Warfare has now received the following letter from the British Consulate General, Basel, dated April 9:

"With reference to our letter of the 6th inst., regarding NATHAN KATZ, we have now interviewed Dr. HANS SCHNEIDER of 23 Augensteinerstrasse, Basle, who stated as follows:-

- 1) in 1940, i.e. during the time he was curator of the Hague Art gallery, the Germans took away three or four valuable oil paintings from the "Kroeller-Muller-Stiftung". These were painted by Bart. Bruyn, (Ghent), Hans Baldung Grien (life-sized Venus), and either one or two pictures illustrating an "Altar-Flügel" by a Frankfurt master, whose name Schneider cannot recall.
- 2) in the same year a list of all paintings which had been stolen from private owners by the Germans was handed over to officials of the Dutch Government.
- 3) he knows Walter Andraso Hofer, German, art dealer, of Augsburgerstrasse, Berlin, who is the chief buyer for Hermann Göring. When Hofer came to Switzerland he nearly always visited Fischer (List A), Lucerne, and H.O. Schmidlin, (List A), Zurich. Schneider describes the Schmidlins as "eine ganz gefährliche Number", and he suggests that we would do well to contact the Swiss police who have a dossier either on the man or his wife, who are of German origin. Our informant has heard that the wife of one of the Schmidlins brought a large collection of silver into Switzerland from Germany, paid the import duty and is either endeavouring to, or has already sold it.
- 4) he has known Dr. phil. Hans Wendland, (List A), Geneva, since 1914, but has nothing to do with him now.

Wendland

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MAY 10 1945	
RECEIVED - DECLASSIFIED	

- 3 -

Wendland is, or was, German, and is an art dealer who formerly lived in Berlin, Basle during the German inflation. Lugano, Paris, Lucerne (Schweizer Hof), and then Bellevue. Both at Basle and Bellevue he fitted out the flats in a sumptuous style. He was in Paris from 1930, where he stayed until the outbreak of war, re-married there and then proceeded to Lucerne. Apparently he had difficulties with the Swiss police (which Schneider again suggests we should consult), but thanks to the good services of Adrien Lachenal, lawyer, Geneva, Wendland obtained permission to remain in Switzerland (Geneva). Wendland had his furniture and library sent from Paris to Geneva, and since the outbreak of war travelled frequently backwards and forwards. His paintings, however, which are, according to Schneider, very valuable, are believed to be stored with "collaborators" in France. Wendland and Hofer are acquainted with one another.

- 5) Carl Buemming, with whom, however, he has had no direct contact, keeps or kept a bookshop at Darmstadt (Germany), and most of his business was done with Fischer (List A), Lucerne. Schneider does not know the nature of the business done but he believes it had to do with art.
- 6) about 1942 Dr. Wiedenkahr (List A), Zurich, asked Schneider to look at 4 oil paintings, the proceeds of which were to go to Wiedenkahr in payment of his fees. The paintings were bad, but Schneider does not think that they were stolen.
- 7) he has never heard of van Goeschen.
- 8) the name of Alois Miedl (List A), Madrid, is known to him, and he thinks he is a Bavarian. Miedl suddenly appeared in Holland in 1940 and at this time Jacques Goudstikker, a Dutch Jew, owning a very large Kunsthandlung in Amsterdam, left for the United Kingdom, but met with a fatal accident on the ship at Harwich. Miedl took over Goudstikker's business.

Schneider thinks that a search should be made for looted pictures, etc., particularly in Spain, Portugal and perhaps Sweden, as Swiss collectors are primarily interested in modern paintings. Many of the looted paintings sent to Spain and Portugal may have found their way to the Argentine.

Further persons mentioned by our informant are:-

Dr. Walter Feilchenfeldt, Accoza, (refugee, former German, now Cuban), formerly head of the firm Paul Cassira, art dealers, Berlin, and subsequently head of the Dutch branch in Amsterdam, who, together with Mr. Cooper of the British Delegation which was in Berne, inspected Suerrie's collection.

Lucien Bassanger, formerly List A, but deleted on 2.10.1943), Geneva, a Dutch Jewish jeweller who also deals in paintings. Schneider thinks that, although Bassanger is on good terms with the Dutch Legation he is a "bad lot".

/BARON

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- 3 -

Baron von der Hett, (? German), Ascona and a certain Kraebig, German, Ascona, both of whom he has heard have large sums of money at their disposal.

As a proof of his bona fides Schneider showed us a letter dated 12th January, 1946, which he had just received on this subject from the Dutch Ministry of Education and Science, Arlington House, Arlington Street, London.

Both Katz and Schneider suggest that we should also interview Fr. Schultheis of 6, Aechenvorstadt, Basle, who may be able to enlighten us further. An additional name given to us by Mr. Jacky of Jacky, Meder & Co., is that of Ferdinand Wortmann, art dealer, Basle. We shall interview both persons as soon as possible and report in due course.

We are sending two copies of this letter to our American Colleague".

In connection with the above-quoted information, reference should also be made to Squadron Leader Cooper's report on Looted Art stored in Switzerland, transmitted as Enclosure No. 10 to the Embassy's despatch No. 22,203, April 5.

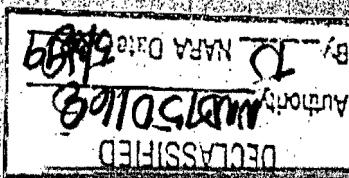
Distribution made by Embassy, London:

Copy to Roberts Commission, London.
" " O.S.S. (Art), London.

(Original and photocopy to Department)

MZ:MD.

114349



Ruthie Gomlin

No. 23,118

London, England, May 17, 1945.

BY AIR POUCH

Economic Warfare (Safehaven) Series: No. 225.

Subject: Application made by Leopold Blumka,
New York, for export pass for art
objects stored in Switzerland.

CONFIDENTIAL

The Honorable
The Secretary of State,
Washington, D.C.

Sir:

I have the honor to transmit herewith copy of a list of art objects and antiques stored with Galeries Fischer (PL/SL), Lucerne, Switzerland, for which Leopold Blumka, art dealer, of 115 East 57th Street, New York is applying for release for shipment to the United States.

Blumka is an Austrian refugee who at one time had an antique business in Vienna and fled to Switzerland in February, 1939 with some of his commercial stock. He left Switzerland for the United States in 1941 and has since established himself as an antique dealer in New York City.

The present application is the third of a series. The first, under date of April 7, 1941, covered household goods and personal effects. The second, filed on December 12, 1941, covered, according to Blumka, items from his commercial stock. These goods were stored with the firms, Galeries Fischer, Lucerne and Segal, Basel. Facilities for this second consignment were granted in May 1944, only after the British Legation, Bern had been shown satisfactory customs documents proving that the goods were brought into Switzerland prior to 1939, and on the further basis that the British Legation had reported that those items stored with Fischer had been removed before that firm was listed in September, 1943.

The Ministry of Economic Warfare file on the case indicates that in March 1942 Blumka wrote Fischer (not then listed) suggesting that he act as their New York representative for the purpose of selling antiques.

The application under consideration covers goods still stored with Fischer, but Blumka claims that they were included in the lists previously submitted to the British authorities, and are his personal property.

In view of Blumka's associations with Fischer who was listed, inter alia, because of transactions involving loot,

114350

- 2 -

M.I.W. suggests that Blumka be invited to submit full details of the articles covered by the present application to the Roberts Commission for decision as to whether there is a possibility of their having been looted, the case to be disposed of in accordance with the Commission's findings.

Embassy would appreciate instructions.

Respectfully yours,
For the Ambassador:

Avery F. Peterson
First Secretary of Embassy

Enclosure:

Copy of list compiled by Blumka of
his property still stored with
Galeries Fischer, Lucerne.

Distribution made by Embassy, London:

1. Roberts Commission, London.
2. O.S.S. (Art), London.

HZ:JH:Jh
(original and hectograph to Department)

114351

COPY

Enclosure to despatch No. 25,116
May 17, 1945 from Embassy, London.

LIST OF MERCHANDISE OWNED BY LEOPOLD BLUMKA STORED WITH
GALERIE FISCHER, LUCERNE, SWITZERLAND, TO BE SHIPPED
THROUGH GONTRAND BROTHERS, BASEL, SWITZERLAND, TO LEOPOLD
BLUMKA'S GALLERY IN NEW YORK.

Church iron stand
folding chair
Renaissance mirror
paravent with velvet in 3 parts
bronze clock with Venus and Amor
" " " Elephant
marble Satyr

Pewter:

plate from the Coll. Piggott.
" with ornamental border
Enderlein Jug
large plate with engraving
small plate with ornamental border
candlestick
inkwell
2 large pitchers (Last Supper)
Gothic wine pitcher
" Guild " with rider
" " " Hungarian inscription
" " " of the shoemakers
" " " potters
" " " , large

Italian bowl, blue
grey stoneware jug
green jug
3 Fayence bowls
bowl on foot
brown stoneware Enghals Jug
large " jug with big belly
brown Kreussen jug
stove tile
" yellow-green
large jug with head in the neck
1 plate
bronze water tap
lot of 3 bronzes
clock with Carietydes
2 bronze appliques with leaves
clock with Diana
" " Wedgewood
" " 2 vases
brass center piece, round
iron scale with Dolphin
2 marble vases
alabaster vase with Canaces
large saw
marble spander's plaque of grave
oilpainting, Minusius
arms and armor:

gun

lot/

114352

- 8 -

lot of 2 swords and one sword
pair of spurs
neck pieces of armor
3 revolvers
18 swords
2 mortar models
Japanese helmet
6 armor pieces
headguard of helmet
lined breastplate
engraved morion
armorbreastplate of Maximilian I
horse bit
stirrup
" "
horse bit (Zeltenbuegel)
pair of stirrups
one wheelspur and pair of wheelspur
lot of spikespurs and wheelspur and fragment of spikespur
cannon model.

(8003) LEOPOLD BRAUER

- 114353

REF ID: A7925
RECORDED
SEARCHED
INDEXED
FILED

S E C R E T

CE - Mr. Beam

March 30, 1948

ADO - Miss Hall

Proposed Sale of Public German Art Collections

The following information has been received concerning proposed sale and removal of public collections of art from the American Zone of Germany.

1. Confidential report on reconstruction in Germany of ROBERT MOSES, Commissioner of the Department of Parks of the City of New York (not seen).

2. Controversy in the German Press on the sale of public collections for relief begun by the article by ALFRED ANDERSCH, "Albrecht Durer in Buenos Aires?" in the Frankfurter Hefte, August 1947, pp. 743-5. ANDERSCH is a German, born in [P6(b)(6)] in 1914, who has worked in the propaganda section of a German firm. He recommends the sale of "dead art" for the relief of living people through a hypothetical sale of German public galleries to Argentina in return for meat. It is a confused and cynical article with only slightly veiled hostility to America.

Many replies in vigorous protest to this proposal have appeared, including (1) by Dr. HANS SCHMITT, in the Rheinische Zeitung, Koln, September 20, 1947; (2) by ALFRED WOLTERS (Stadtische Galerie, Frankfurt am Main), Frankfurter Hefte, Oct. 1947; (3) CARL GEORG HEISE (Director of the Kunsthalle, Hamburg) Frankfurter Hefte, Oct. 1947 -- (Attachment 1).

3. Visit of FRANCIS HENRY TAYLOR, Director, The Metropolitan Museum of Art, New York, to American Zone of Germany in October, 1947, at the request of General Clay. Informal report made by Mr. Taylor to Assistant Secretary of War, General Draper. (Attachment 2: Quotation from Mr. TAYLOR's letter to Department).

4. Reports from Germany that Mr. FRANCIS HENRY TAYLOR through American Military Government personnel proposed to the directors of certain German State Museums that a portion of their public collections should be sold against dollar payment for the reconstruction of German cities and relief of German population.

5. Proposal made by Mr. PAUL L. DREY, a German-born art dealer from Munich with art store at 11 East at 57th Street, New York, on March 8, 1947 to Department of State Officer that he should go to Germany in order to explore the possibility of setting up a "non-profit making organization" of art dealers, to bring works of art from private and public collections in Germany to be sold in the U.S. He has a reservation to sail for Europe on July 2, 1948.

114354

DECLASSIFIED

AUTHORITY NND 968071

BY TA NARA Date 2-16

RG 59
Entry Lot 63D-4
Box 30-28

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He said he intended discussing the plan further with Mr. M. S. SZYMCAK, governor of the Federal Reserve System and with General Draper. (Attachment 3: Brief memo on DREY's two-hour interview.)

6. German representatives of the education ministries of the American and British Zones have formed a special committee of the Leiterkulturrat to study the present legal aspects of this problem: governmental protection of public collections.

It might be advisable for the United States Government to take specific interim measures for the time that cultural property is in the custody of American Military Government and until the proper safeguards under German law can be approved. This would only be a strengthening of American policy.

7. Because these unfortunate rumors are in circulation in Germany and the United States, it is proposed that a clear statement reaffirming the position of the United States Government be published in appropriate publications in the United States and Germany.

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RG 59
Entry Lot 62D-4
Box 309 18

~~CONFIDENTIAL~~

PAUL L. DREY
P.H.D.-F.R.S.A.

PLAZA 3-2551

11 EAST 57TH STREET
NEW YORK

March 3, 1947

Mr. Paul L. Drey
11 East 57th St., NYC

Major Crook called and sent Mr. Paul L. Drey, a New York Art Dealer, to discuss a proposal which he has to make regarding setting up an organization for the sale of German art in the USA.

Mr. Drey said he had first discussed this matter with Mr. ~~M.S.~~ Szymczak of the Federal Reserve Board who had arranged for him to see General Draper and to take his plan to the War Department ~~of the Army~~.

Mr. Drey said that he has a degree in Law and Economics: - that for 40 years he has been in the art trade, which had been carried on by his family for four generations. He deals entirely in European art, painting and art objects of all periods. He is, I gathered, of German origin from Munich.

His proposal is that he should go to Germany. He has engaged passage to sail on July 2nd, or 3rd, 1948, in order to explore the possibility of setting up an organization to bring works of art from Germany to be sold in the U.S. The dealers would get together in this matter in order "to take the responsibility of legal sale" from the museum and collectors. He wishes to explore the possibility of sale of German art by collectors and by the German museums, which he said "have only collections and no buildings exist to house the objects". He wanted Government approval and blessing to go into this matter with German museum authorities. He wishes to lay the plan of action in 1948 to get an export program started in 1949. He proposes that it should be under the Export - Import.

~~Comment:~~

This proposal is fantastic. The U.S. Government would be giving approval and sanction for wholesale removal of cultural property from Germany. He should be refused from carrying any such tacit approval to German museum authorities. This is obviously a scheme of dealers who are worried for fear that Mr. T's plan will go through and they will lose their cut in the profits.

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RG 59
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Box 28

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By SR NARA Date 12-7-99

RG 59

Entry lot 620-4

File Ardelia Hall Coll.

Box 9

Lender's Name:

Anne D. E. G.

Ardelia R. Hull
3025 Cambridge St. NW
Washington, D.C. 20007

May 30, 1966

Dr. Scheidig, Director,
Staatlichen Kunstsammlungen,
Weimar, East Germany.

Dear Dr. Scheidig:

A New York Times front-page article about the appearance of the Dürer portraits is enclosed. From the account, it would seem that the man who sold the Dürers had at that time in his possession all eight missing works from the Weimar repository. I have already spoken with the office in the Department of the Army which conducted the earlier investigation in 1955, and because a member of the armed services has apparently been involved, I have no doubt that the investigation will be reopened. It may take some time to trace the individual and the other six paintings.

If it were possible for you to come to the United States, the Museum would be well advised to send you here to claim the paintings on behalf of the Weimar Museum. It might be possible to avoid any difficulty in getting the present owner to surrender the paintings, if the Weimar Museum was able to offer Mr. Elicofon the \$500. that he paid for the pictures. You would then reacquire them without going through Government or diplomatic channels, that are so complicated by the non-recognition of East Germany. But I hasten to assure you that if the paintings are recovered by the U. S. Government, they will be returned, eventually. In the past I have arranged for the purchaser of looted art to get back his money. And with all art objects belonging to public institutions in East Germany, like the Mainz Psalter (that we seized from a New York dealer because of violation of U. S. Customs regulations), were transferred to the Treuhandverwaltung für Kulturgut of the West German Government, as you know, with the Weimar coins. The reason that I suggest that you should come and claim the portraits, is because the curator of the Uffizi came when the Pollaiulo paintings of Hercules turned up in California. There were

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conflicting opinions and difficulties raised with the return of those masterpieces, even when an Italian official and the Italian Embassy was here to support the Uffizi claim.

In your case, you would have the support of Professor Kuhn at Harvard, I am sure, of Professor Panofsky, and the friends I have in the Department of State would help you in any way they can. I would be willing to sponsor you for a visa. But that may be your difficult. I will ask tomorrow when the offices are open and will write again if you can obtain one. (Today is Memorial Day, a national holiday since the American Civil War a hundred years ago.) Also you have the support of the New York Times editor who wrote the enclosed article, Mr. Milt Esterow. The enormous publicity he can give in the discovery of missing art is a great asset in assuring the objects go back to the rightful owners. The ones who question the title of the owner and stir up all kinds of doubts, as to what can be done, are international dealers who, no doubt, are waiting for a safe time to sell wares of dubious background.

In June I go to my home in Massachusetts, not far from Boston. I shall give you my telephone number here and my address in Massachusetts.

For the present, we can rejoice that the Dürer portraits are found and undamaged. I hope now that the others will be recovered.

Yours very sincerely,

Ardelia R. Hall

3025 Cambridge Place, Washington, D.C. 20007
Telephone: Dupont 7-3246

Hunting Hill Field, Montague, Massachusetts, 01351
Telephone 367-2818 on Western Massachusetts Area Code 413.

Enclosure: N.Y. Times, May 30, 1966 "\$500 art may be missing
\$1-Million Durers."

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Authority NND 968071
By SP NARA Date 12-7-99RG 59
Entry LOT 62D-4
File Ardelia Hall Coll
Box 9Die aktion
Staatl. Kunstsammlungen
in Weimar.

Don 4. Mai 1945.

An

den Herrn Oberbürgermeister der Stadt Weimar.

Nach dem oocben verkündigton Gesetz No. 52 der Militärregierung sind die Städtlichen Kunstsammlungen

Schlossmuseum, Landesmuseum und Kokonomuseum-Polvadero

beschlagnahmt, und da sind nach Artikel III 4 n II die Verwalter verpflichtet, den Staatsbesitz zu verwahren, zu erhalten und zu beschützen. Dieser Verpflichtung können wir nicht nachkommen, solange Nacht für Nacht im Schlossmuseum und im Goethe-Schiller-Archiv, wo wir in Luftschutzräumen wesentliche Teile unserer Sammlungen verwahrt haben, geplündert wird. Die in beiden Gebäuden vorhandene Wache der Sicherheitspolizei ist machtlos gegenüber den Plünderern. Ferner ist der im Schloss Polvadero verwahrte staatliche Kunstsbesitz unserer Einflussnahme entzogen, weil Polvadero seit dem 12. April 1945 als Kaserne benutzt wird, und es uns nicht gelingt, Zutritt zu den Räumen zu erhalten.

Bei dieser Sachlage bitten wir, in Erwügung zu ziehen, ob im Einvernehmen mit der Militärregierung ein städtisches Gebäude, am besten das Goethe-Schiller-Archiv, zum Schutzgebäude für staatlichen Kunstsbesitz erklärt und unter amerikanische Verwaltung gestellt werden könnte. Fernhin würden wir denjenigen gesicherten Kunstsbesitz aus den Schlossräumen und besonders auch aus Polvadero verlagern.

Der Kunstsbesitz der Städtlichen Kunstsammlungen befindet sich in Depots außerhalb der Stadt seiner, und kann von uns gewisst nicht erreicht und betreut werden.

In das Thüringische Ministerium für Volksbildung
mit Abschrift mit der Bitte um Kenntnisnahme und

Mitvergabe.

Weimar am 4.5.45.

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(13B)

Staatliche Kunstsammlungen
- Der Direktor -Weimar, den 28.1.1961
Burgplatz, Schloßmuseum

Dr. Sch./Th.

Miss
Ardelia R. Hall

3025 Cambridge Place N.W.

Washington 7, D.C.
U.S.A.

Sehr geehrte Frau Hall!

Für Ihre freundlichen Nachrichten vom 18.1.1961 danke ich Ihnen. Ich hoffe, daß ich recht bald Informationen über Fritz Otto Weinert erhalten kann, die Ihnen dazu dienen, die in Deutschland gestohlenen historischen Dokumente in den USA aufzufinden und sicherzustellen. Ich gebe sofort Nachricht, wenn ich Auskunft oder Zwischenbescheid erhalte.

Für Ihre Nachrichten wegen der 1921 gestohlenen Gemäldegruppe "Rembrandt" danke ich Ihnen. Auch wenn vorerst an eine Rückgabe nach Weimar nicht gedacht werden kann, ist es doch beruhigend, sie in der National Gallery in Verwahrung zu wissen.

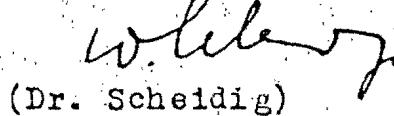
Wegen des Diebstahls der Dürer-Tucher-Bildnisse usw. gebe ich nochmals Details. Sie erhalten per Schiff die Photos aller Bilder, dazu Photokopie nach einer Veröffentlichung der Verluste im Jahrbuch der Kunstmuseen der DDR I. 1957.

Als Sie mir am 19.4.1955 schrieben, waren Sie doch offensichtlich in Kontakt mit Personen, die damals zur Besatzungstruppe von Schwarzburg gehört hatten. Diese Personen hatten eine Ahnung von dem Gerede über die Werte der Kunstwerke, sie wußten auch von dem deutschen Architekten (Fassbender), der im Schloßbezirk wohnte und sich um die Kunstwerke "bekümmerte".

Ich hoffe immer noch, daß es Ihrem Spürsinn gelingen möge, mit Hilfe dieser Spuren bis zu den Gemälden zu gelangen, damit sie wieder öffentlicher Besitz der Kulturwelt werden können, deren Eigentum sie sind.

Mit freundlichen Grüßen!

Ihr



(Dr. Scheidig)

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Entry LOT 62D-4
File Ardelia Hall Coll.
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Miscellanies:

1. Auf Anforderung des Landesamtes für Volkebildung des Landes Thüringen vom 24. November 1945 übergabte Dr. Scheidig eine Liste der durch die Kriegs- und Nachkriegseignisse vernichteten oder abhandengekommenen Bilder der Staatlichen Kunstsammlungen Weimar. Was das Landesamt mit dieser Liste gemacht hat ist nicht bekannt. Die Dürer-Bilder sind in der Liste enthalten.
2. Über den Ministerpräsidenten des Landes Thüringen hatte sich Dr. Scheidig wegen der entwendeten Bilder auch an das Hessische Staatsministerium in Wiesbaden gewandt. Die Nachforschungen des Hessischen Ministers für Kultus und Unterricht blieben erfolglos. Die Bilder blieben jedoch auf der Fahndungsliste. Vergleiche Schreiben von 21. 7. 47 und 18. 10. 47 sowie die übermittelte Liste.
Hessen (mit Frankfurt am Main) war neben Bayern das grösste deutsche Land in der US-Besatzungszone.
3. Am 7. August 1948 wurde im Auftrag von Dr. Scheidig eine Liste der im Depot Schwarzbürg abhanden gekommenen Bilder an Kurt Reutti, Magistrat von Großberlin, Museen und Sammlungen, Referat Rückführung von Kunstgütern, überreicht. Was damit geschehen ist ist nicht bekannt.
4. Am 13. Januar 1958 bestätigte der Direktor des Germanischen National-Museums in Nürnberg die Kenntnis vom Verlust der beiden Dürer-Porträts.
5. Der Umstand, dass Frau Hall in ihrer Korrespondenz mit Dr. Scheidig nur von acht statt von zwölf Bildern spricht, klärt sich durch Schreiben von Dr. Scheidig vom 6. 6. 1966 auf. Aus Versehen war damals das Blatt mit den Bildern Nr. 9 - 13 nicht an Frau Hall überreicht worden.
6. Der Vorwurf unseres Prozessgegners gegenüber Dr. Scheidig, er habe 1948 Herrn Dr. Müller vom Bayerischen Nationalmuseum in München lediglich von den beiden Cranach-Bildern, nicht jedoch gleichzeitig von den Dürer-Porträts berichtet, klärt sich dadurch auf.

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Entry LOT 62D-4
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dass sich Dr. Müller am 4. 2. 1948 lediglich nach dem verlorenen Cranach-Gemälde erkundigt hatte. Hierauf unterrichtete Fräulein Dr. Marchand Herrn Dr. Müller mit Schreiben vom 13. 2. 48 über die beiden Cranach-Gemälde, die den Kunstsammlungen abhanden gekommen waren.

Im übrigen hatte Herr Dr. Scheidig Herrn Dr. Müller bereits mit Schreiben vom 22. 3. 46 auch über die übrigen Verluste, darunter die beiden Dürer-Bilder, unterrichtet (vergleiche Scheid Exh. 28).

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